Richard Marshalian

From:	Summerkids <cowboyjoe@summerkids.net>
Sent:	Sunday, July 03, 2016 4:58 PM
To:	DRP Altadena CSD
Subject:	Altadena Community Standards Division Draft Proposal
Attachments:	2016-06-12 ACSD 1st Letter.doc; ATT00001.htm; 2016-06-12 ACSD 2nd Letter.docx; ATT00002.htm
Follow Up Flag:	Follow up
Flag Status:	Flagged

Dear Susan Tae,

I along with some of my closest neighbors own some very large private properties in Altadena with a combined area of over 200 acres. The L.A. County Assessor's number for my property is 5862-011-001. The property address is 3697 No. Fair Oaks Ave., Altadena, CA 91103.

All of us have owned our properties for over 30 years, some properties have been in the same family for over 100 years. We, along with these same neighbors, worked in 2008 and 2009 collaborating with other community residents, property owners and organizations including Altadena Heritage and the Altadena Town Council to develop revisions to the Hillside Zoning regulations. We participated in subsequent community meetings that were conducted concerning Hillside Zoning and provided detailed input along the way. For some unknown reason and to our consternation and dismay, we were left out of the planning that has resulted in the Altadena Community Standards District's present proposal.

I attended the meeting held on June 4, 2016 at the Altadena Elementary School in Altadena and I have reviewed the currently proposed ACSD proposal. I have a number of concerns which were expressed in 2 letters that I sent to your department on June 12, 2016 (copies of which are attached).

I understand that a public meeting will be held on July 28 regarding this matter but I would like clarification on the purpose of this meeting. Could you please let me know what the purpose is?

I am hoping that at the July 28 meeting the County staff will respond publicly to our concerns regarding the provisions of the draft that we find objectionable. Let me know if this can occur. It would be even better if they could respond by making changes that express my concerns and the concerns of my neighbors.

In the event a detailed discussion of our concerns will not be conducted at the July 28 public meeting, I and my neighbors would like to meet with you privately to present our concerns in person.

Sincerely

Joseph F. DiMassa, Ph.D.

David McDonald

From: David Mather <admather@sbcglobal.net>
Sent: Saturday, July 02, 2016 7:27 PM
To: DRP Altadena CSD
Subject: Definition of a "Bed and Breakfast" within the proposed Altadena CSD

Follow Up Flag: Follow up
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Hello

we are tryng to find out weather properties that are currently managed by an absentee owner, and leased via a 3rd party Corporation such as AirBnb or Vacationrentals.com for short term vacation rentals would fall under the umbrella of a "Bed and Breakfast" as outlined within the proposed Altadena CSD. As a general comment, there is no definition of a "Bed and Breakfast" within the CSD document, and I would suggest that an amendment to the CSD be made to include a specific definition.

We have a significant issue with a property of that type on our street, and the ensuing issues that this property has caused, particularly increased noise, and street congestion.

thank you for your assistance!

David Mather

David McDonald

From: Anne Chomyn <annechomyn@gmail.com>
Sent: Wednesday, June 29, 2016 12:01 PM
To: DRP Altadena CSD
Subject: Updates to CSD

Follow Up Flag: Follow up
Flag Status: Completed

I was wondering if any revisions to the proposed CSD revisions have been made as a result of the Public Hearing that we had in Altadena on June 4.

I know that there will be a hearing at Elliot School on July 28. Will that be analogous to an incremental step forward from the June 4 hearing, or will that hearing be parallel to the June 4 meeting and not incorporate any inputs from that meeting?

I am asking this because I would like to know how to promote the meeting on July 28 to my constituents.

Also, I have heard that the hearing on July 28 will already be late in the game and that significant changes will no longer be possible. Please give me your take on that.

Thanks,

Anne Chomyn, Ph.D.
Member, Altadena Town Council
Census Tract 4601
626-798-2965

David McDonald

From: Richard Su <rsu@rashstudio.com>
Sent: Wednesday, June 29, 2016 4:11 PM
To: DRP Altadena CSD
Subject: Altadena CSD negative declaration

Follow Up Flag: Follow up
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Hi,

I received a notice of negative declaration for CSD amendments. I am an homeowner.
Can you please send me the draft for the new requirements?

And what's a negative declaration? saying that such amendments have no impact on CEQA?

Thanks,

Richard

David McDonald

From: GrechRealtors@aol.com
Sent: Saturday, July 02, 2016 11:30 AM
To: DRP Altadena CSD
Cc: cowboyjoe@summerkids.net; cara@summerkids.net; zorthian@att.net; philelkins@aol.com
Subject: Altadena Community Standards District Matter
Attachments: Scan0064.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Susan Tae, Et Al:

Several of my neighbors and I are long time owners of very large residential properties in Altadena. We heavily participated in the CSD discussions and meetings that were held in 2008 and 2009. We have reviewed the currently proposed CSD amendments and have a number of concerns which were expressed in 2 letters that I sent to your department on June 2 and June 7, copies of which are attached for your reference. I believe that several of my neighbors have written letters which also echo these concerns.

I understand that a public meeting will be held on July 28 regarding this matter but I am unclear as to whether the purpose of this meeting is to only discuss the proposal to "adopt a Negative Declaration" or whether the purpose is to also discuss the specifics of the proposed changes to the CSD itself.

In the event an opportunity will be provided to discuss the specifics of the CSD, I request that County Staff respond publicly at that time to the concerns raised in my letters in appropriate detail. It is necessary to properly vet and hopefully resolve these issues. Please inform me if this will or will not occur.

In the event a detailed discussion of our concerns will not be conducted at the July 28 public meeting, I request that the County respond in writing to my two letters at your earliest convenience with your thoughts and comments. Also, please inform me when a public meeting will be scheduled for the purpose of reviewing and discussing the details of the CSD proposed regulations and also please inform me of any and all future meetings regarding this matter.

Thank you.

Sincerely,

John G. Grech
JOHN E. GRECH & ASSOCIATES
1708 E. Walnut Street
Pasadena, CA 91106
Cell: 626-628-5027
Office: 626-449-1181
Fax: 626-449-1185
Email: grechrealtors@aol.com
BRE License No. 00460920

John G. Grech
4000 Fair Oaks Avenue
Altadena, CA 91001
Mailing Address: 1708 E. Walnut St., Pasadena, CA 91106
Email: grechrealtors@aol.com
Phone: 626-628-5027

June 2, 2016

Department of Regional Planning
County of Los Angeles
320 West Temple Street
Los Angeles, CA 90012

Re: Draft Altadena Community Standards District & Hillside Management Plan

Dear Regional Planning:

This letter sets forth several concerns regarding the above draft regulations. I am providing these comments in writing since I will be out of town and unable to attend the community meeting scheduled for June 4. However, I would like to be notified in advance of all future meetings so that I may attend those.

By way of background, my neighbors and I own several very large residential properties in Altadena with a combined area of over 100 acres. We worked very hard over a period of 2 years in 2008 and 2009 collaborating with other community residents, property owners and organizations including Altadena Heritage and the Altadena Town Council to develop revisions to the Hillside Zoning regulations. We continued to participate in subsequent community meetings that were conducted and provided detailed input along the way.

I am providing this background information in an effort to demonstrate that we have been very involved with this matter for a very long time. Due to all of the above, we feel that our opinions and concerns should be given proper consideration.

I have reviewed the "Vision Report" dated July, 2012 along with the draft Altadena Community Standards District document and wish to bring your attention to the following matters:

1. Primary Concerns:

A. **Section 22.306.060 (2a)**: I am very concerned that a Minor Conditional Use Permit is proposed to be required for any new development except for the 3 exceptions that are specified. I believe that this could be an unnecessarily expensive and time consuming requirement that should not be imposed on property owners UNLESS THEY ARE SEEKING SOME MODIFICATIONS TO THE EXISTING REQUIREMENTS.

Furthermore, I am confused about the wording of this section. Subsection ii. states "New accessory structures; and". I am confused about the last word "and". It seems to me that the intention is that any development would only need to meets one of these

criteria in order to be exempt from a MCUP. Therefore, the word "and" should be deleted or substituted with the word "or". Or the language could otherwise be modified to make it clear that only one of these exceptions needs to be met in order to exempt a development from a MCUP.

B. **Section 22.306.060 (2b):** The proposed CUP requirement for any grading that exceeds 2,500 cubic yards is of concern to owners of very large properties. A CUP is a very reasonable requirement when dealing with a modest sized lot (for example a half acre or smaller). But on a site of an acre or more, 2,500 cubic yards is a pretty modest amount of grading.

I therefore request that the County modify this requirement so that the grading threshold adjusts based on lot size. For instance, perhaps a CUP should be required for any grading that exceeds 2,500 cubic yards on a lot of 20,000 sq. ft. or less. But perhaps 5,000 cubic yards should be allowed on a lot of 20,000 to 40,000 sq. ft. and so on. This provision should really be amended so as to not unnecessarily complicate developments on very large properties.

Also, rather than requiring a CUP, would it be possible instead to require a Minor Conditional User Permit?

C. **Section 22.306.060 (4C):** Back in 2008 and 2009 the community worked with County Staff in great detail in order to reach a consensus on which ridgelines should be considered "Significant". After very careful study and discussion, all parties involved agreed which ridgelines should (or would) be considered "significant". It appears from the map attached to the draft ACSD document that the agreed upon ridgelines are noted. However, I would appreciate it if the County would provide a detailed map of these "significant" ridgelines with property lines included. Or if the County can direct me to a web site that has this information I would appreciate it. I just want to make sure that no changes have occurred following our prior agreement about this issue.

D. **Table 22.306.070 A - Yard Requirements:** I believe that the yard requirements set forth in this table are fair and reasonable when dealing with a relatively level lot. However, when dealing with a hillside situation, a property may have severe terrain which highly restricts the placement of a structure, very irregular lot dimensions (non-rectangular), be subject to other requirements such as grading limitations or ridgeline setbacks, and/or otherwise have conditions that make it impractical or impossible to conform with a front yard equal to the "smallest front yard on the same block". The same concerns apply to a side yard requirement of 10 percent of the average lot width.

In certain cases, these proposed requirements could unreasonably restrict the development of a property or even render it useless. This is not the intention of the community and I don't believe the intention of the County either. Perhaps one way of solving this potential issue in order to avoid a CDS Modification application may be to include a MAXIMUM SETBACK requirement (which can be exceeded at the discretion of the property owner) just as a minimum setback is included. For instance, perhaps a minimum front yard setback of 20 feet but nor required to exceed 30 feet.

Furthermore, some hillside parcels aren't even located on a traditional "block". For instance, take a look at APN 5862-010-003 or 5862-009-006 and please tell me how you would determine the setbacks for these properties. **I would appreciate it if the**

County would review these parcels and then tell me what setbacks would apply and why.

Given the above, I therefore wonder if the term "blocks" should be utilized at all in hillside areas.

E. **Table 22.306.070 B -Height Limits: Please inform me of the height limit for lots greater than 20,000 sq. ft.**

F. **Section 22.306.070 b:** The requirement that the height of a structure that is built on fill material be measured from the previous "non-filled" grade could make a site impossible to develop given all of the other requirements that are included in this ordinance. Therefore, the provisions of Section 22.306.090 B (the CSD Modification language) need to be worded very carefully in order to accommodate reasonable and necessary modifications to height (and other issues).

G. Regarding maximum height and stories, the draft language says that a "basement" shall be considered as one story while a "cellar" shall not. These terms are supposed to be defined somewhere in the document, but I have not been able to find a definition for these terms. I would appreciate a copy of all definitions that apply to this proposed ordinance.

H. **Section 22.306.070 4 - Gross Structural Area and Lot Coverage:** As stated above, my neighbors and I own several unusually large parcels of land. The reasonable use and enjoyment of these properties may include the need for various future accessory buildings for storage of vehicles, equipment, supplies, etc. In addition, we would like the ability to develop a guest house and/or "granny flat" and possible other appropriate accessory structures, such as a horse barn, in addition to having the ability to expand the size of the existing residences.

The current draft language limits the area of Gross Structural Area and Lot Coverage to 9,000 sq. ft. **The 9,000 sq. ft. limitation is unreasonable for very large properties such as ours.**

The general concept appears to be to limit Lot Coverage to 25% of the land area plus 1,000 sq. ft. A Lot Coverage restriction based on this formula would be reasonable in almost all instances. When combined with other restrictions such as setbacks, height limits, etc., this formula would appropriately restrict the size of any development, regardless of lot size. **Such a Lot Coverage formula would therefore automatically appropriately limit both the Lot Coverage and the Gross Structural Area of any property with no need for a 9,000 sq. ft. limitation for either.**

I therefore request that that all references to GSA be eliminated from Section 22.306.070 4 entirely and that the 9,000 sq. ft. cap on Lot Coverage also be eliminated since the Lot Coverage formula already appropriately limits both Lot Coverage and GSA.

In the event references to GSA or a 9,000 sq. ft. cap on Lot Coverage and GSA are not removed from this section, the language of Section 22.306.070 4.c needs to be changed to make it clear that these restrictions may be modified through a CSD Modification application. The current language states "**In no event** shall the maximum GSA or

maximum lot coverage exceed 9,000 square feet". The words "In no event" suggest that this provision is not subject to modification via a CSD Modification permit and that does not appear to be the intent. So this needs clarification.

I. **Section 22.306.090 A - Modification Procedure for Significant Ridgeline Protection**: There needs to be a provision that allows for a Conditional Use Permit in the event of "physical infeasibility". This was something that was discussed and agreed upon by everyone years ago. Therefore subsection 1 needs to be modified as follows: "Alternative sites within the project site have been considered and rejected due to **physical infeasibility or** the presence of documented hazards or the potential for greater damage to biota, as determined by a biologist; and". There must be the potential for seeking relief from the ridgeline requirements when required due to physical infeasibility conditions.

J. **Section 22.306.090 B - Modification of Development Standards:** This is a CRUCIAL provision to allow for reasonable and necessary modifications under appropriate circumstances. If properly constructed, this provision may address many of my concerns outlined above.

I am VERY CONCERNED about the language in the current draft that says "Not more than two written protests are received pursuant to subsection B.5 below". Does this mean that if more than two written protests are received that no CSD Modification application will be considered? If this is the intent, then this provision is egregiously unreasonable and unacceptable. A property owner should have the right to process a CSD Modification regardless of the number of any protest letters submitted. In the event this is not the intent, then the language should be changed to not give this impression.

Thank you for your consideration of the above. I would appreciate receiving a response to the above concerns following your June 4 community meeting. I also look forward to being notified in advance of all future meetings.

Sincerely,

John G. Grech

John G. Grech

John G. Grech
4000 Fair Oaks Avenue
Altadena, CA 91001
Mailing Address: 1708 E. Walnut Street, Pasadena, CA 91106
Phone: 626-628-5027
Email: grechrealtors@aol.com

VIA EMAIL AND U. S. MAIL

June 7, 2016

Department of Regional Planning
County of Los Angeles
320 West Temple Street
Los Angeles, CA 90012

Re: Altadena Community Standards District Draft Recommendations

Dear Regional Planning:

This letter is in response to the "Additional Recommendations" memo that was handed out at the community meeting on June 4 and is a follow-up letter to my letter of June 2, 2016, a copy of which is attached. My comments are as follow:

1. **Second Units without a Sewer Connection or in an SEA:** I agree that properties served by a septic system should have the same right to second units as those properties that are served by a public sewer. Such properties should not be penalized only because public sewer connections are not readily available. However, septic systems that will serve a second unit should be required to be reviewed and approved prior to the issuance of a building permit for a second unit.

I also STRONGLY AGREE that properties located within a hillside area, a high fire severity zone or a SEA should have the right to apply for a second unit permit via a CSD Modification. **Second units in these areas should not be prohibited outright. Owners of properties in these areas should have the same right as all other property owners to apply for a second unit permit. But the approval of any such permit must be subject to the project meeting all appropriate standards involved.**

Furthermore, I agree that a CSD Modification procedure is far superior to requiring a CUP. A CSD Modification provides ample opportunity for proper public and governmental review. I fail to see how requiring a CUP offers any additional protections or benefits whatsoever and the cost of a CUP is unduly prohibitive.

I would appreciate it if the County would provide me with a map of Altadena that shows all SEA areas or direct me to a web site that has such a map that is legible on a parcel by parcel basis. Please let me know what you can provide.

2. **Classes in Single-Family Residential Zones:** My primary concern with the proposed revision that would allow up to 4 classes per week between 9:00 am and 8:00 pm Monday through Saturday is that theoretically a homeowner could offer a day long

class 4 days per week and that seems highly excessive. I therefore suggest some type of weekly cumulative hourly cap be considered as an additional constraint.

3. **CSD Modification:** I support the proposed 300 foot mailing radius for a CSD Modification application. That is a fair and reasonable radius.

I am, however, ADAMANTLY OPPOSED to the proposal that a CSD Modification CANNOT be approved if more than 2 protest letters in a residential zone or more than 4 protest letters in a commercial zone are received. This is utterly and completely unfair and unreasonable. An applicant who submits a CSD Modification application and pays the fee is entitled to have the matter heard and be judged on its merits regardless of how many protest letters are received. Any parties opposed to the application can express their concerns at the public hearing and make their case. The applicant should have the same right, especially after the time and expense involved with submitting the application. The applicant is entitled to his or her "day in court" and the matter should be decided on its merits, not denied outright without the opportunity for a fair hearing. **This recommendation needs to be revised.**

In addition, I wonder if it is reasonable and necessary to process an appeal to a CSD Modification denial via a CUP. It seems to me that a Minor CUP process (I assume the County has such a method) should be more than adequate at what I assume would be a more reasonable cost.

4. **Fence and Wall Materials:** I am not clear if these proposed standards apply only to fences and walls on lot lines or within required setback areas or whether they are intended to apply ANYWHERE on a lot. **There are real problems with having to comply with these material requirements for fences and walls that ARE NOT located on lot lines or within required setback areas.** For instance, if a property owner wants to fence in a dog run, fence in a chicken coop or a vegetable garden to protect them from wildlife, or install other such fences on interior portions of their property they should not have to meet the same requirements as for walls and fences located on or near the property lines. So I would appreciate it if this matter would be further examined and appropriately modified.

I am also concerned about the proposed outright prohibition of barbed wire. I don't necessarily object to this prohibition for fences located on property lines or within required setbacks, but this could be an issue for owners of very large properties. For instance, I own two residences in Altadena located on lots that are both approximately 4 acres in size that are located in a very remote area. Both of these properties were fenced with barbed wire in the 1940's when barbed wire was permitted. Over the years we have had numerous instances when intruders under the influence of alcohol and drugs have attempted to enter our properties. Our barbed wire fences have provided us with a safety net that we feel is essential to maintain. Therefore, I suggest that barbed wire fences not be prohibited outright but rather be allowed subject to successfully processing a CSD Modification application.

5. **Modifications for Fences, Walls and Landscaping:** Please keep me informed about the ongoing review of this matter that is currently taking place. If a property owner wishes to pursue a modification of the standards that are ultimately put into place, I agree that a CSD Modification application would be the appropriate method of

pursuing any modification rather than requiring a CUP or a Variance. There should also be an appeal process for a CSD Modification application that is denied.

6. **Proposed Revised Development Standards:** I STRONGLY support the proposal to calculate the front yard based on the smallest front yard on the same side of the block or 20 feet, whichever is greater. THIS IS A MUCH NEEDED CHANGE. There are plenty of instances where one or more properties on a block have unusually large front yard setbacks which can create significant problems and inequity under the current front yard setback requirements. The proposed revision solves this problem and at the same time will ensure that appropriate front yard setbacks will be maintained.

Thank you for your consideration of the above. I would appreciate the County's response to the above, and I would also like more information regarding a map of SEA boundaries as requested above. In addition, I would appreciate being informed in advance of all future meetings regarding this matter.

Sincerely,

John G. Grech

Cc: Ms. Ayala Scott, County of Los Angeles General Plan and Housing Section via email.

Altadena Town Council