



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

April 19, 2016

Craig Stoddard
4452 Oceanview Boulevard
Montrose, CA 91020

**REGARDING: COMMUNITY STANDARDS DISTRICT MODIFICATION NO.
RPPL 2016000816-(5)
3861 E. CALIFORNIA BLVD, EAST PASADENA, CA (5378-020-003)**

Hearing Officer, Bruce Durbin, by his action of **April 19, 2016**, has **APPROVED** the above-referenced project. Enclosed are the Hearing Officer's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or any other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **May 3, 2016**. **Appeals must be delivered in person.**

Appeals: To file an appeal, please contact:
Regional Planning Commission, Attn: Commission Secretary
Room 1350, Hall of Records
320 West Temple Street, Los Angeles, CA 90012
(213) 974-6409

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

For questions or for additional information, please contact Carl Nadela of the Zoning Permits East Section at (213) 974-6475, or by email at cnadela@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner


Maria Masis, Supervising Regional Planner
Zoning Permits East Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance

c: DPW (Building and Safety); Zoning Enforcement

MM:CN

**FINDINGS OF THE HEARING OFFICER
AND ORDER
COUNTY OF LOS ANGELES
COMMUNITY STANDARDS MODIFICATION PERMIT NO. RPPL 2016000816-(5)**

1. The permittee, Craig Stoddard, ("permittee"), requests the Modification to the East Pasadena-San Gabriel Community Standards District (CSD) to authorize the demolition of an existing one-story 2,051 square foot residence and build a new two-story 4,977 square foot residence with a three-car garage within the required front yard ("Project") on a property located at 3861 E. California Blvd in the unincorporated community of East Pasadena ("Project Site") in the R-1 zone pursuant to Los Angeles County Code ("County Code") section 22.44.135. The resulting front yard from the Project will be 21.5 feet.
2. The CSD Modification is a request to authorize the development of a single family residence and garage within the required front yard in the R-1 zone pursuant to Los Angeles County Code ("County Code") section 22.44.135.

The CSD requires a minimum front yard equal of the average depth of front yards on the same side of the street on the same block. The average depth of the front yards on the block of the subject property is 52.5 feet. The applicant is requesting a 21.5 feet front yard for the proposed single family residence and garage.

3. The Project Site is 0.48 acre in size in size and consists of one legal lot. The Project Site is pie-shaped with a relatively flat topography and is developed with a single-family residence and accessory structures and uses.
4. The Project Site is located in the East Pasadena Zoned District and is currently zoned R-1-20000 (Single Family Residence with a Minimum Lot Size of 20,000 square feet). The property is also located within the East Pasadena-San Gabriel CSD.
5. The Project Site is located within the H9 (Residential 9) land use category of the Los Angeles County General Plan Land Use Policy Map.
6. Surrounding Zoning within a 500-foot radius includes:
 - North: R-1-10000 (R-1 with a Minimum Lot Size of 10,000 square feet)
 - South: R-1-20000
 - East: R-1-20000
 - West: R-1-20000

7. Surrounding land uses within a 500-foot radius include:
 - North: single-family residences
 - South: single-family residences
 - East: single-family residences
 - West: single-family residences

8. Ordinance 1494 was adopted in May 21, 1927, which established the different zoning designations for the unincorporated areas of Los Angeles County.

Ordinance No. 1959 was adopted in July 11, 1931, which established the R-1 zone on the subject property.

Ordinance No. 3865 was adopted in May 21, 1941, which established a 20,000 square foot required area on the subject property.

Ordinance No. 3900 was adopted in August 14, 1941, which established a building line on the subject property of 20 feet from the front property line.

Ordinance 2002-0056 was adopted in May 2002 which established the East Pasadena-San Gabriel Community Standards District that included the subject property.

On October 13, 2015, R2015-03174/RCSD201500008 was filed requesting for a modification of the East Pasadena-San Gabriel Community Standards District to allow for a 21.5 foot front yard for the subject property. Pursuant to Section 22.44.135.C.4.b.ii of the Los Angeles County Zoning Code, this request was denied because more than two letters of opposition were received. Because of this, the applicant requested for a public hearing pursuant to Section 22.44.135.C.4.b.iii. This request is the subject of this permit.

9. The site plan for the Project depicts the subject property with the proposed residence located approximately in the center, with the proposed driveway taking access from Woodward Boulevard on the northern portion of the lot. Separate floor plans shows the first and second story areas of the residence.
10. The Project Site is accessible via a driveway along Woodward Boulevard to the east.
11. The Project will provide three parking spaces in an attached garage. This meets the requirements of Code Section 22.44135.D.1 for a five bedroom residence.
12. Regional Planning staff determined that the project qualified for a Categorical Exemption (Class 3 Exemption, New Construction or Conversion of Small Structures) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The Class 3 Exemption allows for the development of a single-family residence in a residential zone. This project is for the development of a single-family residence on a residential zoned lot.
13. Pursuant to the provisions of section 22.44.135.C.4.b.ii of the Zoning Code, the community was appropriately notified of the Project application by mail.
14. Staff received two phone calls from the public in opposition to the project, as well as a letter and an email. Primary issues raised were the ongoing "mansionization" of the neighborhood, building too close to the property lines and the taking down of

established trees. The Hearing Officer finds that the proposed project is sensitively designed to adequately address the issues raised in the complaints.

15. On April 5, 2016, the applicant and Regional Planning staff also met with some members of the Michillinda Park Homeowners Association to discuss the project. The applicant's architect was also present as well as five members of the Homeowner's Association. The applicant presented the project including an architectural rendering of the proposed residence. The members present at the meeting unanimously agreed that the proposed project was compatible with the surrounding neighborhood and indicated their support for the project.
16. On April 18, 2016, staff received an additional comment email from the public, indicating that because of the configuration of this particular parcel, this requested modification made sense. However, the email also indicated that this modification should not become a precedent for the Michillinda Park area and strongly urged the Department of Regional Planning to be vigilant in upholding the standards to preserve this historic neighborhood to the greatest degree possible.
17. On March 29, 2016, staff received an email from the Department of Public Works (DPW) indicating that the north branch of the Raymond Fault may be possible trending into the property and recommends that a fault investigation be conducted on the property prior to the issuance of a demolition permit. This has been incorporated into the Conditions of Approval of this permit.
18. The Hearing Officer held a duly-noticed public hearing on the Community Standards District Modification on April 19, 2016. The Hearing Officer heard a presentation from Regional Planning staff. The permittee and the property owner was present at the hearing to answer any questions but did not provide additional testimony aside from the fact that they accept the findings and conditions. The Hearing Officer indicated that he found the project to be well designed and sufficiently buffered from the surrounding areas, and that the unique configuration of the lot warranted the requested modification of the required front yard. He then closed the public hearing, determined the project to be categorically exempt from the California Environmental Quality Act requirements and approved the Community Standards District Modification, subject to the attached findings and conditions.
19. The Hearing Officer finds that the proposed project is consistent with the land use designation, as well as the goals and policies, of the Los Angeles County General Plan.

The project site is located within the H9 (Residential 9) land use category of the Los Angeles Countywide General Plan ("General Plan"). This designation is intended for single family residences, with densities ranging from one to nine dwelling units per net acre. The proposed single family residence is consistent with the intention of the Residential 9 Land Use designation.

20. The Hearing Officer finds that the proposed project is consistent with the Los Angeles County Zoning Code (Title 22).

The proposed single-family residence are subject to sections 22.20.105 (Development standards for single family residences), 22.20.110 (Height limits), 22.20.120 (Yard requirements), 22.20.130 (Parking) and 22.20.150 (Required Area) of the Los Angeles County Zoning Code, as well as section 22.44.135 (East Pasadena-San Gabriel Community Standards District).

The total building height of the proposed residence is 28'8". It is proposed to be located 21.5 feet from the front lot line and provides three parking spaces in an attached garage. Thus, the proposed project is in compliance with the general development standards for a single family residence in an R-1 zone.

The East Pasadena-San Gabriel Community Standards District (CSD) requires that the side yards be at least 10 percent of the average lot width, but no less than five feet, for lots in an R-1 zone. This subject property has a lot width of 1,290 feet and the propose project will have a side yard of more than 13 feet in compliance with this requirement. Aside from this, the proposed project will have a rear yard of more than 35 feet and a total of 5,695 square feet of floor area in compliance with the CSD. The proposed residence also has only two stories and provides the three parking spaces required for the five bedrooms being proposed by the project. In addition, more than 50% of the front yard will contain softscape landscaping in compliance with the CSD.

The East Pasadena-San Gabriel CSD also requires that the front yard must be at least equal to the average depth of front yards in the same side of the same block as the subject property. In this case, the average front yard is 52.5 feet. Thus, this CSD Modification is required for this proposed development.

21. The Hearing Officer finds that the applicant has adequately met the burden of proof pursuant to section 22.44.135.C.4 (East Pasadena-San Gabriel CSD Modification Burden of Proof) of the County Code.

The proposed project will actually increase the existing front yard by more than one foot. The existing single family residence has been at the site for more than 75 years with the slightly smaller front yard with no reported issues or concerns from the neighborhood. The proposed development is also consistent with the neighboring residential uses, a few of which are also two-story residences similar to the Project.

22. The Hearing Officer finds that pursuant to sections 22.44.135.C.4.b.ii of the County Code, the community was properly notified of the Project application by mail, newspaper and property posting. Additionally, case materials were available on Regional Planning's website. On March 3, 2016, a total of 195 Notices were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as four notices to those on the courtesy mailing list for the East Pasadena Zoned District and to any additional interested parties.

23. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. The use, development of land and/or application of development standards is in compliance with all applicable provisions of this Title 22;
- B. The use, development of land, and/or application of development standards, when considered on the basis of the suitability of the site for the particular use or development intended, is so arranged as to avoid traffic congestion, provide for the safety and convenience of bicyclists and pedestrians, including children, senior citizens, and persons with disabilities, insure the protection of public health, safety and general welfare, prevent adverse effects on neighboring property and is in conformity with good zoning practice.
- C. The use, development of land and/or application of development standards is suitable from the standpoint of functional developmental design.
- D. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- E. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- F. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- G. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
- H. The proposed use is consistent with the unique characteristics of the neighborhood of the subject property.

THEREFORE, THE HEARING OFFICER:

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15303 of the State CEQA Guidelines (Class 3, New Construction or Conversion of Small Structures categorical exemption); and
2. Approves Community Standards District Modification No. RPPL 2016000816, subject to the attached conditions.

ACTION DATE: April 19, 2016

MM:CN
4/4/2016

c: Zoning Enforcement, Building and Safety

**CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
COMMUNITY STANDARDS MODIFICATION PERMIT NO. RPPL 2016000816**

PROJECT DESCRIPTION

The project is a Modification to the East Pasadena-San Gabriel Community Standards District to authorize the demolition of an existing one-story 2,051 square foot residence and build a new two-story 4,977 square foot residence with a three-car garage within the required front yard ("Project") on a property located at 3861 E. California Boulevard in the unincorporated community of East Pasadena ("Project Site") in the R-1 zone pursuant to Los Angeles County Code ("County Code") section 22.44.135 subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4 and 5 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense,

including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
9. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
10. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
11. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
12. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").

13. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
14. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

PROJECT SITE SPECIFIC CONDITIONS

15. This grant shall authorize a modification to the East Pasadena-San Gabriel Community Standards District to authorize the demolition of an existing one-story 2,051 square foot residence and build a new two-story 4,977 square foot residence with a three-car garage within the required front yard ("Project") on a property located at 3861 E. California Blvd in the unincorporated community of East Pasadena ("Project Site") in the R-1 zone pursuant to Los Angeles County Code ("County Code") section 22.44.135. The resulting front yard from the Project will be 21.5 feet.
16. A fault investigation shall be conducted on the subject property prior to the issuance of a demolition permit to the satisfaction of the Department of Public Works.