

For over three years I represented Altadena Heritage on a subcommittee of the Town Council that met twice a month. We were tasked with improving and updating the Altadena Community Standards District (CSD), a zoning overlay that was initiated in the 1990s to discourage mansionization and improve commercial vitality. As a member of the subcommittee wrestling with residential issues, mutterings heard recently that we did “nothing to help homeowners” inspired me to list some (but not all) of our residential recommendations. Altadenans should know the facts.

It is a struggle to try to write ordinances. Department of Regional Planning (DRP) should get credit; a representative attended every evening meeting, listened to what we thought we wanted, warned of problems and conflicts, and helped us craft our proposals. They show an admirable capacity to withstand both crushing boredom and cranky Altadenans.

## **Some facts about proposed changes to the Altadena Community Standards District as it affects homeowners**

### **1. Side Yard Setbacks**

We asked that wording be changed to clarify side setbacks. Existing CSD reads: “Each required yard shall not be less than 15 feet where any portion of a residence or other structure within that yard exceeds 23 feet in height.” This has oft been misinterpreted.

New wording (same meaning): “Except as provided in Section 22.48.120 (Projections into Yards), no portion of any structure shall exceed 23 feet in height where located within 15 feet of any property line.”

### **2. Average Front Setback**

The “Average Front Setback” rule in the CSD requires home owners wishing to build near the front setback line of their property to measure all existing front setbacks on their block and calculate the average of these distances to determine the minimum required front setback for any street-side construction. Proposed CSD modification eliminates this rule. Now, minimum front yard setback is be the same as the closest legally constructed building on the block, with a 20’ minimum.

### **3. Front Setbacks in Hillside Areas**

We corrected a fault in the Hillside provisions of the CSD (as amended in 2011) that unintentionally invalidates existing County code allowing smaller setbacks for homes and ancillary structures (garages) in hillside zones in order to minimize grading requirements.

### **4. Rear & Side Yard Setbacks**

We did not tamper with most setback requirements mandated by the CSD, as we felt that provisions to assure “light, air, and privacy” to all homeowners should be respected as the prime reason that our CSD was created in the first instance. A proposal to allow a one-time exception for side yard setbacks in certain cases is not supported by the DRP.

### **5. One-time Exemption from Side Yard Setback Requirement**

The subcommittee added a provision for a one-time allowance for a maximum 500 square foot ground floor addition to an existing residence built prior to the CSD. It would allow a new addition to continue the line of the side of an existing home where the setback was at least 5’ but less than that required by CSD provision for 10% of lot width.

Our rationale was that requiring walls and rooflines to jog out of alignment by a few inches or a few feet causes construction and aesthetic difficulties, particularly with rooflines. The awkward appearance of such additions, especially on our many older houses of architectural significance, is a strong reason we support this one-time opportunity for expansion.

This measure was rejected by DRP (backed up by Building & Safety) as unfeasible due to administrative difficulties, but we will still propose it to the Planning Commission.

## **6. Flag Lot Setbacks**

For unknown reasons, the CSD mandates setbacks be applied to flag lots the same as for standard street-fronting lots, including a stipulation that front yard must be on the side closest to the street. and side, front and rear setbacks respected. As the majority of remaining undeveloped flag lots in Altadena are in hillside areas with steep slopes, we felt such provisions make no sense and could interfere with optimum siting for homes in terms of solar energy use and grading. This reverts to County code requiring a simple 10' uniform setback.

## **7. Minor Conditional Use Permit**

Both our committee and Regional Planning wished to reduce the number of construction and business issues requiring a Conditional Use Permit. The CUP process is lengthy and expensive (about 2 years and \$10,000). There is an alternative, a "Minor CUP" (LA County Muni Code 22.56.85) that allows certain modifications to homes, including fences and hedges, without going through the full CUP process. What types of projects will this be applied to? Not sure.

For a Minor CUP, homeowners in a 300' radius are notified, but no Planning Commission hearing is scheduled unless requested by opponents. If fewer than two objections are registered (whether by near-by homeowners as we recommended, or by anyone is not clear at this time). The matter is reviewed by the Hearing Officer, and the final appeal is to the Regional Planning Commissions. There will be a "streamlined public hearing" for all cases (not sure just what this means). Cost is to be \$1,135. An additional fee of \$1,026 applies if the Public Works needs to be consulted.

## **8. Second Units in R-1 Zones**

A California State law passed in 2003 mandates that one second unit per property be allowed in single family zoned areas so long as all setback, lot coverage, FAR, parking, etc. requirements are met. Many cities have pushed back on this ordinance, and it is, in fact, difficult to get approval for a second unit in unincorporated County areas.

Given the current extreme housing shortage and tremendous sprawl in Southern California, plus the existence of many second units already occupied in Altadena, legal and illegal, the committee felt that County should make some minor modifications to existing ordinances.

- 1) County requires that detached second units be limited to 17 foot height. Committee supports a greater height limit that would allow second units to be built above a garage, thus leaving more open space. Of course, such a unit would have to comply with all other setback requirements.
- 2) Units that are attached to an existing structure must have a maximum height 3 feet shorter than the height limit for the actual residence. We feel this is uncalled for; frequently a second unit is created by subdividing an existing structure, which could exceed the height limit, and where new construction is involved, dropping the roofline could be a hardship and aesthetically unsound — and seems unnecessarily restrictive.
- 3) Second units on properties served by septic systems must get a CUP. This is not a zoning issue; all that should be required is a letter from County Health Department certifying that the existing septic system is adequate to handle the proposed unit.

DRP asked us not to include these recommendations in our proposal to the Planning Commission as there is currently a fast-track County effort to revise the second unit ordinance. Anyone who wishes to be heard on this subject can write to Ayala Scott at [AScott@planning.lacounty.gov](mailto:AScott@planning.lacounty.gov).

— Mark Goldschmidt, 19 July 2016