CALL TO ORDER

1. DPRB Case No. 18-0031

Associated Cases: ACCELA PROJ-18-0096

A request to construct a new 600 square-foot detached Accessory Dwelling Unit and a 160 square-foot attached patio cover. The existing residence is 1,629 square feet with a 610 square-foot attached three-car garage. The subject property is located within the Single-Family 9,000 Zone (SF-9000) at 301 Dakota Court.

Applicant: Earnest Little APN: 8390-009-032
Planner: Anne Nguyen Zone: SF-9000

ORAL COMMUNICATIONS

(Members of the audience are invited to address the Board on any item not on the agenda. Under the provisions of the Brown Act, the Board is prohibited from taking or engaging in discussion on any item not appearing on the posted agenda. However, your concerns may be referred to staff or set for discussion at a later date. The Public Comment period is limited to 30 minutes. Each speaker shall be limited to three (3) minutes.)

Adjournment

Copies of staff reports and/or other written documentation pertaining to the items on the agenda are on file in the Planning Department and are available for public inspection during the hours of 8:00 a.m. to 5:00 p.m. Monday through Friday.

Notice Regarding Americans with Disabilities Act: In compliance with the ADA, if you need assistance to participate in a city meeting, please contact the City Clerk's Office at (909) 394-6216. Early notification before the meeting you wish to attend will make it possible for the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].

Copies of documents distributed for the meeting are available in alternative formats upon request.
DEVELOPMENT PLAN REVIEW BOARD
FACT SHEET

DATE: February 28, 2019
TO: Development Plan Review Board
FROM: Anne Nguyen, Associate Planner
SUBJECT: DPRB Case No. 18-0031
          ACCELA PROJ-18-0096

A request to construct a new 600 square-foot detached Accessory Dwelling Unit and a 160 square-foot attached patio cover. The existing residence is 1,629 square feet with a 610 square-foot attached three-car garage. The subject property is located within the Single-Family 9,000 Zone (SF-9000) at 301 Dakota Court. (APN: 8390-009-032)

FACTS:

The Applicant is requesting approval to construct a new 600 square-foot detached Accessory Dwelling Unit, hereinafter called “ADU” and a 160 square-foot attached patio cover at 301 Dakota Court, located within the Single-Family 9,000 Zone (SF-9000). The subject site measures approximately 10,441 square feet in lot area and was developed in 1980 with a 1,629 square-foot one-story single-family residence and a 610 square-foot attached three-car garage. The subject site is situated on the northeast corner at the intersection of Dakota Court and Walnut Avenue (see Vicinity Map, attachment 1).

Section 18.38.050 of the San Dimas Municipal Code (SDMC) requires all accessory dwelling units to be reviewed and approved by the Board. Therefore, the applicant’s request is before the Board for review.

ANALYSIS:

The proposed ADU and attached patio cover will be constructed towards the rear of the property. The living area will measure 600 square feet and will include a living room, kitchen, two bedrooms, and a bathroom. Attached to the unit along the north elevation is an approximately 160 square-foot patio cover. Although not counted as part of the square footage of the ADU, the proposed 160 square-foot attached patio cover will count towards the lot coverage area of the entire property. The maximum floor area allowed for a detached ADU on properties between 10,000 and 20,000 square feet is 600 square feet with a maximum of two bedrooms being permitted in any ADU. Therefore, the size of the proposed ADU meets the maximum allowed on the property.
The proposed ADU will be minimally visible from the side street (Walnut Avenue) as it is set back at a distance of 30 feet from the west property line and approximately 31 feet 7 inches from the main dwelling unit. The main dwelling unit has an existing three-car garage, and only a two-car garage is required by the municipal code. A minimum of one garage parking space is required for the ADU; therefore, the third car garage may serve the new ADU. The lot has three additional parking spaces on the driveway for a total of six parking spaces on site.

The ADU will be designed to include a crossed gable roof with flat concrete tile and an exterior stucco finish to match the existing home in texture and in color. The project has been conditioned to have the roof material of the main dwelling unit to be upgraded to match the ADU as the roof of the main dwelling unit is also in need of replacement. The patio cover will have a flat roof (2% slope) to match the existing patio cover roof that is attached to the main dwelling unit (see East Elevation). The slope of the new ADU roof, however, will be 4:12 to match the roof slope of the main dwelling unit. The ADU will be constructed to comply with the development standards of the SF-9000 zone, including setbacks, lot coverage, and height as follows:

<table>
<thead>
<tr>
<th>Required</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front Setback</td>
<td>20'-0&quot; min.</td>
</tr>
<tr>
<td>East Side-yard Setback</td>
<td>5'-0&quot; min.</td>
</tr>
<tr>
<td>West Side-yard Setback</td>
<td>10'-0&quot; min.</td>
</tr>
<tr>
<td>Rear-yard Setback</td>
<td>3'-0&quot; min.</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td>35% max.</td>
</tr>
<tr>
<td>Height</td>
<td>15'-0&quot; max.</td>
</tr>
<tr>
<td>Building Separation Distance</td>
<td>20'-0&quot; min.</td>
</tr>
</tbody>
</table>

The ADU will be subject to the occupancy requirements as required by the City’s ADU Ordinance. In other words, the property owner will be required to occupy the main unit or the proposed ADU. If the ADU is rented, it shall be designated as affordable and rented to “low” or “very low” income individuals or families who meet the income requirements. In lieu of being rented as an affordable unit, the ADU may be rented by person(s) over the age of sixty-two, caregivers for a resident of one of the units on the property, and persons with disabilities who do not meet the income limitations. These requirements will be regulated through an Affordable Housing Agreement entered into between the property owner and the City and recorded to run with the land.

**ISSUES:**

When the land was subdivided in 1978 and developed with 18 new single-family residential lots under Tract No. 33431, the owners/subdividers included a written declaration to abandon “all rights or direct vehicular ingress and egress from lots 1 and 18 to the said street,” with the “said” street being Walnut Avenue. At some point after the development was constructed, an unpermitted secondary driveway approach was poured along Walnut Avenue. The project has been conditioned to require the removal of the secondary drive approach fronting Walnut Avenue. The applicant would also be
required to install a sidewalk and curb and gutter to city specifications and re-establish
parkway to match existing streetscape. The existing gate, however, may remain for the
sole purpose of providing pedestrian access to the ADU.

RECOMMENDATION:

Staff recommends that the Development Plan Review Board approve Development
Plan Review Board Case No. 18-0031 subject to the attached conditions in Exhibit A.

Respectfully submitted,

Anne Nguyen
Associate Planner

ATTACHMENTS:

1. Vicinity Map
2. Photos of Subject Site

EXHIBITS:

A. Conditions of Approval
B. Project Plans
C. Tract No. 33431
Attachment 1

Vicinity Map

Subject Site

San Dimas Public Library
Attachment 2

Photos of Subject Site

View from Dakota Court looking north at the subject site.

View from Walnut Avenue looking northeast at the subject site.
View from Second Street looking east at the subject site.

Location of existing drive approach off of Walnut Avenue, which is conditioned to be removed.
Exhibit A
Conditions of Approval
for
DPRB Case No. 18-0031

A request to construct a new 600 square-foot detached Accessory Dwelling Unit and a 160 square-foot attached patio cover. The existing residence is 1,629 square feet with a 610 square-foot attached three-car garage. The subject property is located within the Single-Family 9,000 Zone (SF-9000) at 301 Dakota Court. (APN: 8390-009-032)

PLANNING DIVISION - (909) 394-6250

1. The Applicant/Developer shall agree to defend at his sole expense any action brought against the City, its agents, officers or employees because of the issuance of such approval, or in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers or employees for any Court costs and attorney's fees which the City, its agents, officers or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his obligations under this condition.

2. The Applicant/Developer shall be responsible for any City Attorney costs incurred by the City for the project, including, but not limited to, consultations, and the preparation and/or review of legal documents. The applicant shall deposit funds with the City to cover these costs in an amount to be determined by the City.

3. Copies of the Conditions of Approval shall be included on the plans (full size). The sheet(s) are for information only to all parties involved in the construction/grading activities and are not required to be wet sealed/stamped by a licensed Engineer/Architect.

4. The Applicant/Developer shall comply with all requirements of the Single Family 9,000 (SF-9000) Zone.

5. All Conditions are final unless appealed to the City Council within 14 days of the issuance of the Conditions in accordance with the provisions of Chapter 18.212 of the San Dimas Zoning Code.

6. The building permits for this project must be issued within one year from the date of approval or the approval will become invalid. A time extension may be granted under the provisions set forth in Chapter 18.12.070 F.

7. The Applicant/Developer shall sign an affidavit accepting all Conditions and all Standard Conditions before issuance of building permits.
8. The Applicant/Developer shall comply with all City of San Dimas Business License requirements and shall provide a list of all contractors and subcontractors that are subject to business license requirements.


10. The entire site shall be kept free from trash and debris at all times and in no event shall trash and debris remain for more than 24 hours.

ACCESSORY DWELLING UNIT

11. The owner of the property shall be the occupant of either the primary dwelling unit or the second residential unit on the property. A deed restriction shall be placed upon the property, which identifies and addresses this requirement, including the compliance with Chapter 18.38 of the San Dimas Municipal Code. Said deed restriction shall be to the satisfaction of the Director of Development Services.

12. The applicant shall also sign and record with the Los Angeles County Recorder’s Office a “Covenant and Agreement Limiting Use of Property” for the accessory dwelling unit prior to the Building Department issuing any of the building permits for the approved improvements.

13. The unit not occupied by the owner of the property shall either be occupied by a relative of the property owner, or by a person who qualifies for “Low” or “Very Low” income status based upon interpretation by the City of San Dimas. In lieu of being rented as an affordable unit, the ADU may be rented to person(s) over the age of sixty-two, caregivers for a resident of one of the units, and persons with disabilities who do not meet the income limitations. A deed restriction shall be placed upon the property that identifies and addresses this requirement per Condition No. 11 and as approved by the Director of Development Services.

14. Engineering Condition of Approval No. 31 related to the removal of the existing driveway off Walnut Avenue shall be fulfilled and all work completed prior to building permit final.

DESIGN

15. Building architecture and site plan shall be consistent with plans presented to the Development Plan Review Board on February 28, 2019 provided that the Director of Development Services is authorized to make revisions consistent with the San Dimas Municipal Code.

16. Any changes to the exterior finishes after February 28, 2019 shall require review and approval by the Planning Division.
17. The Accessory Dwelling Unit Ordinance limits the maximum square footage of a detached accessory dwelling unit to 600 square feet. The Proposed accessory dwelling unit is 600 square feet, respectively. No additional square footage may be added, and the proposed covered patio may not be enclosed.

18. The main dwelling unit roof material shall be upgraded and replaced to match the new ADU.

19. Applicant shall work with Staff on the final building paint colors and exterior finish materials. This shall be done prior to obtaining a building permit.

20. The Applicant/Developer shall underground all new utilities and utility drops from the house to the ADU.

BUILDING DIVISION – (909) 394-6260


22. The Applicant/Developer shall comply with the latest California Title 24 Energy requirements for all new lighting, insulation, and mechanical equipment and submit calculations at time of initial plan review.

23. The Applicant/Developer shall submit a Precise Drainage Plan for the proposed development to be reviewed and approved by the City Engineer and the Director of Development Services. Plans shall include utility locations.

24. Prior to the issuance of any grading or building permits, the Applicant/Developer shall submit an updated Engineering Geology/Soils Report that includes an accurate description of the geology of the site and conclusions and recommendations regarding the effect of the geologic conditions on the proposed development and include a discussion of the expansiveness of the soils and recommended measures for foundations and slabs on grade to resist volumetric changes of the soil. This report shall also include recommendations for surcharge setback requirements in the area of ungraded slopes steeper than five horizontal to one vertical.

25. Building foundation inspections shall not be performed until a footing bottom certification from a soils technician has been submitted.

26. Fees shall be paid to the Bonita School District in compliance with Government Code Section 65995.
27. Construction hours shall be limited to between 7:00 a.m. and 8:00 p.m., and shall be prohibited at any time on Sundays or public holidays, per San Dimas Municipal Code Section 8.36.100.

ENGINEERING DIVISION – (909) 394-6240

28. The Applicant/Developer shall provide a signed copy of the City's certification statement declaring that the contractor will comply with Minimum Best Management Practices (BMPs) required by the MS4 permit for Los Angeles County as mandated by the National Pollutant Discharge Elimination System (NPDES).

29. The Applicant/Developer shall connect the house sewer lateral to the existing sewer lateral. Only one lateral per parcel is allowed.

30. The Applicant/Developer shall Contact the Los Angeles County Sanitation District for any required annexation, extension, or sewer trunk fee. Proof of payment/clearance is required before the City will issue a building permit.

31. The Applicant/Developer shall provide drainage improvement plan to carry runoff of storm waters in the area proposed to be developed, and for contributory drainage from adjoining properties to be reviewed and approved by the City Engineer.

32. For all projects which disturb less than one (1) acre of soil, Applicant/Developer shall submit a temporary erosion control plan to be approved by the City Engineer and filed with the City and shall be installed and operable at all times.

33. The Applicant/Developer shall remove and replace right of way improvements within the limits of the parcel found to be broken, uplifted, and not meeting ADA requirements including curbs and gutters, sidewalks, and paving according to City standards, as shown in the following table:

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Curb &amp; Gutter</th>
<th>A.C. Pavement</th>
<th>Sidewalk</th>
<th>Drive Approach</th>
<th>Street Lights</th>
<th>Street Trees</th>
<th>Multi-use Trail</th>
<th>Median Island</th>
<th>Bike Trail</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Walnut Ave</td>
<td>*</td>
<td>*</td>
<td></td>
<td></td>
<td></td>
<td></td>
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</table>

Notes: * Abandon/remove the vehicular driveway from this property onto Walnut Avenue, and replace with sidewalk and curb and gutter to city specifications and re-establishes parkway to match existing adjacent. The tract map for this development (Tract No. 33431) specifically prohibits direct vehicular ingress and egress from properties in this tract onto Walnut Avenue.

New Curb and Gutter/Sidewalk will require a Public Works Encroachment Permit.
Proposed replacement of gate located off of Walnut Ave is conditioned for pedestrian access only.

** Landscape parkway per guidelines for implementation of the City of San Dimas Model Water Efficient Landscape Ordinance (MWELO)

34. The Applicant/Developer shall provide mailboxes per City of San Dimas standards. Mailbox locations are subject to the approval of the local postmaster and the City Engineer.

35. All work adjacent to or within the public right-of-way shall be subject to review and approval of the Public Works Director and the work shall be in accordance with applicable standards of the City of San Dimas; i.e. Standard Specifications for Public Works Construction (Green Book) and the California Manual of Uniform Traffic Control Devices (CA MUTCD), and further that the construction equipment ingress and egress be controlled by a plan approved by Public Works.

36. All site, grading, landscape & irrigation, and street improvement plans shall be coordinated for consistency prior to the issuance of any permits.

37. Construction parking and material storage to be confined to the site. No construction related parking or material storage will be allowed on the surrounding streets.

38. The Edison (electrical) service to the ADU shall be from the existing service to the existing residence. Services and panel shall be upgraded as required per the Building Code.

**PARKS & RECREATION – (909) 394-6230**

39. The Applicant/Developer shall comply with City regulations regarding payment of Park, Recreation and Open Space Development Fee per SDMC Chapter 3.26. Fees shall be paid prior to issuance of building permits.

**End of Conditions**
A (N) STUCCO, PAINT # SW 9165 GOSSAMER VEIL SHERMAN WILLIAMS, PAINT AND MATERIAL TO MATCH EXISTING

B (N) FACIA, PAINT # SW7220 BLACK FOX SHERMAN WILLIAMS, PAINT AND MATERIAL TO MATCH EXISTING

C (N) VINYL TRIMMING, COLOR: #SW7005 PURE WHITE SHERMAN WILLIAMS, PAINT AND MATERIAL TO MATCH EXISTING

D (N) 4530 WEATHERED ADOBE, EAGLE ROOFING PRODUCTS
TRACT NO. 33431
IN THE CITY OF SAN DIMAS
COUNTY OF LOS ANGELES
STATE OF CALIFORNIA

BEING A SUBDIVISION OF LOT 25, OF VILLA LOTS OF SUBDIVISION OF THE RANCHO ADDITION TO SAN JOSE AND A PORTION OF RANCHO SAN JOSE AS SHOWN ON MAP RECORDED IN BOOK 22, PAGES 21, 22 & 23, OF MISCELLANEOUS RECORDS, RECORDS OF LOS ANGELES COUNTY.

OWNER'S CERTIFICATE

We hereby certify that we are the owners of or are interested in the lands included within the subdivision shown on this map within the designated border lines, and we consent to the preparation and filing of said map and subdivision. As a dedication to public use, while all of said street within the subdivision remains a public street, we hereby dedicate all rights of street wherein ingress and egress from lots 1 and 14 to the main street. If any portion of said street within or adjacent to this subdivision is sexually divided, such division terminates the above dedication as to the part vacated.

A 4 B ENTERPRISES, INC.
California Corporation

M. W. Finley
L.R. 53

SURVEYOR'S CERTIFICATE

I hereby certify that I am a licensed land surveyor of the state of California, that this final map, consisting of (2) sheets, is a true and complete survey as shown and was made by me or under my direction on February 5, 1977, that the monuments of the character and locations shown herein are in place (or will be in place within twenty-four months from the filing date of this map), that said monuments are sufficient to enable the survey to be retraced (and that the notes in all control monuments shown as "as be set" will be on file in the office of the City Engineer within twenty-four months from the filing date shown herein).

M. W. Finley
L.R. 53

The signature of San Dimas Water Company, a corporation, as disclosed by deed recorded in Book 1483 Pages 100 of Deeds Records of Los Angeles County, has been certified under the provisions of Section 6664, Subdivision (b) of the Subdivision Map Act, their interest in such the instrument that cannot pass into a fee title and said signature is required by the local agency. Said statements is for water purposes and is blanked in nature.

I HEREBY CERTIFY THAT THE CITY COUNCIL OF THE CITY OF SAN DIMAS

AT A MEETING HELD ON JUNE 13, 1973

APPROVED THE ATTACHED MAP.

THAT THE ADOPTION OF ACCESS RIGHTS HEREIN OPENED FOR EDUCATIONAL USE IS NONREVOCA

THE Above is true and correct and the above statements are true and correct.

DATE: JULY 10, 1973

C. L. S. Hacker
CITY CLERK

I HEREBY CERTIFY THAT I HAVE EXAMINED THIS MAP

AND THAT IT COINCIDES SUBSTANTIALLY TO THE

TRUE TERRAIN MAP AND ALL APPLICABLE ACCESS RIGHTS OF THE CITY OF SAN DIMAS.

APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH, AND THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT WITH RESPECT TO CITY RECORDS.

DATE: JULY 11, 1973

C. L. S. Hacker
CITY CLERK

I HEREBY CERTIFY THAT ALL SPECIAL ASSESSMENTS LEVIED UNDER THE JURISDICTION OF THE CITY OF SAN DIMAS TO WHICH THE LAND INCLUDED IN THE WITHIN SUBDIVISION ARE FULLY PAID IN FULL.

DATE: JULY 25, 1978

CITY TREASURER - CITY OF SAN DIMAS