



John <nocommercialparking@gmail.com>

La Jolla Shores Business Association Proposed Parking Plan

7 messages

From: Philip Merten <Phil@MertenArchitect.com>
Subject: La Jolla Shores Business Association proposed Parking Plan
Date: November 11, 2023 at 3:45:10 PM PST
To: La Jolla Shores Association <LJSA.org@gmail.com>

Re: La Jolla Shores Association Meeting of November 15, 2023 @ 6:00PM
La Jolla Shores Business Association's Proposed Parking Plan
Item to be heard at 6:10 PM (ACTION ITEM)

Ladies and Gentlemen of the La Jolla Shores Association,

During the CoVid pandemic the City allowed outdoor restaurant seating to supplant existing on-street public parking spaces within the Beach Impact Area of the Parking Impact Overlay Zone on Avenida De La Playa. The supplanting of public parking spaces resulted in a reduction in the number of public on-street parking spaces. Now that the pandemic has passed, the California Coastal Commission has directed on-street parking spaces lost during the pandemic be restored to public parking use. But rather than return the parking spaces to public use, the La Jolla Shore's Business Association proposes to designate existing public parking spaces on La Jolla Shores Drive for Commercial use by restaurant customers. Unfortunately, designation of existing public parking spaces to a Commercial Use does not restore the number of public parking spaces that existed before the pandemic.

Beach Impact Area of the Parking Impact Overlay Zone

The 3rd page of the following attachment depicts the Beach Impact Area of the Parking Impact Overlay Zone regulations.

La Jolla Shores Drive is the inland boundary of the Beach Impact Area of the Parking Impact Overlay Zone.

The legend says: '[Beach Impact Area includes all \(street\) frontage parcels on the inland side of boundary streets,...](#)'

This means the current public parking spaces within the Torrey Pines Rd. right-of-way must remain available to the general public for public parking and should not be converted to designated commercial parking for the benefit of a few commercial property owners, because it reduces the availability of public on-street parking.

All residential properties in the City are required to have a 20 foot long driveway to accommodate guest parking. On-street parking space contiguous to the property can be used to fulfill the guest parking requirement, except in the Beach Impact Area. In the Beach Impact Area guest parking is not allowed on-street because it takes away parking spaces for general public use. Guest parking must be provided on site. However, the existing homes on the east side of the La Jolla Shores Drive right-of-way were

constructed prior to the creation of the California Coastal Zone and the Beach Impact Area and as such the existing public parking spaces in the right-of-way also serve as guest parking spaces for those existing residences and should not be designated for Commercial Use.

Coastal Development Permit

I believe a Coastal Development Permit is required for the proposed improvement of the existing public parking spaces within the Torrey Pines Rd. right-of-way. A CDP would require an Environmental Impact study of evaluate the impact of not restoring lost public parking spaces to general public use.

SDMC Sec, 126.0702 says:

The SDMC defines:

Processing of a Coastal Development Permit would require an Environmental Analysis of the impact of not restoring lost public parking spaces to general public use.

For the reasons explained above I urge the La Jolla Shores Association to NOT support the La Jolla Shores Business Association's proposal to designate existing public parking spaces on La Jolla Shores Drive for Commercial use.

Thank you for your consideration.

Phil Merten

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§ 126.0702 When a Coastal Development Permit Is Required

- (a) Permits Issued by the City. A Coastal Development Permit issued by the City is required for all *coastal development* of a *premises* within the Coastal Overlay Zone described in Chapter 13, Article 2, Division 4, unless exempted by Section 126.0704, or if the proposed project site lies completely within the Coastal Commission Permit Jurisdiction or the Deferred Certification Area as described in Section 126.0702(b).
- (b) Permits Issued by the Coastal Commission. A Coastal Development Permit or exemption for all *coastal development* on a project site located completely within the Coastal Commission Permit Jurisdiction or in the Deferred Certification Area must be obtained from the Coastal Commission. The Coastal Commission Permit Jurisdiction and the Deferred Certification Area are shown on Map No. C-730.1 on file in the Planning and Development Review Department, the San Diego office of the Coastal Commission, and in the office of the City Clerk as Document No. 00-17067-1.
- (c) Permits Issued by the City and the Coastal Commission. A Coastal Development Permit or exemption issued by the City and the Coastal Commission are required for all *coastal development* on a *premises* located partially within the Coastal Commission permit jurisdiction. A Coastal Development Permit from each agency is required for the portion of the project within the agency's jurisdiction.

(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

Coastal development means "development" as defined in the California Coastal Act of 1976, Section 30106 in the Coastal Overlay Zone, which states "development" means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes and kelp harvesting. As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.