

DEVELOPMENT REVIEW COMMITTEE – July 24, 2024
REQUIRED FINDINGS & CONSIDERATIONS FOR:

120 Oak Meadow Drive
Subdivision Application M-20-011
Planned Development Application PD-20-002
Architecture and Site Application S-22-021

Requesting Approval for Subdivision of One Lot into Two Lots, Modification of Planned Development Ordinance 1412, Construction of a Single-Family Residence, and Site Work Requiring a Grading Permit on Property Zoned O:PD. APN 529-10-131. Categorically Exempt Pursuant to CEQA Guidelines Sections 15315: Minor Land Divisions; 15303: New Construction; and 15304: Minor Alterations to Land. Property Owners: Marty and Penny McFarland Applicants: Terence J. Szewczyk (M-20-011 and PD-20-002) and Jay Plett, Architect (S-22-021)

FINDINGS

Required finding for CEQA:

- The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Sections 15315: Minor Land Divisions; 15303: New Construction; and 15304: Minor Alterations to Land.

Required compliance with the Town Code for granting a Planned Development Overlay Zone:

- As required by Section 29.80.095 of the Town Code for granting a Planned Development Overlay Zone, the proposed amendment:
 1. Is consistent with Chapter 29, Article VIII, Division 2 of the Town Code in that it meets the purpose and intent of a Planned Development Overlay;
 2. Is in conformance with the goals, policies, and applicable land use designations and standards of the Town's 2040 General Plan and its Elements and with the 2020 Land Use and Community Design Element, including but not limited to Policies LU-1.3, LU-1.4, LU-6.7, LU-6.8, LU-7.3, and LU-7.4;
 3. Is in conformance with the Residential Design Guidelines and applicable sections of the Hillside Development Standards and Guidelines for a property with an average slope of 10 percent or greater; and
 4. Allows for a new housing unit designed to protect and preserve the existing trees and slopes of the site.

Required compliance with the Zoning Regulations:

- The project meets the objective standards of Chapter 29 of the Town Code (Zoning Regulations), except for the requested modifications to the performance standards in the PD Ordinance to allow deviations from the underlying zoning allowing the following:
 - Lot Size: The O zone requires a minimum lot size of 8,000 square feet and the proposed subdivision would result in lots with areas of 11,906 square feet (Parcel A) and 5,793 square feet (Parcel B).
 - Lot Coverage: The existing residence would be located on new Parcel A, following subdivision. The lot coverage for Parcel A would be 40.3 percent, where 40 percent is the maximum allowed in the O zone. Similarly, the proposed residence on Parcel B would have a lot coverage of 42.6 percent, exceeding the limitations of the zone.
 - FAR Standards: The existing residence would be located on new Parcel A, following subdivision. The FAR of the existing residence would be 0.30 (3,621 square feet), where 0.27 (3,248 square feet) is the maximum allowed for a single-family residence located in a nonresidential zone. Similarly, the proposed residence on Parcel B would have a FAR of 0.34 (1,946 square feet), where 0.27 (1,543 square feet) is the maximum allowed for a single-family residence located in a nonresidential zone.
 - Setbacks: The proposed residence on Parcel B would include reduced setbacks.

Required consistency with the Town's General Plan:

- That the amendment to the Planned Development Overlay is consistent with the 2040 General Plan and its Elements and with the 2020 Land Use and Community Design Elements, including but not limited to Policies LU-1.3, LU-1.4, LU-6.7, LU-6.8, LU-7.3, LU-7.4, CD-1.2, CD-3.1, and CD-4.3; and that the amendment to the Planned Development Overlay zoning is consistent with the existing General Plan designation.

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 compliance with the applicable sections of the Hillside Development Standards and Guidelines:

- The project complies with the applicable sections of the Hillside Development Standards and Guidelines for a property with an average of 10 percent or greater, except for the requested modification to the performance standards in the PD Ordinance to allow deviations from applicable sections of the HDS&G allowing the following:
 - LRDA: The proposed residence on Parcel B would include portions of the structure located outside of the LRDA.
 - Driveway Slope: The proposed driveway serving Parcel B includes a portion with a maximum slope of 17.5 percent, where a maximum 15 percent slope is the standard in the HDS&G.

Required compliance with the Residential Design Guidelines:

- The project is in compliance with the Residential Design Guidelines for single family residences not in hillside areas. The project was reviewed by the Town's Consulting Architect for compliance with the Town's Residential Design Guidelines. The Consultant noted that the proposed house is well sited to respond to the constraints of the site. The applicant provided a response to the Consultant's recommendations justifying the proposed design and materials.

CONSIDERATIONS

Required considerations in review of Architecture and 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.

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