

ISSUE / PROBLEM STATEMENT:

Single Family Coastal Ordinances applied to La Jolla Community Planning Area are found overly permissive, allowing abuse or misinterpretation to the point that they no longer meet their original Purpose and Intent.

5 Proper updating will address their original objective. Additionally, standard citywide ordinances are inconsistent with the La Jolla Local Coastal Plan, that requires new development be “compatible with existing neighborhood scale and character”. Thus, an update to those ordinances are warranted.

10 It is recommended that at minimum, In Zones RS-1-1, RS-1-2, RS-1-3, RS-1-4, RS-1-5, RS-1-6, and RS-1-7 the regulations that follow be incorporated into an Overlay Ordinance applicable to those zones within the La Jolla Community and Coastal Plan.

REGULATIONS REQUIRING UPDATE

15 **A. Gross Floor Area Definition**

As a reference the SD Municipal Code states: Gross floor area means the sum of the horizontal square footage of all existing, proposed, and phantom floors of a building which may or may not be completely enclosed within the exterior surface of the surrounding exterior walls. See Section 113.0234 for additional information on calculating gross floor area. (Existing Code Language, not proposed for change)

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Proposed Change: Rules for Calculation of Measurement - Code Section 113.0234

The following new provisions designed to modify the existing Code language, are designed to make corrections that presently result in buildings much larger than intended, that by themselves do not implement the La Jolla Community/Coastal Plan.

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Issue 1:

Underground areas presently exempted are within the “exterior surface of surrounding exterior walls”. To clarify this exemption the following language is proposed:

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Underground areas with ceiling structures no higher than 18 inches from grade (existing or finished/new, whichever is lower) may be exempted from the Gross Floor Area calculation. Such areas shall have interior entrances from the building proper, and light wells shall not exceed 4 feet in width in any dimension and cannot be viewed from the exterior.

Issue 2:

35 Above ground spaces within the exterior building walls may be exempted subject to the following limitations proposed:

Porches shall not exceed 100 square feet, and include floor, two walls, columns and roof.

Loggias may not exceed 100 square feet, and include floor, two walls, columns, and open trellis roof.

Carpports may not exceed 400 square feet and include floor, one wall, columns, and roof.

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B. Exemptions to Coastal Development Permit- Code Section 126.0704 (a) (5) should be deleted and updated

Issue 1:

45 This paragraph exempts from Coastal Development Permit proposals involving “removal or demolition of 50% or less of the exterior walls of an existing structure”. The language presently in the Code was originally drafted to apply to “additions” to existing structures where 50% of the exterior walls was preserved. However; the actual interpretation of this provision has resulted in completely new construction with the mere preservation of 50% of the studs of the exterior walls that often are left inside of new envelope walls. Clearly, the original intent of a mere addition is no longer true, therefore its deletion is recommended with replacement by the following provisions:

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PROPOSED INCENTIVE BASED REGULATIONS

A ministerial building permit shall be granted for single-family residential new construction located within the Coastal Zone when the following conditions, as detailed on the project plans are met (*note, applies to lots zoned for single-family residences*):

NOTE: PROJECTS CONSISTENT WITH THESE REQUIREMENTS WILL BE EXEMPTED FROM OBTAINING A COASTAL DEVELOPMENT PERMIT. Any new project not able to adhere to the regulations program described above may still proceed to obtain a permit by applying for a Coastal Development Permit, provided however that the La Jolla Coastal Gross Floor Area Definition Regulations shall apply in all cases.

Project Threshold 1

Proposed New Construction is a **single-story addition** to the existing structure 0 - 400 square feet in total gross floor area and does not exceed the maximum allowed FAR. Proposed construction must comply with current zoning and municipal codes.

Project Threshold 2

Proposed New Construction is either an **addition to an existing structure** or a **new structure** in total gross floor area that does not exceed a maximum of 0.4 FAR (0.4 is based on an allowable maximum base FAR of 0.6 - a sliding scale will be produced to address different base maximum FAR's in the single-family residence municipal code zoning). In addition to the 0.4 FAR, in order to qualify for this incentive, the Proposed New Construction shall not exceed a maximum height of 22-feet for flat roofs (1/4" per foot – 2.9 maximum slope) or 25-feet for pitched roofs (minimum 3:12) and comply with the following requirements (not including chimneys or flues):

1. Front setbacks meet or exceed allowed by zone or the average of the **existing street wall** for the nearest two adjacent properties on either side of the subject property which share the same street addressed frontage. Applicant will submit a plan showing the established setback lines.
2. Mature healthy trees with a caliper (measured at 48-inches above adjacent grade) of 8-inches or more are preserved. Should any tree meeting this minimum threshold require removal for the New Construction, it shall be replaced by a similar species in a 24-inch box.
3. Existing view corridors where noted in the Community Plan are preserved or enhanced by vegetation removal within setbacks and setback fences that are 50% open and no more than 42-inches in height.
4. Require lots with alleys to utilize alleys for garage/vehicle access. No garages to be allowed at street.
5. Driveways and paved areas are permeable, with a combination of decorative blocks and vegetation in a 60/40% ratio, respectively.
6. Sidewalk, parkway and street trees are preserved and enhanced.
7. 30% of the front façade features windows, glazed doors, balconies, porches or terraces that are open to the street.

Project Threshold 3

Proposed New Construction is either an **addition to an existing structure** or a **new structure** in total gross floor area that does not exceed a maximum of 0.6 FAR (or the maximum allowed by the zone). To qualify for this incentive, the project height shall not exceed 27-feet for flat roofed buildings and 30-feet for pitched roofs and meet the base requirements for a Threshold 2 project and demonstrate that the project has qualified to earn an additional maximum of 0.2 FAR utilizing the following Bulk and Neighborhood Scale (0.1 FAR available) and Enhanced Neighborhood Scale & Character incentives (0.1 FAR available), thus bringing the project from a base 0.4 FAR to the 0.6 FAR maximum allowed.

BONUS PROVISIONS for any development that exceeds .40 or 65% of the site’s maximum FAR, up to the maximum FAR permitted by the underlying zone (0.60). Development reviewed under this provision may reach a height of 27 feet for flat roofs, or 30 feet for sloped roofs. Appurtenances such as chimneys may not exceed the 30-foot maximum allowed by the Coastal Height Limit zone. Applicants may choose from the following list allowing increases in built square footage.

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INCENTIVES TO REDUCE BUILDING BULK AND PROVIDE COMPATIBLE NEIGHBORHOOD SCALE (MAXIMUM 0.1 FAR)

- 10 1. 0.01 FAR Building is one story throughout.
- 2. 0.01 FAR Design proposes 45-degree angled “daylight” plane vertical side yard setback on one side at 19 feet above grade.
- 15 3. 0.03 FAR Design proposes 45-degree angled “daylight” plane vertical side yard setbacks on both sides at 19 feet above grade.
- 4. 0.02 FAR Design will incorporate a front yard 45-degree setback vertical angled plane at a height of 14 feet for 70% of the facade length.
- 20 5. 0.02 FAR 70% of second story is setback from first story a minimum of 15 feet on primary front facade.
- 6. 0.02 FAR Second story is setback from first story by a minimum 8 feet on one or more secondary facades (side and rear).
- 25 7. 0.05 FAR Exterior walls of building are offset from side yard setback by a minimum additional 4 feet for a cumulative linear distance of at least 20 feet.

30 INCENTIVES TO ENHANCE NEIGHBORHOOD CHARACTER (MAXIMUM 0.1 FAR)

- 1. 0.03 FAR Roof decks are not visible from the street or are incorporated into the roof design.
- 35 2. 0.01 FAR Garage doors are turned 90 degrees from the street or accessed from the rear of the property.
- 3. 0.05 FAR Panoramic views identified in the Coastal Plan/Community Plan or La Jolla Landscape Survey are enhanced by an additional (side) yard setback of 10% of lot frontage.
- 40 4. 0.04 FAR A minimum 30% air space (including setbacks required) and panoramic view protection is provided across the property. This includes coastal, canyons, hillside views.
- 5. 0.04 FAR At least 30% of the lot is covered by vegetation. An additional 0.02 FAR bonus is given for preserving existing mature vegetation (See Coastal Plan/Community Plan, Urban Forestry Plan and Climate Action Plan).
- 45 6. 0.02 FAR A covered entry porch or colonnade is provided in addition to that exempted (100 sq ft) with a minimum dimension 8 foot wide is provided.

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---end DRAFT 6C of proposed incentive based regulations---