



Agenda Report

23-545

Agenda Date: 5/10/2023

**REPORT TO DEVELOPMENT REVIEW HEARING**

**SUBJECT**

Action on the construction of a 366 square foot attached Accessory Dwelling Unit (ADU) within the rear yard building setback area of a single-family residence located at 3849 De La Cruz Boulevard. (CEQA: Exempt, Section 15301(e) (1) Existing Structures)

**File No.(s):** PLN23-00143

**Location:** **3849 De La Cruz Boulevard** a 6,442 square foot lot located at the northeast corner of De La Cruz Avenue and Oakwood Drive, APN: 101-25-006; property is zoned Single Family Residential (R1-6L).

**Applicant:** James Watson

**Owner:** Nic Joseph

**Request:** **Architectural Review** to allow for the construction of a 366 square foot attached Accessory Dwelling Unit (ADU) in the rear building setback area.

**Project Data**

The Project Data Table is included as Attachment 2.

**Points for Consideration**

- The project includes a one-story 366 square foot attached rear accessory dwelling unit to be located 10 feet from the rear property line.
- The proposed accessory dwelling unit is a studio with one bathroom.
- Windows of the ADU are consistent with the City's Single-Family Residential Design Guidelines in that the window style and proportion are similar to the existing architectural style of the building.
- The proposed project complies with the R1-6L zoning district development standards for new construction; is generally consistent with the Single-Family Residential Design Guidelines; and is generally compatible with neighboring homes along the streetscape.
- A neighborhood notice was distributed to properties within a 300-foot radius of the subject site for this project review.
- There are no active code enforcement cases for this property.

**Findings**

1) *That any off-street parking area, screening strips and other facilitates and improvements necessary to secure the purpose and intent of this title and the general plan of the City area a part of the proposed development, in that;*

- Additional off-street parking is not required for the construction of an ADU.
- The proposed ADU would not remove any off-street parking on the property.

- 2) *That the design and location of the proposed development and its relation to neighboring developments and traffic is such that it will not impair the desirability of investment or occupation in the neighborhood, will not unreasonably interfere with the use and enjoyment of neighboring developments, and will not create traffic congestion or hazard, in that;*
  - The proposed accessory dwelling unit would not create traffic congestion or hazards.
  - Public streets are adequate in size and design to serve the proposed accessory dwelling unit, and the use will not create a substantive increase in traffic.
- 3) *That the design and location of the proposed development is such that it is in keeping with the character of the neighborhood and is such as not to be detrimental to the harmonious development contemplated by this title and the general plan of the City, in that;*
  - The proposed ADU has a rear setback of 10 feet, which is located within the 20-foot required rear setback area for the principle single-family unit.
  - The ADU is proposed to have a similar design and characteristics as other dwelling units in the surrounding neighborhood.
- 4) *That the granting of such approval will not, under the circumstances of the particular case, materially affect adversely the health, comfort or general welfare of persons residing or working in the neighborhood of said development, and will not be materially detrimental to the public welfare or injuries to property or improvements in said neighborhood, in that;*
  - The project is subject to the California Building Code and City Code requirements, which serve to regulate new construction to protect public health, safety and general welfare.
- 5) *That the proposed development, as set forth in the plans and drawings, are consistent with the set of more detailed policies and criteria for architectural review as approved and updated from time to time by the City Council, which set shall be maintained in the planning division office. The policies and criteria so approved shall be fully effective and operative to the same extent as if written into and made a part of this title, in that;*
  - The project proposes a residential design that is compatible in scale and character with the housing types that are typical in the neighborhood as the proposed design of the accessory dwelling unit will have similar massing and height to other accessory dwelling units in the area.
  - The proposed project complies with the R1-6L zoning districts development standards for accessory dwelling units but requires approval for an attached accessory dwelling unit being placed within the rear 20-foot setback.

#### Conditions of Approval

- 1) Permit Expiration. This Architectural Permit shall automatically be revoked and terminated if not used within two years of original grant or within the period of any authorized extensions thereof. The date of granting of this Permit is the date this Permit is approved by the Development Review Officer.
- 2) The garage shall be maintained clear and free for vehicle parking use at all times. It shall not be used only for storage.
- 3) Prior to the issuance of a Building Permit, the development of the site and all associated improvements shall conform to the approved plans with File No. **PLN23-00143**, on file with the

Community Development Department, Planning Division.

- 4) Landscaping installation shall meet City water conservation criteria in a manner acceptable to the Director of Community Development.
- 5) Maintain the front yard landscaping between the house and sidewalk. New landscape areas of 500 square feet or more or rehabilitated landscape areas of 2,500 square feet or more shall conform to the California Department of Water Resources Water Efficient Landscape Ordinance.
- 6) Developer/Owner is responsible for collection and pick-up of all trash and debris on-site and adjacent public right-of-way.
- 7) Construction activity shall be limited to the hours of 7:00 a.m. to 6:00 p.m. weekdays and 9:00 a.m. to 6:00 p.m. Saturdays for projects within 300 feet of a residential use and shall not be allowed on recognized State and Federal holidays.
- 8) Incorporate Best Management Practices (BMPs) into construction plans and incorporate post construction water runoff measures into project plans in accordance with the City's Urban Runoff Pollution Prevention Program standards prior to the issuance of permits.

### **ENVIRONMENTAL REVIEW**

The proposed project is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301(e) (1) Existing Structures, in that the project is a small accessory dwelling addition to the existing single-family residence.

### **PUBLIC CONTACT**

On April 27, 2023, a notice of public hearing of this item was posted within 300 feet of the project site and mailed to property owners within 300 feet of the project site. Planning Staff has not received public comments for this application.

### **RECOMMENDATION**

**Use of a CEQA Categorical Exemption Section 15301(e) (1) Existing Structures and Approve** the attached accessory dwelling unit within the rear setback of a single-family residence, subject to conditions.

Prepared by: Daniel Sobczak, Assistant Planner, Community Development Department

Approved by: Lesley Xavier, Planning Manager, Community Development Department

### **ATTACHMENTS**

1. Development Plans
2. Project Data