



## PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

### STAFF REPORT

**DATE:** March 20, 2019

**TO:** Hearing Officer

**SUBJECT:** Certificate of Exception #357

**LOCATION:** 257, 267, and 277 Sycamore Glen

**APPLICANTS:** Steve Elkins and Ellen Druffel

**ZONING DESIGNATION:** RS-6-HDSR (Single-Family Residential, 0-6 units per acre, San Rafael Hillside Overlay District)

**GENERAL PLAN DESIGNATION:** Low Density Residential

**CASE PLANNER:** Jennifer Driver, Nathan Gapper

**STAFF RECOMMENDATION:** Adopt the Environmental Determination and the Specific Findings in Attachment A to **approve** Certificate of Exception #357 with the conditions in Attachment B.

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**PROJECT PROPOSAL:** Certificate of Exception: The applicants, Steve Elkins and Ellen Druffel, have submitted a certificate of exception application to allow a lot line adjustment between three adjoining parcels in the RS-6-HDSR zone. Parcel 1, at 257 Sycamore Glen (APN 5709-008-030), is a 5,622 square-foot lot; Parcel 2, at 267 Sycamore Glen (APN 5709-008-031), is a 7,764 square-foot lot; and Parcel 3, at 277 Sycamore Glen (APN 5709-008-011), is a 13,135 square-foot lot. The proposed project will result in the elimination of Parcel 2 and subsequent allocation of Parcel 2 as follows: 3,713 square feet to Parcel 1 and 4,050 square feet to Parcel 3. The request will result in Parcel 1 measuring 9,335 square feet and Parcel 3 measuring 17,185 square feet. No new construction or tree removals are proposed as part of this application.

**ENVIRONMENTAL DETERMINATION:**

This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15301, Class 1, (Existing Facilities), and §15305, Class 5, (Minor Alterations in Land Use Limitations)); and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Section 15301 exempts projects that involve negligible or no expansion of an existing use. The use of each site is single-family residential, and will remain residential. Section 15305 exempts minor alterations in land use limitations in areas with an average slope of less than 20 percent, specifically minor lot line adjustments not resulting in the creation of any new parcel. The project as proposed involves only the consolidation of three existing legal parcels into two parcels.

**BACKGROUND:**

**Site characteristics:**

The subject site is located on the north side of Sycamore Glen, north of La Loma Road. Parcel 1, which is addressed as 257 Sycamore Glen, is an interior lot measuring 5,622 square feet and is developed with a 1,594 square foot single-family residence and accessory structures. Parcel 2, which is addressed as 267 Sycamore Glen, is a vacant interior lot measuring 7,764 square feet. Parcel 3, which is addressed as 277 Sycamore Glen, is an interior lot measuring 13,135 square feet and is developed with a 3,088 square foot single-family residence and accessory structures.

**Adjacent Uses:**

- North – Residential Single-Family
- South – Residential Single-Family
- East – Residential Single-Family
- West – Residential Single-Family

**Adjacent Zoning:**

- North – RS-6-HDSR (Single-Family Residential, 0-6 units per acre, San Rafael Hillside Overlay District)
- South – RS-6-HDSR (Single-Family Residential, 0-6 units per acre, San Rafael Hillside Overlay District)
- East – RS-6-HDSR (Single-Family Residential, 0-6 units per acre, San Rafael Hillside Overlay District)
- West – RS-6-HDSR (Single-Family Residential, 0-6 units per acre, San Rafael Hillside Overlay District)

**Previous Cases:**

Certificate of Exemption #264 for the consolidation of Parcel 1 (257 Sycamore Glen) and Parcel 2 (267 Sycamore Glen). The proposal was approved on May 14, 2003, but was not recorded with the County of Los Angeles Recorder.

**PROJECT DESCRIPTION:**

The applicants, Steve Elkins and Ellen Druffel, have submitted a Certificate of Exception application to allow a lot line adjustment between three adjoining parcels in the RS-6-HDSR zone. Parcel 1, at 257 Sycamore Glen (APN 5709-008-030), is a 5,622 square-foot lot; Parcel 2,

at 267 Sycamore Glen (APN 5709-008-031), is a 7,764 square-foot lot; and Parcel 3, at 277 Sycamore Glen (APN 5709-008-011), is a 13,135 square-foot lot. Parcels 1 and 3 each have one existing single-family residence on the property, while Parcel 2 in the middle is vacant.

The proposed project will result in the elimination of Parcel 2 and subsequent allocation of Parcel 2 as follows: 3,713 square feet to Parcel 1 and 4,050 square feet to Parcel 3. The request would result in Parcel 1 measuring 9,335 square feet and Parcel 3 measuring 17,185 square feet. No construction or tree removals are proposed as part of this application.

**ANALYSIS:**

Certificate of Exception – Lot Line Adjustment to Adjust an Interior Lot Line

The subject properties are three legally created parcels under separate ownership. The following table summarizes the building sizes and lot area conditions pre-and-post adjustment.

Parcel #	Address	Assessor's Identification Number	Existing Residence Size	Before Lot Line Adjustment Lot Area (Acres)	After Lot Line Adjustment Lot Area (Acres)
Parcel 1	257 Sycamore Glen	5709-008-030	1,594 square feet (including accessory structures)	5,622 square feet (0.13 acres)	9,335 square feet (0.21 acres)
Parcel 2	267 Sycamore Glen	5709-008-031	None	7,764 square feet (0.18 acres)	0
Parcel 3	277 Sycamore Glen	5709-008-011	3,088 square feet (including accessory structures)	13,135 square feet (0.30 acres)	17,185 square feet (0.39 acres)

Development Standards

The approval of a Certificate of Exception must show compliance with the applicable development standards of the RS-6-HDSR (Single-Family Residential, 0-6 units per acre, San Rafael Hillside Overlay District) zoning district as analyzed below.

*Lot Size:*

The minimum lot size for a new lot in the RS-6-HDSR zoning district is 7,200 square feet. Currently, Parcel 1 is non-conforming to the Zoning Code required minimum lot size, but after the lot line adjustment, all remaining parcels would conform to the minimum lot size requirement.

*Lot Width:*

The minimum lot width for a new lot is 55 feet for properties located within the RS-6-HDSR zoning district. The lot width is measured across the lot at the required front setback line. In this case, Parcel 1 currently has a lot width of 55 feet, Parcel 2 has a lot width of 63 feet, and Parcel 3 has a lot width of 88 feet. After the lot line adjustment, Parcel 1 would result in a lot width of 86 feet

and Parcel 3 would result in a lot width of 119 feet. Both proposed lot widths would therefore exceed the minimum lot width requirement.

*Gross Floor Area:*

In the RS-6-HDSR zoning district, for lots less than 10,000 square feet, the maximum allowable gross floor area, which includes all covered parking spaces, accessory structures, and enclosed space, is 30 percent of the lot area plus 500 square feet. If the average slope of the lot exceeds 15 percent, the maximum allowable gross floor area shall be further reduced in compliance with the slope reduction formula as described in Section 17.29.060.A.4 of the City's Zoning Code.

For lots greater than 10,000 square feet, the maximum allowable gross floor area is 27.5 percent of the lot area plus 500 square feet. Additionally, any portions of the lot that exceed a 50 percent slope or maintain an access easement must be deducted from the lot area for calculating the maximum allowable gross floor area. If the average slope of the remaining lot area exceeds 15 percent, the maximum allowable gross floor area shall be further reduced in compliance with the slope reduction formula as described in Section 17.29.060.A.4 of the City's Zoning Code. If the resulting maximum allowable gross floor area is less than 3,000 square feet, a maximum allowable gross floor area of 3,000 square feet shall be allowed.

For Parcel 1, 257 Sycamore Glen, the lot size after the lot line adjustment would be 9,335 square feet, and according to the topographic survey map provided as part of the application packet, would have an average slope of 13.9%. Based on the floor area calculation above, the maximum allowable floor area for the resulting Parcel 1 would be 3,300.5 square feet. The existing floor area for the primary residence and all accessory structures totals 1,594 square feet and is therefore below the maximum floor area permitted.

After the lot line adjustment, Parcel 3, 277 Sycamore Glen, would be 17,185 square feet, of which 4,329 square feet would consist of slopes greater than 50 percent. The remaining 12,667 square feet area has an average slope of 15.6%, and based on the floor area calculation previously discussed, the maximum floor area for Parcel 3 after the lot line adjustment would be 4,035 square feet. The existing floor area for the primary residence and all accessory structures totals 3,088 square feet and is therefore below the maximum floor area permitted.

*Lot Coverage:*

In addition to the maximum allowable gross floor area requirements, both parcels remaining after the lot line adjustment are subject to maximum lot coverage requirements. The maximum lot coverage in the RS-6-HDSR zoning district is 35 percent of the lot size.

After the lot line adjustment, Parcel 1 would have a lot size of 9,335 square feet and Parcel 3 would have a lot size of 17,185 square feet. The maximum allowable lot coverages for Parcel 1 and Parcel 3 would be 3,267 square feet and 6,015 square feet, respectively. Parcel 1 currently has a lot coverage of 28.3%, and after the lot line adjustment the resulting lot coverage would be 17.1%. Parcel 3 currently has a lot coverage of 23.5%, and after the lot line adjustment would have a lot coverage of 18%. As such, the lot coverage for both properties will continue to be less than the maximum allowed.

### *Setbacks:*

Within the San Rafael Area of the Hillside Overlay District, the front setbacks are governed by Table 2-9 of the City's Zoning Code. Per this table, the minimum front yard setback for properties located on the north side of Sycamore Glen is 12 feet, and five-feet for a detached garage, with a minimum setback of 10 feet from the curb line. The minimum rear yard setback is 25 feet and the minimum side yard setback is 10 percent of the lot width, with a minimum of five feet, and a maximum requirement of 10 feet.

Currently, the residence on Parcel 1 has a front yard setback of 10 feet, side setbacks of 23'-6" to the west and 2'-5" to the east, and a rear setback of 19'-6". The existing 19'-6" rear yard setback and 2'-5" east side setbacks are therefore legal non-conforming (legally established, but no longer allowed for new construction). After the lot line adjustment, the 2'-5" east side yard setback would remain unchanged, while the west side yard setback would increase from 23'-6" to 37 feet and remain in compliance with the required side yard setback. However, the lot line adjustment would increase the lot width of Parcel 1 from 55 feet to 86 feet, thereby increasing the required side setback from 5'-6" to 8'-7". This would result in an increase in the degree of non-conformity for the legal non-conforming 2'-5" side yard setback from the east property line. However, there are no structures proposed with this application, no change of topography, and the distance between the existing structure and the east side lot line would remain unchanged. Any future additions to the site would be required to comply with all current setback requirements.

The residence on Parcel 3 currently maintains a front yard setback of seven feet, side setbacks of 12'-7" to the west property line and 24 feet to the east property line, with a 58-foot rear setback. After the lot line adjustment, the seven feet front yard, 12'-7" west side yard, and 58 feet rear yard setbacks would remain unchanged. The required front yard setback of five feet for the detached garage and not closer than ten feet to the face of the street curb is satisfied and no change is proposed to the front lot line. Rear and west side yard setbacks are in compliance with the Zoning Code requirements. The east side yard setback would increase from 24 feet to 55 feet and remain in compliance with the required side yard setback. Any future additions to the site would be required to comply with all setback requirements.

The Certificate of Exception, as proposed, complies with all applicable development standards of the Zoning Code, with the exception of existing non-conforming setbacks. Although the degree of non-conformity of the east side setback on Parcel 1 would increase as a result of the lot line adjustment, this is simply due to the calculation procedures. The existing property lines are being moved away from existing structures on both lots. Therefore, the lot line adjustment would have no significant impacts on satisfying the development standards as analyzed above. Any future development on the lot must comply with all applicable development standards for the RS-6-HDSR zoning district. Furthermore, and as required by Section 16.40.030 of the Municipal Code, the proposed lot line adjustment would not create a greater number of parcels than originally existed.

### **GENERAL PLAN CONSISTENCY**

The proposed project, a mapping action consolidating three lots into two lots, is consistent with the General Plan Objectives and Policies, specifically Policy 21.9 (Hillside Housing), which strives to maintain appropriate scale, massing and access to the existing residential structures within hillside areas. The proposed density remains unchanged and is within the maximum density allowed for the Low Density Residential land use designation of the General Plan. Furthermore, the proposed lot configuration is consistent with the lot size and character of other residential lots

in the vicinity of the site. The proposal does not impact existing access to any lots. The Land Use Element of the General Plan also describes the Single-Family Residential land use designation as characterized by “a variety of single-family dwellings, ample open space, extensive landscaping, and separations between single-family dwellings and/or accessory buildings. Single-family dwellings are typically some distance from the street, with large front, side, and rear yard setbacks.” The proposed lot line adjustment would increase the amount of open space and landscaping on the two remaining lots. There would be no change to front and rear setbacks and, although there would be a change to the side setback requirement as it is calculated due to changing lot widths, the proposed lot line adjustment actually increases the distance from existing structures to one of the side property lines.

#### **ENVIRONMENTAL REVIEW:**

This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b) (9); Administrative Code, Title 14, Chapter 3, §15301, Class 1, (Existing Facilities), and §15305, Class 5, (Minor Alterations in Land Use Limitations)); and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Section 15301 exempts projects that involve negligible or no expansion of an existing use. The use of each site is single-family residential, and will remain residential. Section 15305 exempts minor alterations in land use limitations in areas with an average slope of less than 20 percent, specifically minor lot line adjustments not resulting in the creation of any new parcel. The project as proposed involves only the consolidation of three existing legal parcels into two parcels.

#### **COMMENTS FROM OTHER DEPARTMENTS:**

The project was reviewed by the Department of Public Works, Department of Transportation, Building and Safety Division, Design and Historic Preservation Section, and the Fire Department. The Department of Public Works and Planning Division conditions of approval have been attached to the report (Attachment B). All other departments expressed no concerns with the application.

#### **CONCLUSION:**

It is staff’s assessment, based on the analysis of the project, that the findings necessary for approving the Certificate of Exception can be made as included in Attachment A of this report. The proposed lot line adjustment would eliminate one parcel and enlarge two existing parcels and satisfies all applicable development standards, with the exception of the legal non-conforming setbacks that currently exist for each parcel. Any future development on the subject properties would be required to conform to the applicable development standards and the Building Code requirements in place at the time of any construction activity. Therefore, staff recommends that the Hearing Officer approve the application with the findings in Attachment A and the recommended Conditions of Approval in Attachment B.

#### Attachments:

Attachment A: Recommended Specific Findings

Attachment B: Recommended Conditions of Approval

**ATTACHMENT A**  
**SPECIFIC FINDINGS FOR CERTIFICATE OF EXCEPTION #357**

Certificate of Exception – Per Section 66412(d) of California Government Code, a local agency shall find that:

1. *The parcel resulting from the lot line adjustment will conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances.*  
The proposed project, a mapping action consolidating three lots into two lots, is consistent with the General Plan Objectives and Policies, specifically Policy 21.9 (Hillside Housing), which strives to maintain appropriate scale, massing, and access to the existing residential structures within hillside areas. The proposed density remains unchanged and is within the maximum density allowed for the Low Density Residential land use designation of the General Plan. Furthermore, the proposed lot configuration is consistent with the lot size and character of other residential lots in the vicinity of the site. The proposal does not impact existing access to any lots. Both parcels will comply with all applicable development standards after the lot line adjustment, with the exception of the existing non-conforming setbacks. The proposal does not include construction or removal of any trees, therefore building code compliance is not applicable.

**ATTACHMENT B**  
**CONDITIONS OF APPROVAL FOR CERTIFICATE OF EXCEPTION #357**

The applicant or successor in interest shall meet the following conditions:

General

1. The site/floor plans submitted for building permits and/or future development shall substantially conform to the site/floor plans submitted and stamped "Approved at Hearing, March 20, 2019," except as modified herein.
2. The right granted under this application must be enacted within 24 months from the effective date of approval. It shall expire and become void, unless an extension of time is approved in compliance with Section 17.64.040.C of the Zoning Code.
3. The approval of this application authorizes the adjustment of the interior lot lines, eliminating Parcel 2 (APN 5709-008-031; 267 Sycamore Glen), allocating 3,713 square feet to Parcel 1 (APN 5709-008-030; 257 Sycamore Glen) and 4,050 square feet to Parcel 3 (APN 5709-008-011; 277 Sycamore Glen). The request will result in Parcel 1 measuring 9,335 square feet and Parcel 3 measuring 17,185 square feet, as depicted on the property survey plan submitted.
4. The applicant or successor in interest shall provide to the Zoning Administrator a legal description of the parcel resulting from the Lot Line Adjustment. The legal description shall be prepared by a licensed civil engineer or land surveyor and shall include the wet stamp and signature of the author. The legal description shall substantially conform to the plans submitted with this application.
5. The applicant or successor in interest shall be responsible for recording with the Los Angeles County Recorder a Certificate of Compliance that has been approved by the Zoning Administrator, and a grant deed containing a legal description matching the legal description contained in the Certificate of Exception. This lot line adjustment is not effective unless and until it is recorded with the Los Angeles County Recorder.
6. The applicant or successor in interest shall meet the applicable code requirements of all City Departments.

Public Works Department

7. The existing public right-of-way fronting these properties is 30 feet wide (property line to property line). Any vegetation, including overhanging brush and tree limbs, that encroaches into the public right-of-way shall be removed.