

CITY OF LA CAÑADA FLINTRIDGE

ADMINISTRATIVE HEARING STAFF REPORT

~ December 8th, 2016 Meeting ~

Property Owners:

Mr. David Bell
Mrs. Ruthann Melbourne
4048 Hampstead Road
La Cañada Flintridge, CA 91011

Case Type / Number:

Hillside Development Permit 16-11 (Admin.)

Site Address: 4048 Hampstead Road

Case Planner: Gary Yesayan

Applicant:

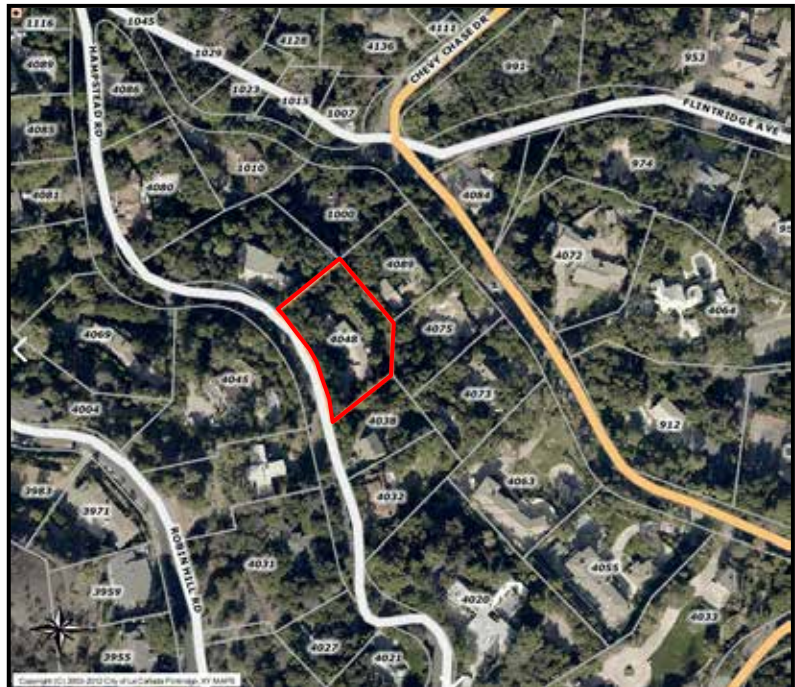
Corey Ruppert
Soler Architecture & Design
6363 Wilshire Boulevard, Suite 116
Los Angeles, CA 90048

1. Request:

The request is for a Hillside Development Permit to allow single-story additions to an existing single-family residence at 4048 Hampstead Road. Per the City's Hillside Ordinance, projects exceeding 600 square feet of new floor area, but below 1,200 square feet, require Administrative Hillside review. The project as designed will conform to all zoning standards.

2. Location:

The project site is located along the east side of Hampstead Road, between Flintridge Avenue and Stratford Road, within the R-1-20,000 zone. The subject property is on a lot that qualifies as "hillside." However, the residence is built on a flat pad within the center of the lot. The house sits substantially below the street as seen from Hampstead Road, with its roofline slightly below the street level. The property is accessed from a descending driveway along Hampstead Road.





3. Staff Recommendation:

Staff is able to make positive hillside findings, and recommends **APPROVAL** of Hillside Development Permit 16-11, subject to the conditions of approval attached.

4. Project Data:

Lot Area:	26,603 sq. ft.
Maximum Permitted Floor Area:	7,070 sq. ft.
Maximum Permitted Floor Area with SFG Reduction: 39% Slope // SFG Factor = 0.70 // 7,070 x 0.70	4,949 sq. ft.
Existing Residence + (e) Garage + (e) Basement Area:	2,311 + 613 + 333 = 3,257 sq. ft.
Proposed New Bedroom:	467 sq. ft.
Proposed New Family Room:	510 sq. ft.
Total Floor Area after Additions:	4,234 sq. ft. < 4,949 sq. ft.
Total Floor-area Ratio (FAR):	16%
Existing Roofed Area:	3,807 sq. ft.
Roof Area Removal = 595 sq. ft.	(595 / 3,807 x 100) = 15.6% < 30%

5. General Plan / Zoning / Existing Land Use:

The Land Use Map identifies the site as Very Low Density Residential – up to 2 Dwelling Units per Acre. The property is designated R-1-20,000 (Single-Family Residential, 20,000 Square Foot Minimum Lot Size).

6. Environmental Impact Review:

Staff has determined that the proposed project is Categorically Exempt from provisions of the California Environmental Quality Act (CEQA), under Section 2.5(a)(4)(i) (Additions to existing structures) of the City of La Cañada Flintridge Guidelines for the Implementation of CEQA.

7. Previous Actions:

None.

8. Pending and Potential Actions:

Following Planning Department approval, the project will be subject to structural review / plan check prior to building permit issuance.

9. Staff Analysis:

A. Context:

The project area is a 26,603 sq. ft. hillside lot located along the east side of Hampstead Road. The residence is nestled at the center of the lot, surrounded with dense landscaping with a variety of mature trees. The general neighborhood includes properties of similar size and design, located among ample trees. Due to the site being situated below the street level, the bulk of the residence is concealed from offsite views and is only minimally visible from the neighboring homes. The general project area falls within the R-1-20,000 zoning designation. The zoning becomes R-1-40,000 two properties south of the subject site. This does not impact the subject site nor the proposed development. The hillside nature of the neighborhood and the project site, limits potential size and exposure of new homes, additions and expansions to existing homes. As such, floor-area limitations are applied to developments on hillside lots. However, since the project site provides an existing flat area at its center, the proposed additions will not require grading, or alteration of the hillside, thereby preserving the natural slope. The project description and development restrictions applicable to hillside lots are discussed below.

B. Project Description:

Floor Area:

The scope of the project includes a 467 sq. ft. bedroom, and a 510 sq. ft. family-room addition to the rear of an existing single-story residence. The additions will be constructed within the flat portion of the back yard without disturbing the natural hillside, which is located further east on the property. The current height of the residence is 26'-7". The proposed single-story addition will maintain a maximum height of 13-feet. The existing 3,257 sq. ft. house, inclusive of the garage and the basement area will be expanded by 977 sq. ft., bringing the total floor-area ratio to 16 percent, at 4,234 sq. ft. This remains below the *adjusted* maximum permitted floor area of 4,949 sq. ft., with the application of the Slope Factor Guideline. The property includes numerous trees including oaks; however, within the immediate project vicinity protected trees are not present. The overall scope of the addition is reasonable since excess bulk or height would not be added to the existing residence. The proposed architectural style remains consistent with the existing residence.

Floor Area and Slope Factor Reduction:

Per the Survey provided, the subject lot size is 26,603 sq. ft., with a maximum potential allowed buildable floor area of 7,070 sq. ft. However, since the site qualifies as "hillside", with an average slope of 39%, the maximum allowed area is reduced by a Slope Factor of 0.70 under Section 11.35.041 (A) (2). This results in a total adjusted allowed buildable floor area of 4,949 sq. ft. The substantial hillside topography is at the east portion of this lot, and outside of the development zone. No portion of the new additions will be located on the hillside. The total floor area after the addition will still remain below the adjusted maximum of 4,949 sq. ft. After staff's review, all applicable findings were made under section 11.35.060 (D) of the Zoning Code to support recommendation of approval for this project.

Setbacks:

The required minimum interior side-yard setback for this lot is 20-feet. The proposed additions remain well outside of this requirement. The bedroom addition is to be located 49-feet from the west property line and 56-feet from rear property line. The family room will maintain a rear setback of 47'-6" and a side-yard setback of 23-feet. The existing garage has a 7-foot side-yard encroachment and is located 13-feet from the east property line. However, since at least 70% of the existing roofed area will be retained, per the Zoning Ordinance, this existing legal non-conforming encroachment is allowed to be preserved.

C. Hillside Development Permit and General Plan:

Discussion

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.

The proposed bedroom and family room additions are of reasonable scale for the site. The addition will not demonstrate excessive bulk from any vantage point considering the visually secluded character of the rear yard. The substantial hillside slope at the front and the rear of the property will be maintained since it remains outside of the construction zone. Therefore, typical hillside development issues related to view impairment and intrusive massing are not evident. The project would not introduce unreasonable bulk or impact the character of the area, while maintaining consistency with the Hillside Ordinance and upholding the spirit of the City's General Plan.

D. Findings:

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

The proposed additions will be within the rear of the lot and not visible from street or neighboring properties. It will be uniform with the existing structure. *Staff supports the finding.*

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

Overall density would not be significantly increased, while the site's open space would not be affected. *Staff supports the finding.*

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

The project conforms to the City's Zoning Code standards and is located behind the residence. The addition does not present any elements that would potentially be detrimental to 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 site, neighborhood and with the existing residence. The project remains within density standards per the Hillside Code. *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 reasonable, 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 will not result in a change of use or intensification of development beyond those allowed in the General Plan and Zoning Codes, 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 surroundings which justify exceeding one or more of the provisions set forth in this Chapter to permit project development.

The proposed addition conforms to all zoning requirements and meets the provisions of the Hillside Ordinance. Although the site qualifies as "hillside" and is subject to a possible reduction to its maximum allowed buildable floor area, the scope of work remains well below the lot's permissible and adjusted floor area. The hillside portion of the lot is undeveloped and will remain undisturbed by the proposed development. The additions are minor and located completely on the flat portion of the lot. *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 addition is located completely behind the main residence. It is of reasonable scale for the site and the general neighborhood, and does not demonstrate excessive bulk from any vantage point. *Staff supports the finding.*

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

The proposed development is of reasonable scope considering the size of the subject property and affected project area. The structure would not cause any view blockage from any other property. *Staff supports the finding.*

E. Recommendation:

Based on the above discussions, staff recommends that the request for the Hillside Development Permit **BE APPROVED**, subject to the conditions listed in Exhibit "A".

RESOLUTION NO. 16-xx

**A RESOLUTION OF THE ADMINISTRATIVE HEARING OFFICER
OF THE CITY OF LA CAÑADA FLINTRIDGE
APPROVING HILLSIDE DEVELOPMENT PERMIT 16-11 (ADMIN)
AT 4048 HAMPSTEAD ROAD
AS REQUESTED BY
MR. DAVID BELL AND MRS. RUTHANN MELBOURNE**

WHEREAS, a request by Mr. David Bell and Mrs. Ruthann Melbourne has been received for a Hillside Development Permit to allow a 467 square-foot bedroom, and a 510 square-foot family room additions to an existing single-story residence at 4048 Hampstead Road, said request attached hereto and incorporated herein by reference; and

WHEREAS, after publication and posting of the request and the hearing in the prescribed manner, the Administrative Hearing Officer, on December 8th, 2016, held a public hearing on the project; 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 provisions of the California Environmental Quality Act under Section 2.5 (a) (4) (i) (additions to existing structures) of the City of La Cañada Flintridge Guidelines for the implementation of CEQA; and

WHEREAS, on December 8th, 2016, the Administrative Hearing Officer reviewed the facts contained in the staff report dated December 8th, 2016, regarding the application for a Hillside Development Permit 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 since the proposed additions will be within the rear of the lot and not visible from street or neighboring properties. The addition will be uniform with the existing structure.
2. The project will maximize potential for sensitive use and effective preservation of open space because the overall density would not be significantly increased, while the site's open space would not be affected.

3. The project will not be detrimental to the public health, safety, or general welfare, since the project conforms to the City's Zoning Code standards and is located behind the residence. The addition does not present any elements that would potentially be detrimental to public health, safety or general welfare.
4. The project will not adversely affect the orderly development of property within the City, as the proposal is consistent with the character of the site, neighborhood and with the existing residence. The project remains within the density standards per the Hillside Code.
5. The project will conform to the goals and policies set forth in the General Plan. The scope of the project is reasonable, 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 since the project will not result in a change of use or intensification of development beyond those allowed in the General Plan and Zoning Codes, 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 no special conditions or unique characteristics of the subject property and its location or surroundings which exceeding one or more of the provisions set forth in this Chapter to permit project development. The proposed addition conforms to all zoning requirements and meets the provisions of the Hillside Ordinance. Although the site qualifies as "hillside" and is subject to a possible reduction to its maximum allowed buildable floor area, the scope of work remains well below the lot's permissible and adjusted floor area. The hillside portion of the lot is undeveloped and will remain undisturbed by the proposed development. The additions are minor and located completely on the flat portion of the lot.
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. As such, the proposed addition is located completely behind the main residence. It is of reasonable scale for the site and the general neighborhood, and does not demonstrate excessive bulk from any vantage point.
9. The project does not create an avoidable or unreasonable impairment of the view from any other property as the proposed development is of reasonable scope considering the size of the subject property and affected project area. The structure would not cause any view blockage from any other property.

Section 2:

NOW, THEREFORE, be it resolved that the Administrative Hearing Officer **approves** the Hillside Development Permit 16-11 subject to the conditions listed in Exhibit "A," attached to this Resolution.

PASSED, APPROVED AND ADOPTED this 8th day of December 2016.

Administrative Hearing Officer

ATTEST:

Secretary to the Administrative Hearing Officer

EXHIBIT-A
CONDITIONS OF APPROVAL
HILLSIDE DEVELOPMENT PERMIT 16-11 (ADMIN)
4048 HAMPSTEAD ROAD

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 HDP 16-11 (Admin).
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 site plans labeled HDP 16-11 (Admin.) 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 Department 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 HDP 16-11 (Admin). The City shall promptly notify the applicant of any such claim, action, or proceeding and shall cooperate fully in the defense.
10. An approval granted by the Administrative Hearing Officer does not constitute a building permit or authorization to begin any construction. An appropriate permit issued by the Department 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 Director of Community Development 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. 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.
12. The roof color and exterior wall colors of the new addition shall be consistent with the existing color theme of the primary residence. If new colors are proposed, a color sample shall be submitted and reviewed by Planning Staff **prior to building permit issuance**. The wall color shall not exceed 50% light reflectance value and the roof color shall not exceed 30% light reflectance value.

- 13. This project is being approved as an addition to an existing structure. There shall be no demolition of more than thirty percent (30%) of existing roofed area. If demolition is found to exceed this limitation, this approval shall be null and void, and review by the Planning Commission may be required subject to applicable fees.
- 14. This HDP 16-11 approval shall be null and void if any of the above conditions are not fully met. Any revision to the approved project may require a Substantial Conformance review or an Amendment subject to applicable review process and fees.

Department of Public Works Conditions

- 15. Should this project **disturb 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.

- 16. Any proposed mailbox structure shall be approved and permitted by Public Works.
- 17. 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 Engineering Division.

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