

4. Project Size:

Lot Area:	18,020 sq. ft.
Existing House:	1,944 sq. ft.
Existing Garage:	474 sq. ft.
First Floor Addition:	924 sq. ft.
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Total:	3,342 sq. ft. (0.19 FAR)

5. General Plan / Zoning / Existing Land Use:

The Land Use Map identifies the site as Low Density Residential – up to 4 Dwelling Units per Acre. The property is designated R-1-10,000 (Single Family Residential, 10,000 Square Foot Minimum Lot Size). The lot is presently developed with a one-story residence with an attached garage.

6. Environmental Impact Review:

Staff has determined that the proposed Hillside Development Permit is Categorically Exempt from the California Environmental Quality Act, under Section 2.5(a)(4)(i)(additions) and 2.5(e)(1)(minor variances) of the City of La Cañada Flintridge Guidelines for the implementation of CEQA.

7. Previous Action:

None.

8. Pending and Potential Actions:

Plan check and issuance of building permit.

9. Staff Analysis:

A. Context:

The project site is located at the end of the Conle Way cul-de-sac, just west of its intersection with Leir Drive. The neighborhood is characterized by parcels of varying sizes with many one and two-story homes that were constructed mainly in the 1970s. Many of the homes are of similar



architectural style with flat-front façade's and tall porch elements. The subject property overlooks Briggs Plaza on Foothill Boulevard at the far west end of the City.

The site has an average slope of 23% which is associated with a 0.97 Slope Factor Guideline (SFG). The topography is characterized by a level pad fronting Conle Way and a steep sloping rear yard that falls 20-40 feet. The subject home is a one-story structure, with an attached garage.

B. Project Description:

The project involves expansion of the existing first floor by 924 sq. ft. at various locations around the existing structure. Setbacks along the north property line would be 11'-2 and 13'-6" for the additions. Along the south side, the additions would be set back 10'-2" and 5'-0" This constitutes a 2'-11" encroachment into the 7'-11" required south side setback but would be consistent with the existing building line of the house. The existing setback is 4'-8" on that side. Other additions to the front, rear and sides would have compliant setbacks.

The new total floor area would be 3,342sq. ft. which is well below the 5,354 sq. ft. maximum allowed for the lot and the 5,193 sq. ft. slope factor adjusted floor area limitation.

In summary, the project would compare with code standards as follows:

	<u>Standard</u>	<u>Guideline</u>	<u>Proposed</u>
Floor Area:	5,354 sq. ft.	5,193 sq. ft.	3,342 sq. ft.
Front SB:	25'-0"	N/A	25'-10"
North Side SB:	7'-11"	N/A	11'-2"
South Side SB:	7'-11"	N/A	5'-0"
Rear SB:	15'-0"	N/A	65'+
Height:	28'-0"	N/A	18'-11"

C. Hillside Development Permit and General Plan:

Issues

At 23% average slope, the property qualifies as hillside property and has a corresponding SFG of 0.97. The project is well within the floor area and adjusted floor area limits for the lot. The first-floor additions would be located on the flat pad area, distant from the rear slope and are scattered around the periphery of the existing house, thereby minimizing any bulk concerns.

Furthermore, the front-yard addition is well-screened from the street and behind the forward projection of the existing garage. Upslope views from Foothill Boulevard are minimal due to the steepness of the rear-yard slope and existing screening.

The garage roof would be modified but would actually decrease in overall height and roof removal is below the 30% threshold that would qualify the entire house as new. The primary and highest ridge of the structure would not be altered as part of the project.

Due to their rear-yard location and screening for the front addition, the single-story additions would not create view blockage or bulk concerns.

Furthermore, Goal 4 of the General Plan Land Use Element pertains to Hillside Areas:

Maintain hillside areas for the purpose of preserving the visual quality of the City, protecting the public from safety hazards, and conserving natural resources.

Supporting this goal are the following objectives and policies:

Objective 4.1: New development and/or remodeling of existing structures and property will be designed, constructed, and maintained to preserve important views, topographic and other natural features, and the semi-rural character of the City's hillsides.

Policy 4.1.1: Preserve ridgelines, natural slopes, knolls, canyons, and bluffs in their natural state to protect important views and topographic and other natural features.

Policy 4.1.3: Ensure that development preserves the City's natural environment, setting, and viewsheds, through design, siting, and construction that avoids obtrusive breaks in the natural skylines and minimizes the visual impact of grading, intrusion of highly visible cut and/or fill slopes, building and roof lines, and/or roadway surfaces.

Policy 4.1.5: Continue to implement the City's Hillside Development Chapter of the Zoning Ordinance, which establishes standards to minimize landform alteration, preserve significant environmental features, and control development densities.

Policy 4.1.6: Encourage residences developed in hillside areas to be designed, landscaped, and built of materials that blend with the existing environment; use of bright or reflective surfaces will be disallowed.

Objective 4.2: Ensure that hillside development will be designed, constructed, and maintained to minimize natural and human-made safety hazards to persons and property.

Policy 4.2.1: Require that development in hillside areas be designed and constructed in such a manner as to avoid flooding, mudslides, erosion, and subsidence to residents and structures on or near hillside areas as well as downstream of any project.

Policy 4.2.2: Ensure that the appropriate goals, objectives, policies, and implementation programs in the Safety and Conservation elements are applied to hillside development.

Policy 4.2.3: Discourage development in areas of known slope instability and/or high landslide risk.

This is further supported in the policies of the Hillside Development Ordinance as described in Zoning Code Section 11.35.020, by which this project has been reviewed.

The proposed additions are of reasonable scale for the large site and would not demonstrate bulk both near or far. It would have limited visibility from the street, as well as, from the adjacent neighbors. Any potential view or massing impacts would not be evident and the project would not introduce unreasonable bulk or impact the character of the area, therefore achieving consistency with the Hillside Ordinance and upholding the spirit of the City's General Plan. Privacy issues are not evident but, if any, would be mitigated by existing screening on the front, sides and rear.

Findings

1. The project, through elements of architectural and landscape design, will enhance its setting.

The addition is single story and of reasonable scale for the site. Due to site topography, existing landscape screening, views from Conle Way and the north and south neighbors are limited. The project also has a large setback from the rear and the proposed project preserves the site's open space and sloping areas. Staff supports the finding.

2. The project will maximize potential for sensitive use and effective preservation of open space.

The project involves expansion of an existing first floor on the flat pad area of the lot while preserving the rear slope in its entirety. Staff supports the finding.

3. The project will not be detrimental to the public health, safety, or general welfare.

The project would conform to current building code standards for hillside development and therefore, will not be detrimental to the public health, safety, or general welfare. Staff supports the finding.

4. The project will not adversely affect the orderly development of property within the City.

The proposal is consistent with the character of the property and within density standards. Other homes in the area have similar setbacks. Staff supports the finding.

5. The project will conform to the goals and policies set forth in the General Plan.

The scope of the project is limited residential expansion on an existing residential lot, while the hillside setting would be maintained, consistent with the direction of the City's General Plan. Staff supports the finding.

6. The project will not create a nuisance, hazard or enforcement problem within the neighborhood or the City or require the City to provide an unusual or disproportionate level of public service.

The project, consisting of one-story additions to a single-family residential home, will not result in a change of use or intensification of development beyond that allowed in the General Plan and Zoning Code, and therefore, will not create a nuisance, hazard, or enforcement problem within the neighborhood or the City or require the City to provide an unusual or disproportionate level of public service. Staff supports the finding.

7. There are special conditions or unique characteristics of the subject property and its location or surrounding which justify exceeding one or more of the provisions set forth in this Chapter to permit project development.

The expanded bedroom on the south side would not encroach any closer to the property line than the existing house and would maintain a 5'-0" side-yard setback. Staff supports the finding.

8. Any potential for the project to present visibly excessive bulk from any vantage point, near or far, is mitigated by screening or siting characteristics.

The proposed first-floor additions would not create significant additional building bulk as viewed from the street or the adjacent neighbors. Upslope views from Foothill Boulevard would also be limited and distant. Any potential for excessive bulk would be mitigated by distance, topography and existing screening. Staff supports the finding.

9. The project does not create an avoidable or unreasonable impairment of the view from any other property.

Since the existing house is one story, the height of which would not change as a result of the project. The additions minimally alter the home's profile, mostly as viewed from the street, and the project will not unduly impact views from other properties in the immediate area. Staff supports the finding.

D. Director's Miscellaneous Review:

Issues

The applicant is proposing to expand the existing single-family residence to the front, side and rear. The front and rear-yard setbacks are compliant but the expansion of the front bedroom would be set back 5'-0" from the south side property line. This constitutes a 2'-11" encroachment into the 7'-11" required side-yard setback. The existing setback on that side is 4'-8". The addition, at 5'-0", would be farther away from the south property line than the

closest portion of the existing house. The encroachment would have limited visibility from off site.

1. Topographic features, lot configurations or other conditions make it impractical to require compliance with the yard requirements.

The location of the existing house is non-conforming with respect to the south side setback. The proposed addition would not encroach into the side-yard setback any closer than the existing house. Staff supports the finding.

2. The proposed project preserves the existing scale and character of the surrounding neighborhood, and protects public views, and aesthetic and other property values in such neighborhoods in a manner which is compatible with reasonable development of the subject lot and is consistent with the Residential Design Guidelines as adopted by Resolution of the City Council.

The proposed addition utilizes building materials that would be compatible with the existing house, and results in a development that is harmonious in visible scale and mass with the surrounding neighborhood along the street. The location of the encroaching addition on the south side would not result in any view blockage to the adjacent neighbor due to its single-story height and would be compatible with development on the site and in the immediate area. It would not encroach any closer than the existing portion of the residence that already encroaches in to the south side-yard setback requirement. Staff supports the finding.

D. Recommendation:

Based on the above discussion, staff has concluded that the findings can be made for approval of the Hillside Development Permit and Director's Miscellaneous Review (SB), and recommends that the request **BE APPROVED**, subject to the conditions listed in Exhibit "A", attached to the draft resolution.

cc:

Franco Noravian & Associates / 409 West Broadway / Glendale, CA 91204
Frieda Martirosian / 2348 Conle Way / La Cañada Flintridge, CA 91011



RESOLUTION NO. 17-xx

**A RESOLUTION OF THE ADMINISTRATIVE HEARING OFFICER
OF THE CITY OF LA CAÑADA FLINTRIDGE
APPROVING HILLSIDE DEVELOPMENT PERMIT 16-07 (ADMIN)
AND DIRECTOR'S MISCELLANEOUS REVIEW 16-37 (SB) FOR A
924 SQ. FT. FIRST-FLOOR ADDITION
THAT ENCROACHES INTO THE SIDE-YARD SETBACK
AT 2348 CONLE WAY
AS REQUESTED BY
FRIEDA MARTIROSIAN**

WHEREAS, a request by Frieda Martirosian has been received for a Hillside Development Permit and Director's Miscellaneous Review (SB) to allow a 924 sq. ft. first-floor addition that encroaches into the side-yard setback, said request attached hereto and incorporated herein by reference; and

WHEREAS, the Planning Commission Administrative Hearing Officer, on February 22, 2017, held a public hearing and conducted a review of the request; and

WHEREAS, the Administrative Hearing Officer reviewed the project and determined that no significant environmental impacts would result from the project, which is Categorically Exempt from the California Environmental Quality Act, under Section 2.5(a)(4)(i)(additions) and 2.5(e)(1)(minor variances) of the City of La Cañada Flintridge Guidelines for the implementation of CEQA; and

WHEREAS, the Administrative Hearing Officer has reviewed the facts contained in the staff report dated February 22, 2017 regarding the application for a Hillside Development Permit and Director's Miscellaneous Review, and heard and considered the testimony of the applicant and the public; and

WHEREAS, based on the evidence presented by the application materials, staff report, and public testimony, the Administrative Hearing Officer finds the following:

Section 1:

Hillside Development Permit:

1. The project, through elements of architectural and landscape design, will enhance its setting because the addition is single story and of reasonable scale for the site. Due to site topography, existing landscape screening, views from Conle Way and the north and south neighbors are limited. The project also has a large setback

from the rear and the proposed project preserves the site's open space and sloping areas.

2. The project will maximize potential for sensitive use and effective preservation of open space because the project involves expansion of an existing first floor on the flat pad area of the lot while preserving the rear slope in its entirety.
3. The project will not be detrimental to the public health, safety, or general welfare because the project would conform to current building code standards for hillside development and therefore, will not be detrimental to the public health, safety, or general welfare.
4. The project will not adversely affect the orderly development of property within the City because the proposal is consistent with the character of the property and within density standards. Other homes in the area have similar setbacks.
5. The project will conform to the goals and policies set forth in the General Plan because the scope of the project is limited residential expansion on an existing residential lot, while the hillside setting would be maintained, consistent with the direction of the City's General Plan.
6. The project will not create a nuisance, hazard or enforcement problem within the neighborhood or the City or require the City to provide an unusual or disproportionate level of public service because the project, consisting of one-story additions to a single-family residential home, will not result in a change of use or intensification of development beyond that allowed in the General Plan and Zoning Code, and therefore, will not create a nuisance, hazard, or enforcement problem within the neighborhood or the City or require the City to provide an unusual or disproportionate level of public service.
7. There are special conditions or unique characteristics of the subject property and its location or surrounding which justify exceeding one or more of the provisions set forth in this Chapter to permit project development because the expanded bedroom on the south side would not encroach any closer to the property line than the existing house and would maintain a 5'-0" side-yard setback.
8. Any potential for the project to present visibly excessive bulk from any vantage point, near or far, is mitigated by screening or siting characteristics because the proposed first-floor additions would not create significant additional building bulk as viewed from the street or the adjacent neighbors. Upslope views from Foothill Boulevard would also be limited and distant. Any potential for excessive bulk would be mitigated by distance, topography and existing screening.
9. The project does not create an avoidable or unreasonable impairment of the view from any other property since the existing house is one story, the height of which would not change as a result of the project. The additions minimally alter the

home's profile, mostly as viewed from the street, and the project will not unduly impact views from other properties in the immediate area.

Director's Miscellaneous Review:

1. Topographic features, lot configurations or other conditions make it impractical to require compliance with the yard requirements and since the location of the existing house is non-conforming with respect to the south side setback. The proposed addition would not encroach into the side-yard setback any closer than the existing house.
2. The proposed project preserves the existing scale and character of the surrounding neighborhood, and protects public views, and aesthetic and other property values in such neighborhoods in a manner which is compatible with reasonable development of the subject lot and is consistent with the Residential Design Guidelines as adopted by Resolution of the City Council since proposed addition utilizes building materials that would be compatible with the existing house, and results in a development that is harmonious in visible scale and mass with the surrounding neighborhood along the street. The location of the encroaching addition on the south side would not result in any view blockage to the adjacent neighbor due to its single-story height and would be compatible with development on the site and in the immediate area. It would not encroach any closer than the existing portion of the residence that already encroaches in to the south side-yard setback requirement.

Section 2:

NOW, THEREFORE, be it resolved that the Administrative Hearing Officer approves the Hillside Development Permit and Director's Miscellaneous Review, subject to the conditions listed in Exhibit "A", attached to this resolution.

PASSED, APPROVED AND ADOPTED this 22nd day of February, 2017.

Administrative Hearing Officer

ATTEST:

Secretary to the Administrative Hearing Officer

EXHIBIT "A"
CONDITIONS OF APPROVAL
HILLSIDE DEVELOPMENT PERMIT 16-37 (ADMIN)
DIRECTOR'S MISCELLANEOUS REVIEW (SB) 16-37 (DIR)
2348 Conle Way

1. Compliance with and execution of all conditions listed herein shall be necessary prior to obtaining final building inspection clearance and/or prior to obtaining any occupancy clearance. Deviation from this requirement shall be only by written consent of the Director of Community Development.
2. This approval is granted for the land or land use as described in the application and any attachments thereto, and as shown on the site plan submitted, labeled Hillside Development Permit 16-37 (Admin) and Director's Miscellaneous Review (SB) 16-37.
3. Prior to obtaining a building permit or when applicable initiation of use, the applicant and property owner shall file with the Secretary of the Planning Commission written acknowledgment of the conditions stated herein on forms provided by the Planning Department.
4. All structures, site work and other features including but not limited to, buildings, roadways, parking areas, landscaping and other facilities shall be located and maintained as shown on the project plans labeled Hillside Development Permit 15-07 (Admin) and Director's Miscellaneous Review (SB) 15-18, Sheets C1, and A1 through A4, except as otherwise stated in these conditions.
5. This approval will expire unless "start of construction" is commenced within 12 months after approval is granted and diligently pursued thereafter. The Director of Community Development may extend the original expiration date by as much as 12 months upon receipt of a written request from the applicant prior to expiration of the original approval if the approved project and applicable zoning standards are unchanged. Start of construction is defined as:
 - a. All zoning and related approvals are effective; and
 - b. All required building and grading permits for the project have been issued; and
 - c. The "foundation inspection" and "concrete slab or underfloor inspection" have been made and received approval from the Division of Building and Safety; i.e., all trenches must be excavated, forms erected, and all materials for the foundation delivered on the job and all in-slab or underfloor building service equipment, conduit, piping accessories and other ancillary equipment items must be in place. Nothing in this definition shall be construed to alter the applicable legal standards for determining when vested property rights to complete the project have arisen.

6. All applicable requirements of any law, ordinance, or regulation of the City of La Cañada Flintridge shall be complied with.
7. This approval is subject to the applicant paying all fees, deposits and assessments to the City of La Cañada Flintridge, as established by policy, ordinance or resolution of the City Council prior to occupancy or initiation of use. This includes payment for contracted staff services as invoiced to the city.
8. In the event the City determines that it is necessary to take legal action to enforce any of the provisions of these conditions, and such legal action is taken, the applicant agrees to pay any and all costs of such legal action, including reasonable attorney's fees, incurred by the City, even if the matter is not prosecuted to a final judgment or is amicably resolved, unless the City should otherwise agree with the applicant to waive said fees or any part thereof. The foregoing shall not apply if the permittee prevails in the enforcement proceeding.
9. The applicant shall defend, indemnify, and hold harmless the City and its officers, agents, and employees from any claim, action or proceeding against the City or its officers, agents, or employees to attack, set aside, void, or annul approval of this project. The City shall promptly notify the applicant of any such claim, action, or proceeding and shall cooperate fully in the defense.
10. This approval does not constitute a building permit or authorization to begin any construction. An appropriate permit issued by the Division of Building and Safety must be obtained prior to construction, enlargement, relocation, conversion, or demolition of any building or structure within the City.
11. All construction/contractor parking shall be on-site only. If it is deemed by the Community Development Director or the Planning Commission that sufficient on-site parking may not be available, then on-street parking in front of the site will be permitted if it can be demonstrated that such parking will not interfere with the immediate neighbors, and will not interfere with the public's use of the surrounding streets. If this cannot be found, then any additional construction vehicle or equipment parking must occur off-site at a location approved by the Director of Community Development or Planning Commission. Approval of the off-site location shall be based on the submittal of a Parking Management Plan by the applicant that demonstrates that the site shall not interfere with the neighbors in the area or hinder the public's use of the surrounding streets. Contractors and construction workers will be required to carpool to the construction site. No construction, no deliveries and no movement of construction materials shall occur on Sundays or City recognized holidays.

Public Works Conditions

12. Prior to Building permit issuance, the Applicant shall submit on-site Drainage Study and identify method and path of drainage to the public right of way (ROW).
13. This project disturbs less than one acre of land, the project is subject to the following minimum construction requirements:

Sediments from areas disturbed by construction shall be retained on site, using structural drainage controls to the maximum extent practicable, and stockpiles of soil shall be properly contained to minimize sediment transport from the site to streets, drainage facilities, or adjacent properties via runoff, vehicle tracking, or wind.

Construction-related materials, wastes, spills or residues shall be retained on site to minimize transport from the site to streets, drainage facilities, or adjoining properties by wind or runoff.

Runoff from equipment and vehicle washing shall be contained at construction sites unless treated to remove sediments and pollutants.
14. Any proposed mailbox structure shall be approved and permitted by the Public Works Department.
15. Prior to any construction (including, but not limited to, drive approaches, sidewalks, curb and gutter, etc.), trenching or grading within public or private street right-of-way, the applicant shall submit a street improvement plan consistent with the approved Site Plan and conditions of approval and obtain encroachment permits from the Public Works Department.

CONSTRUCTION & DEMOLITION (C&D) DEBRIS

16. Project shall comply with City's Construction and Demolition (C&D) Ordinance 313, per Chapter 9.14 of the City Municipal Code to satisfy the City's Debris Management requirement.
17. Prior to Demolition and/or Building Permit issuance, the Applicant shall submit a Performance Security, calculated as the lesser of three percent (3%) of the total project valuation or \$10,000. The Performance Security is refunded upon Applicant's submittal and approval of a Building Debris Management Report indicating that at least 50% of the total debris generated by the project was reused or recycled.
18. Prior to Final Building Inspection, Applicant shall submit a Building Debris Management Report and obtain Public Works approval. The Building & Safety Department will not complete Final Building Inspection until the Public Works

Department makes a determination regarding refund or forfeiture of the Performance Security.

19. Applicant must use a City authorized and permitted waste hauler for all debris, including soil import/export, resulting from construction and demolition activities on the project. A list of authorized waste haulers will be provided to the Applicant.
20. Self-hauling of C&D debris must be authorized by the Department of Public Works prior to Building & Safety issuance of Demolition or Building permit(s). Applicant must submit a Debris Management Plan and a Haul Route Plan, execute a self-haul agreement, as well as fund a Haul Route Manager for monitoring of all self-hauling activities. Self-hauling approval must be acquired from the Public Works Department prior to issuance of any permit(s).

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