

# CITY OF LA CAÑADA FLINTRIDGE

## PLANNING COMMISSION STAFF REPORT

July 24, 2018 Hearing

### Case Types / Numbers:

Hillside Development Permit 18-28

### Applicant:

De Angelis Designs Inc.  
650 Foothill Blvd. Suite E  
La Canada Flintridge, CA 91011

### Owners:

Keith and Tracy Tobias  
466 Foothill Blvd. #400  
La Canada Flintridge, CA 91011

### Site Address:

458 Noren Street



### Case Planner:

Chris Gjolme ~ Planner

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### 1. Request:

The applicant requests a Hillside Development Permit to allow construction of a new 5,521 square foot single-story residence, rear yard swimming pool and deck on a 19,360-square foot hillside lot. A reduced front setback of 20 feet, allowed for one-story construction through the hillside review process, is requested as part of the project. All other code requirements would be met.

### 2. Location:

The site is near the end of Noren Street, northwest of its intersection with Redwillow Lane, in the R-1-15,000 (Single Family Residential) zone.

### 3. Staff Recommendation:

It is recommended that the project **BE APPROVED**, subject to the attached draft conditions listed in Exhibit "A" and that a Notice of Exemption be adopted for the project.

#### 4. Project Area:

Site:	19,360 square feet
Proposed 1 <sup>st</sup> floor area:	4,287 square feet
Proposed 3-car garage:	804 square feet
Proposed rear covered patio:	430 square feet
<b>Total:</b>	<b>5,521 square feet</b>

#### 5. General Plan/Zoning/Existing Land Use:

The General Plan Land Use Map designates the site Low Density Residential (Maximum 4 Dwelling Units per Acre). The site is zoned R-1-15,000 (Single Family Residential - 15,000 Square Foot Minimum Lot Size). The site is developed with a single-story residence, detached garage and rear yard swimming pool.

#### 6. Environmental Impact Review:

Staff has determined that the proposed Second-floor Review is Categorically Exempt from the California Environmental Quality Act (CEQA), under Section 15303 (New Construction or Conversion of Small Structures) and the demolition of the existing residence is exempt under Section 15301 (Existing Facilities) of the Guidelines for the Implementation of CEQA.

#### 7. Previous Action:

Hillside Development Permit 13-14 / Second-floor Review 13-04; allowed construction of a new 2-story residence, basement and related site improvements; originally approved on October 8, 2013. Subsequent approvals were granted on December 2, 2013 (City Council); August 5, 2014 (Amendment 1); March 28, 2017 (Amendment 2). The property has since been sold and the new owners have submitted a new project for consideration.

#### 8. Pending and Potential Actions:

Plan check, Fire Department and Health Department approval, issuance of demolition and building permits.

#### 9. Staff Analysis:

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##### A. Context:

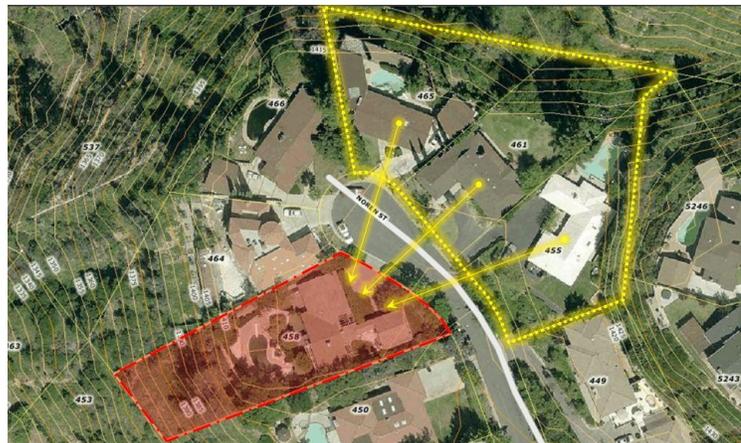
Noren Street is part of the larger neighborhood around Crown Avenue, developed in tracts during the 1950s and 1960s. Despite the complications of varied terrain, the tract development resulted in a general similarity among its houses, including uniform one-story

heights. This pattern has largely remained through the intervening years, though homes in the area have expanded at the second-floor level, and a new two-story residence was constructed immediately north of the site in 2006. Recent approval allowed for another new two-story home on the subject parcel, but that project has since been abandoned.

Grading for the tract resulted in steep slopes behind the houses along the northeast side of Noren Street. Approximately 40 feet above that slope are houses on the upper portion of Redwillow Lane. Those houses are so high above Noren as to be unaffected by any potential development below on Noren. Many of the houses on the northeast side of Noren are above street level. Contrarily, homes along the southwest side of the street are at or slightly below street level. These homes are developed on lots that also exhibit significant slope to the rear, and are constrained by the continuation of the area's sloping topography to the southwest. The subject lot is no exception to this and is composed of distinct topography to the front and rear. The front two-thirds of the lot is comprised by a level pad while the rear third is comprised by a sparsely vegetated slope that falls 50 feet to the rear of properties along Paulette Place. As a result, the subject parcel has an overall slope of 22 percent and corresponding Slope Factor Guideline (SFG) of 0.98.

With its location at the end of a cul-de-sac bordered by a drop off, the site is somewhat of a promontory, with the existing home viewed in profile against the sky from proximate homes across the cul-de-sac. Homes below have partial upslope views of the lot, with the subject home not visible due to the extent of the grade difference.

Three lots across the street, 455, 461 and 465 Noren Street have view corridors beyond the subject lot to the southwest. However, these are not major view-sheds in staff's estimation (substantiated by both the Planning Commission and City Council during reviews of the previous project). The homes are at slightly higher elevations, but lack substantially raised vantage points, while several street trees intervene. As such, existing views are over and beyond the subject residence, revealing mainly open sky and a portion of the San Rafael hills, rather than downward toward the more scenic valley to the southwest.



#### B. Project Description:

The project involves construction of a one-story residence and attached three-car garage to the front. Retaining wall, swimming pool and deck improvements, largely to the rear, are also proposed. The project is similar in terms of components and basic layout to the

previously approved project, the notable exception being elimination of the second floor and basement.

The new home would be sited on the existing pad in a similar location to that of the current structure. Despite being a larger structure, it would be of more consolidated form, resulting in the provision of a compliant 8'-10" side setbacks to the north and south. A front setback of 20 feet is proposed, below the 25-foot requirement for the lot. This reduction is allowed through Hillside review provided building visibility, grading or paving is reduced. Allowing use of this area essentially allows for a larger footprint and increased floor area at the first-floor level. This in turn allows for the one-story design, with the lack of a second floor an obvious visual benefit to the immediate area.

Overall project floor area would be comprised by three areas; 4,287 square feet of interior living area, an 804-square foot three-car garage and 430-square foot non-habitable covered patio to the rear. Total floor area would be 5,521 square feet. The lot's 19,360 square feet allows floor area up to a maximum of 5,622 square feet, adjusted to 5,509 square feet through application of the 0.98 Slope Factor Guideline (SFG), which the project would exceed by 12 square feet.

Primary ridge height would be approximately 17'-6", increasing to 19 feet at a centrally located flat roof section comprising less than 25% percent of the overall roof form. This would be well below the 28-foot hillside limit. To the front, the garage wing would step down to 16 feet in height. A small cupola is proposed near the center of the house as seen from the front, increasing maximum overall structure height to 22 feet. The Commission will recall considerable discussion and analysis about the height of the previous project, wherein a final and maximum building height of 22'-6" was established during approval of the 2017 amendment. Only the small cupola would reach this height, with the remainder of the home an average of three and one-half feet lower.

The home's design and massing would reflect a 'modern farmhouse' through use of vertical siding, a standing-seam metal roof with corresponding vertical corrugation, focal front porch and accent cupola. Though not as strictly bound to the Design Review Guidelines as stipulated in Second-floor Review findings, the design is highly regarded by staff given its minimalist massing and modest height.

Pad area would be expanded minimally to the north, requiring installation of an inward-facing retaining wall approximately 100 feet in length. Wall height would be compliant, increasing from two and one-half feet to five feet as it extends from front to rear.

Pool and deck improvements are again proposed to the rear. The existing pool would be removed. A comparably-sized rectangular pool would be developed further to the south. The pool would extend out over the top of the slope, employing an infinity edge and collection trough, the southwest corner of which would achieve a six-foot height while providing a compliant 8'-10" south side setback. Beyond the pool to the north, a deck is

proposed. Deck height would be approximately six feet, allowing pool equipment to be enclosed below. Inclusion of a guard railing would increase the overall height of the deck “structure” to approximately 9’-6” as measured from low grade.

The landscape plan includes shrubs and groundcover commensurate to the reduced scope of the project and character of the site, which already benefits from street trees to the front and neighboring oaks along the south property line. Importantly, screening continues to be proposed along the underside of the deck and base of the pool wall to the rear.

In all, the project compares with applicable code standards as follows:

	STANDARD	x SFG	PROPOSED
<b>Floor Area:</b>	5,622 sq. ft.	5,509 sq. ft.	5,521 sq. ft.
<b>Front SB</b>	25 feet	n/a	20 feet
<b>South Side SB</b>	8’-10”	n/a	8’-10”
<b>North Side SB</b>	8’-10”	n/a	8’-10”
<b>Rear SB</b>	15 feet	n/a	98 feet
<b>Height</b>			
<b>Ridge:</b>	28 feet	n/a	19 feet
<b>Cupola:</b>	28 feet	n/a	22 feet

C. General Plan & Hillside Development Permit:

*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.*

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 Hillside Development Ordinance, Section 11.35.020.A, which states:

*Existing community character, as defined by such factors as visual appearance, density, road widths and vegetation shall be preserved and/or enhanced.*

Staff regards the project as well-suited to the site and area and favors the new single-story design. The home's footprint corresponds well to the size and configuration of the pad, which would not be altered/expanded to an unreasonable extent.

The proposed house would relate primarily to three to four other homes at the end of the cul-de-sac. Homes further east along Noren Street would be adequately separated by the curving and descending course of the street. Pad levels across the cul-de-sac are elevated above the street, with views of the project site from neighboring properties mainly from driveway and front yard area. Overall, though the new home would be seen, view and massing issues are not anticipated to be an issue given the home's single-level plan and

modest height. As already mentioned, the most proximate neighboring homes are either adequately separated or at different elevations, with landscaping intervening.

The west end of the pool would extend beyond the top of the slope as would the new deck. Thus, some alteration to the slope would occur to accommodate the rear yard improvements. Though seen in part as a ridge from below, the homes along Noren Street are all part of a larger graded tract that long ago altered the area's prevailing topography. A 'natural' slope in its 'natural' state is not evident, while the precedent of rear yard decks partially visible from below has already been established. A majority of the slope would be unaffected and staff regards screening of the deck underside and base of the pool walls as adequate to reduce any potential impact.

Long range deck views would be possible, but not to the extent that downslope lots would be compromised given the angle and length of the intervening slope. Further, view opportunities already exist along the top of the slope and the extent to which these views would be exaggerated by the installation of a new deck is not significant in staff's estimation.

Section 11.35.043-Siting of the Hillside Development Ordinance allows a front setback reduction for one-story construction to no less than 20 feet provided the reduced setback minimizes grading, building visibility, or paving, and achieves compatibility with the neighborhood setting. The project would utilize this provision by siting the garage and northeast corner of the residence 20 feet from the front property line. Staff believes this to be justified since the reduced setback allows for an increased footprint and additional floor area at the first-floor level. This in turn formulated a one-story design, with the lack of a second floor an obvious visual benefit to the immediate area. Slight forward shifting of the house also pulls it away from the slope to the rear, where potential upslope visibility from below is reduced. Lastly, compatibility within the neighborhood is evident since other homes in the area are comparably sited, included the neighboring home at 464 Noren Street, which maintains a minimal 12-foot front setback as measured to the garage, and the home across the street at 461 Noren Street, which also provides an approximate 20-foot front setback.

Section 11.35.046.D (Architectural design guidelines/Wall Modulation) recommends a vertical break in wall surfaces every 40 feet at the first-floor level. This would be provided to the front, south and rear. To the north, an uninterrupted façade achieving a length of 85 feet is proposed. This span is not problematic in staff's estimation given the upslope adjacency of a two-story residence and adequate modulation demonstrated by the home's remaining, and more visible, perimeter.

Project floor area would exceed the SFG by 12 square feet. Given the minimal amount and the attribution of 430 square of project area to a rear covered patio that would not be prominently seen from offsite, the excess is not an issue in staff's estimation. Simply put, elimination of a portion – or all – of the patio would have no effect on the scale and

appearance of the house as seen from the street and neighboring properties, but would have a notable effect on the qualified size of the project.

In all, staff has concluded that this project would uphold the spirit of neighborhood compatibility policies as laid out in the General Plan. It would also comply with the spirit as well as the letter of the Hillside Development Ordinance. It would respect the constraints of the lot, minimally alter prevailing topography and preserve the area's character, all intended to be ensured through hillside review.

*Findings:*

**1. The project, through elements of architectural and landscape design, will uphold the policies of this chapter, and will be harmonious with the better aspects of the built and natural setting.**

The existing house is vacant and in dilapidated condition, and would be replaced by a new custom residence. Traditional architectural form and contemporary detailing, massing of reasonable scale and height of 22 feet combines with largely compliant setbacks to accommodate the project without disruption to the street setting. The new landscape palette offers an appropriate palette of shrubs and groundcover to accent the home and site. Staff supports the finding.

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

The project would preserve a majority of existing sloping area to the rear and compliant front yard open space. The existing building pad, already graded as part of past development of the tract, would be utilized for the new home, with limited grading employed to expand pad area to the north. Staff supports the finding.

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

With regard to health and general welfare, the project is consistent with the General Plan Land Use Designation of Low-Density Residential and R-15,000 zoning designation, and is consistent with the development standards for the R-1 zone and applicable standards and guidelines of the Hillside Ordinance. With regard to safety, the project would improve access through increased driveway width and Fire Department access stairs along a street that experiences minimal traffic due to its cul-de-sac terminus. Staff supports the finding.

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

The property is zoned R-1-15,000 and is intended to support single-family residential development. The project would introduce a new single-story home and related outdoor amenities on a residential lot in a subdivided and largely developed area. The project provides setbacks consistent with the requirements of the R-1 zone and Hillside Ordinance, total floor area supported by the lot's size, and height of 22 feet, which is below code limits for the site and area. Therefore, the project will not adversely affect the orderly development of property. Staff supports the finding.

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

The project will respect the hillside terrain and nearby protected trees, and introduce reasonable development in terms of floor area, scale and the character of the immediate area. The compatibility of the house as analyzed in the Planning Commission staff report dated July 24, 2018 upholds the General Plan Land Use Element Goal 4 to "(m)aintain hillside areas for the purpose of preserving the visual quality of the City, protecting the public from safety hazards, and conserving natural resources", and the applicable Objective 4.1 which states "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." 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 services.**

The project, consisting of a single-family residential use, will not result in a change of use or intensification of development beyond those allowed in the General Plan and zoning codes, or necessitating undue levels of public infrastructure or services, and will be compliant with respect to the Los Angeles County Fire Code and fuel modification requirements. 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 Architectural design guidelines of the Hillside Ordinance recommends a vertical break in the wall surface every 40 feet at the first-floor level and 20 feet at the second-floor level. A wall span in excess of this recommended 'break' is presented to the north, but is accommodated by its lack of offsite visibility and the overall articulation evident throughout the rest of the home.

The house would provide a 20-foot front setback, below the 25-foot requirement, but allowed through the Hillside Review process since building visibility would be reduced and general compatibility with the neighborhood setting would be achieved. The reduced front setback allows for a one-story design, which would be of reduced height, visibility and prominence compared with a two-story home. Slight forward shifting of the house also pulls it away from the slope to the rear, where potential upslope visibility from below is reduced. Compatibility within the neighborhood is evident since other proximate homes in the area are comparably sited.

Project floor area in excess of the Slope Factor Guideline would be minimal at 12 square feet, and can be attributed to a rear covered patio that would not be prominently seen from offsite and would have no effect on the scale and appearance of the house as seen from the street and neighboring properties. 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 new house would be located at the end of a cul-de-sac which minimizes the number of visually proximate neighbors, while the one-story building program is sensitive to the character of the immediate and precludes upslope views from downslope properties to the southwest. To the front, the home would be seen as a refined mass of limited height and reasonable profile. Staff supports the finding.

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

Effort has been taken to minimize structure height through development of a single-story plan well below allowable limits for the lot. The proposed house is not sited on the lot in a manner or at an elevation that would lend to problematic downslope exposure. Several homes across the street would have views of the new residence, but the overall impact to existing view corridors above and beyond the site, when considering vantage points and associated range, would be less than significant. Staff supports the finding.

D. Summary/Recommendation:

Based on the above discussion, staff believes that the project is appropriate for the site and area and would recommend that the Hillside Development Permit request **BE APPROVED**, subject to conditions listed in Exhibit "A", attached to the draft resolution, and that a Notice of Exemption be adopted for the project.

C: *De Angelis Designs Inc./650 Foothill Blvd. Suite E/La Canada Flintridge, CA/91011*  
*Keith and Tracy Tobias/466 Foothill Blvd. #400/La Canada Flintridge, CA/91011*

**Att:** *1-Draft Resolution*  
*2-Draft Notice of Exemption*

**Attachment 1**

# CITY OF LA CAÑADA FLINTRIDGE

## RESOLUTION NO. 18-xx

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA CAÑADA FLINTRIDGE APPROVING HILLSIDE DEVELOPMENT PERMIT 18-28 FOR DEMOLITION OF AN EXISTING RESIDENCE AND CONSTRUCTION OF A NEW SINGLE-STORY RESIDENCE, SWIMMING POOL, DECK, RETAINING WALLS AND RELATED SITE IMPROVEMENTS AT 458 NOREN STREET AND ADOPTING A NOTICE OF EXEMPTION PURSUANT TO THE SECTIONS 15301 AND 15303 OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES**

**WHEREAS**, an application for Hillside Development Permit 18-28 was filed by De Angelis Designs, Inc. (hereinafter the "Applicant") with the City of La Cañada Flintridge; and

**WHEREAS**, Hillside Development Permit 18-28 is a request to allow demolition of an existing residence and construction of a new single-story, 5,500-square foot residence and related site improvements located at 458 Noren Street (hereinafter referred to as "Application"), said request attached hereto and incorporated herein by reference; and

**WHEREAS**, the subject site has a General Plan Land Use designation of Low Density Residential (up to four dwelling units per acre) and is located within the R-1-15,000 Zone designation; and

**WHEREAS**, the subject site is a 19,360-square foot parcel that contains an existing single-family residence that would be demolished to accommodate the project; and

**WHEREAS**, it has been determined that the project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines and Section 15301(Existing Facilities) for the demolition of the existing structure and Section 15303(New Construction or Conversion of Small Facilities) for the new single-family residence, retaining walls, deck, and swimming pool; and

**WHEREAS**, on July 24, 2018, a duly noticed public hearing on the Application was held before the City of La Cañada Flintridge Planning Commission at the City Council Chamber within City Hall, 1327 Foothill Boulevard, La Cañada Flintridge; and

**WHEREAS**, the Planning Commission has reviewed the facts contained in the staff report dated July 24, 2018, regarding the Application for Hillside Development Permit, and heard and considered the testimony of the Applicant and the public; including any written

correspondence received, with all testimony received being made a part of the public record; and

**WHEREAS**, all legal prerequisites to the adoption of this Resolution have occurred.

**NOW THEREFORE**, the Planning Commission of the City of La Cañada Flintridge does resolve as follows:

Section 1. *Findings for Hillside Development Permit*

1. The project, through elements of architectural and landscape design, will uphold the policies of this chapter, and will be harmonious with the better aspects of the built and natural setting because the existing house is vacant and in dilapidated condition, and would be replaced by a new custom residence. Traditional architectural form and contemporary detailing, massing of reasonable scale and height of 22 feet combines with largely compliant setbacks to accommodate the project without disruption to the street setting. The new landscape palette offers an appropriate palette of shrubs and groundcover to accent the home and site.

2. The project will maximize potential for sensitive use and effective preservation of open space because the project would preserve a majority of existing sloping area to the rear and compliant front yard open space. The existing building pad, already graded as part of past development of the tract, would be utilized for the new home, with limited grading employed to expand pad area to the north.

3. The project will not be detrimental to the public health, safety, or general welfare because with regard to health and general welfare, the project is consistent with the General Plan Land Use Designation of Low-Density Residential and R-15,000 zoning designation, and is consistent with the development standards for the R-1 zone and applicable standards and guidelines of the Hillside Ordinance. With regard to safety, the project would improve access through increased driveway width and Fire Department access stairs along a street that experiences minimal traffic due to its cul-de-sac terminus.

4. The project will not adversely affect the orderly development of property within the City because the property is zoned R-1-15,000 and is intended to support single-family residential development. The project would introduce a new single-story home and related outdoor amenities on a residential lot in a subdivided and largely developed area. The project provides setbacks consistent with the requirements of the R-1 zone and Hillside Ordinance, total floor area supported by the lot's size, and height of 22 feet, which is below code limits for the site and area. Therefore, the project will not adversely affect the orderly development of property.

5. The project will conform to the goals and policies set forth in the General Plan because the project will respect the hillside terrain and nearby protected trees, and introduce reasonable development in terms of floor area, scale and the character of the immediate area. The compatibility of the house as analyzed in the Planning Commission staff report dated July 24, 2018 upholds the General Plan Land Use Element Goal 4 to "(m)aintain hillside areas for the purpose of preserving the visual quality of the City, protecting the public from safety hazards, and conserving natural resources", and the applicable Objective 4.1 which states "new development and/or remodeling of existing structures and property will be designed, constructed, and maintained to preserve important viewscapes, topographic and other natural features, and the semi-rural character of the City's hillsides."

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 services because the project, consisting of a single-family residential use, will not result in a change of use or intensification of development beyond those allowed in the General Plan and zoning codes, or necessitating undue levels of public infrastructure or services, and will be compliant with respect to the Los Angeles County Fire Code and fuel modification requirements.

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 because the Architectural design guidelines of the Hillside Ordinance recommends a vertical break in the wall surface every 40 feet at the first-floor level and 20 feet at the second-floor level. A wall span in excess of this recommended 'break' is presented to the north, but is accommodated by its lack of offsite visibility and the overall articulation evident throughout the rest of the home.

The house would provide a 20-foot front setback, below the 25-foot requirement, but allowed through the Hillside Review process since building visibility would be reduced and general compatibility with the neighborhood setting would be achieved. The reduced front setback allows for a one-story design, which would be of reduced height, visibility and prominence compared with a two-story home. Slight forward shifting of the house also pulls it away from the slope to the rear, where potential upslope visibility from below is reduced. Compatibility within the neighborhood is evident since other proximate homes in the area are comparably sited.

Project floor area in excess of the Slope Factor Guideline would be minimal at 12 square feet, and can be attributed to a rear covered patio that would not be prominently seen from offsite and would have no effect on the scale and appearance of the house as seen from the street and neighboring properties.

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 new house would be located at the end of a cul-de-sac which minimizes the number of

visually proximate neighbors, while the one-story building program is sensitive to the character of the immediate and precludes upslope views from downslope properties to the southwest. To the front, the home would be seen as a refined mass of limited height and reasonable profile.

9. The project does not create an avoidable or unreasonable impairment of the view from any other property because effort has been taken to minimize structure height through development of a single-story plan well below allowable limits for the lot. The proposed house is not sited on the lot in a manner or at an elevation that would lend to problematic downslope exposure. Several homes across the street would have views of the new residence, but the overall impact to existing view corridors above and beyond the site, when considering vantage points and associated range, would be less than significant.

Section 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT. Based upon the foregoing facts and based upon substantial evidence, the Planning Commission hereby finds as follows:

A. The project is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15301 (Existing Facilities) for the demolition of the existing structure and Section 15303 (New Construction or Conversion of Small Facilities) for the new single-family residence, retaining walls, deck and swimming pool. The Planning Commission hereby adopts the Notice of Exemption for Hillside Development Permit 18-28.

Section 3. Based on the above findings, the Planning Commission of the City of La Cañada Flintridge hereby approves Hillside Development Permit 18-28 for a new 5,520 square foot single-family residence, retaining walls, rear yard swimming pool and deck at 458 Noren Street, subject to the conditions of approval listed in Exhibit "A", attached to this resolution.

**PASSED, APPROVED AND ADOPTED** this 24<sup>th</sup> day of July, 2018.

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Chair of the Planning Commission

ATTEST:

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Secretary to the Planning Commission

State of California            )  
County of Los Angeles        )     ss.  
City of La Cañada Flintridge    )

I, Susan Koleda, Secretary to the Planning Commission of the City of La Cañada Flintridge, California, do hereby certify that the foregoing Resolution No. 18-xx was duly adopted by the Planning Commission of the City of La Cañada Flintridge at a Regular Meeting held on the 24<sup>th</sup> day of July 2018, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

Dated: July xx, 2018

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Susan Koleda  
Secretary to the Planning Commission

**EXHIBIT "A"**  
**CONDITIONS OF APPROVAL**  
HILLSIDE DEVELOPMENT PERMIT 18-28  
458 NOREN STREET

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 18-28.
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 18-28, 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 Hillside Development Permit. 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 Planning Commission 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 landscape and associated irrigation plan shall comply with the City's Water Efficient Landscaping Ordinance (Municipal Code Section 4.23) and the County of

Los Angeles Fire Department Fuel Modification requirements. All landscaping shall be installed on site and certified prior to Building Permit final and occupancy.

13. Any subsequent substantive change to these approved plans by the Fire Department or any other agency having subsequent approval authority shall cause these plans to be returned to the Planning Commission for additional review and approval prior to permit issuance.
14. Primary wall, roof and accent colors shall be reviewed and approved by staff prior to issuance of any building permits.
15. Unless this approval is appealed to the City Council, story poles shall be removed promptly (within one week) after expiration of the 15-day appeal period. Verification of this shall be required prior to submittal of the project for plan check OR prior to issuance of building permits for those projects where "at-risk" plan check is in process or has already been completed.

Public Works Conditions:

16. Prior to building permit issuance, the applicant shall submit an on-site drainage study and identify method and path of drainage to the public right of way (ROW).
17. Project shall comply with the City's Low Impact Development Standards.
18. Prior to building permit issuance, the applicant shall submit a revised site plan indicating all existing and proposed improvements within the public right of way, including utilities.
19. As this project disturbs less than one acre of land, the project is subject to the following minimum construction requirements:
  - a. 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.
  - b. 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.
  - c. Runoff from equipment and vehicle washing shall be contained at construction sites unless treated to remove sediments and pollutants.

20. Prior to building permit issuance, the applicant shall submit a revised site plan removing any proposed stairs and/or walls shown within the public ROW. No above ground structures, including walls and stairs are to be constructed within the public ROW.
21. Prior to final clearance and occupancy, the applicant shall construct a new concrete driveway approach per City Standard. (Max. width not to exceed 20').
22. Any proposed mailbox structure shall be approved and permitted by the Public Works Department.
23. 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 permit(s) from the Public Works Department.

#### CONSTRUCTION & DEMOLITION (C&D) DEBRIS

24. 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.
25. 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.
26. 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.
27. 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.
28. 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).

\* \* \* \* \*

**Attachment 2**

# Notice of Exemption

Form D

**To:** Office of Planning and Research  
P.O. Box 3044, Room 212  
Sacramento, CA 95812-3044

**From:** (Public Agency) \_\_\_\_\_

County Clerk  
County of \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
(Address)

Project Title: \_\_\_\_\_

Project Location - Specific: \_\_\_\_\_

Project Location – City: \_\_\_\_\_ Project Location – County: \_\_\_\_\_

Description of Nature, Purpose and Beneficiaries of Project: \_\_\_\_\_

Name of Public Agency Approving Project: \_\_\_\_\_

Name of Person or Agency Carrying Out Project: \_\_\_\_\_

**Exempt Status: (check one)**

Ministerial (Sec. 21080(b)(1); 15268);

Declared Emergency (Sec. 21080(b)(3); 15269(a));

Emergency Project (Sec. 21080(b)(4); 15269(b)(c));

Categorical Exemption. State type and section number: \_\_\_\_\_

Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt: \_\_\_\_\_

Lead Agency

Contact Person: \_\_\_\_\_ Area Code/Telephone/Extension: \_\_\_\_\_

**If filed by applicant:**

1. Attach certified document of exemption finding.

2. Has a Notice of Exemption been filed by the public agency approving the project?      Yes      No

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Title: \_\_\_\_\_

Signed by Lead Agency

Date received for filing at OPR: \_\_\_\_\_

Signed by Applicant

Revised 2005