

**PLANNING COMMISSION – December 11, 2019**  
**REQUIRED FINDINGS AND CONSIDERATIONS:**

**16940 Roberts Road**  
**Architecture and Site Application S-19-008**  
**Subdivision Application M-19-002**

**Requesting approval for demolition of an existing single-family residence, construction of three condominium units that will exceed the floor area ratio standards, and site improvements requiring a grading permit on property zoned RM:5-12. APN 529-18-053.**

**APPLICANT/PROPERTY OWNER: Josephine Chang**

**FINDINGS**

**Required Finding for CEQA:**

- The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures, and Section 15315: Minor Land Divisions.

**Required findings by Housing Element Policy HOU-8.1:**

- The proposed development is consistent with the Town’s Housing Element and addresses the Town’s housing needs as identified in the Housing Element.

**Required findings to deny a Subdivision application:**

- As required by Section 66474 of the State Subdivision Map Act the map shall be denied if any of the following findings are made: **None of the findings could be made to deny the application.**

Instead, the Planning Commission makes the following affirmative findings:

- a. That the proposed map is consistent with all elements of the General Plan.
- b. That the design and improvement of the proposed subdivision is consistent with all elements of the General Plan.
- c. That the site is physically suitable for the type of development.
- d. That the site is physically suitable for the proposed density of development
- e. That the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat
- f. That the design of the subdivision and type of improvements is not likely to cause serious public health problems.
- g. That the design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

**Required finding for the demolition of a single-family residence:**

- As required by Section 29.10.09030(e) of the Town Code for the demolition of a single-family residence:
  1. The Town's housing stock will be maintained as the single-family residence will be replaced.
  2. The existing structure has no architectural or historical significance.
  3. The property owner does not desire to maintain the structure as it exists; and
  4. The economic utility of the structures was considered.

**Required findings for exceeding the maximum Floor Area Ratio:**

- As required by Section 29.40.075(c) of the Town Code, the deciding body may allow a FAR in excess of the FAR derived by the formulas in subsections (b)(1), (2), and (3) above if it makes the following findings:
  - (1) The design theme, sense of scale, exterior materials and details of the proposed project are consistent with the provisions of:
    - a. Any applicable landmark and historic preservation overlay zone; and
    - b. Any applicable specific plan; and
    - c. The adopted residential development standards; and
  - (2) The lot coverage, setbacks, and FAR of the proposed project is compatible with the development on surrounding lots.

**Required Compliance with the Residential Design Guidelines:**

- The project is in compliance with the Residential Design Guidelines for single-family residential unit development not in hillside residential areas and was reviewed by the Town's Consulting Architect. The project is compatible with the immediate neighborhood in terms of size, bulk, and scale.

**CONSIDERATIONS**

**Required considerations in review of Architecture & Site applications:**

- As required by Section 29.20.150 of the Town Code, the considerations in review of an Architecture and Site application were all made in reviewing this project.