



# Response to Findings

On a separate sheet, please respond to all findings required for each permit requested.

## ARCHITECTURAL PERMITS: Demonstrate how the project meets the following Architectural Permit findings.

- A. The existence of sufficient variety in the design of the structure and grounds to avoid monotony in the external appearance;
- B. The size and design of the structure shall be considered for the purpose of determining that the structure is in proportion to its building site and that it has a balance and unity among its external features so as to present a harmonious appearance;
- C. The extent to which the structure conforms to the general character of other structures in the vicinity insofar as the character can be ascertained and is found to be architecturally desirable;
- D. The extent to which excessive ornamentation is to be used and the extent to which temporary and second-hand materials, or materials which are imitative of other materials, are to be used;
- E. The extent to which natural features, including trees, shrubs, creeks, and rocks, and the natural grade of the site are to be retained;
- F. The accessibility of off-street parking areas and the relation of parking areas with respect to traffic on adjacent streets;
- G. The reservation of landscaping areas for the purposes of separating or screening service and storage areas from the street and adjoining building sites, breaking up large expanses of paved areas, separating or screening parking lots from the street and adjoining building sites, and separating building areas from paved areas to provide access from buildings to open space areas;
- H. In the case of any commercial or industrial structure, the review authority shall consider its proximity to any R District and shall consider the effect of the proposed structure upon the character and value of the adjacent R District area;
- I. The provision of permeable areas and drainage design appropriate to capture and treat stormwater runoff prior to its discharge from the site including, but not limited to, the use of vegetated swales, landscape features, permeable pavement materials, infiltration basins or engineered designs.



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## ARCHITECTURAL PERMITS ON SLOPING LOTS: Demonstrate how the project meets the following additional Architectural Permit findings.

- A. Includes appropriate design considerations and specific construction techniques to ensure structural integrity, fire safety, site stability and sedimentation and erosion control; and
- B. Respects the existing natural constraints of the site, avoids excessive grading and minimizes abrupt changes in grade; and
- C. Minimizes expansive exterior walls, upper story building massing and appearance of underfloors with a well-articulated architectural design; and
- D. Preserves trees and existing vegetation as to the extent practical and preserves and protects the areas near creeks.

## ARCHITECTURAL PERMITS FOR FAR: Demonstrate how the project meets the following additional Architectural Permit findings.

- A. **Contextual Setbacks.** The project will utilize setbacks that are generally similar to structures that front the same street, in order to be compatible with the neighborhood context, and which may include larger than required setbacks.
- B. **Garages.** The proposed garage placement will be generally similar to the pattern common along the same street, including location and setbacks.
- C. **Massing.** The project massing within the frontage will be compatible with the neighborhood context of structures along the same street, which may include: Additional second story front setbacks, defined front entries which do not exceed the first floor eave height, and similar roof pitch, slope orientation, and floor-to-ceiling heights as adjacent homes.



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## **PLANNED DEVELOPMENT PERMITS: Demonstrate how the project meets the following Planned Development Permit findings.**

- A. Permit Finding. Decisions regarding a Planned Development Permit shall be based upon the purpose statement in this section. The design and construction quality contained in all aspects of the development plan is expected to exceed the quality standards typically required for new developments located in similar zoning districts.
- B. Findings for Modifications to Development Standards. Modifications may be granted if it is determined that the proposed development will provide an environment of physical and functional desirability, in harmony with the character of the surrounding neighborhood or district.

## **PLANNED COMMUNITY PERMITS: Demonstrate how the project meets the following Planned Community Permit findings.**

- A. The application implements the adopted Precise Plan; and
- B. The establishment, maintenance or operation of the use will not, under the circumstances of the particular case, be detrimental to the public health, safety, or welfare of persons residing or working in the neighborhood of the proposed use, or the property and improvements in the neighborhood, or the City.

## **VARIANCE PERMITS: Demonstrate how the project meets the following Variance Permit findings.**

1. That because of special circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, the strict application of this ordinance would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.
2. That the adjustment authorized by the Variance, if granted, shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located.
3. That the granting of the Variance will not be contrary to the intent of this ordinance.



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## **USE PERMITS: Demonstrate how the project meets the following Use Permit findings.**

1. The proposed use is consistent with the various elements and objectives of the General Plan and any applicable Specific and Precise Plans, and Zoning regulations for the subject location.
2. The proposed use is compatible with surrounding uses.
3. The use and its associated structures and facilities will not be detrimental to the public health or safety, general welfare, or the environment.
4. The use and facilities will not adversely affect or conflict with adjacent uses or impede the normal development of surrounding property.
5. The site is served by adequate public facilities, including utilities and parking.
6. Other findings required to be made in specific zoning districts as set forth in the Zoning Code.

## **USE PERMIT FOR NONCONFORMING EXPANSION: Demonstrate how the project meets the following additional Use Permit findings.**

- A. The resultant use and/or project design will not create new adverse impacts on adjacent properties and/or on the general public;
- B. The resultant use and/or project design will help preserve a historic resource; or
- C. The expansion of the use or the enlargement of a structure housing a nonconforming use is necessary to comply with a requirement imposed by law for the operation of the particular use, including but not limited to regulations for disabled access or seismic retrofit.

## **USE PERMIT FOR NONCONFORMING CHANGE: Demonstrate how the project meets the following additional Use Permit finding.**

- A. The resultant use will be more consistent with the uses permitted in the district than the former use.



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## **AFFORDABLE HOUSING PLAN: Demonstrate how the project meets the following Affordable Housing Plan findings.**

1. The proposed affordable units comply with the applicable standards in this Article, including, without limitation, the requirement that the affordable units be made available for concurrent occupancy per Section 29.6B.
2. The affordable units will mitigate the impact of the project on the need for affordable housing if the units are being provided under the Affordable Housing Impact Fee program.

## **AFFORDABLE HOUSING PLAN WITH IN-LIEU FEE: Demonstrate how the project meets the following additional Affordable Housing Plan findings.**

1. The City determines that the in-lieu fee is adequate to cover the cost of providing at least an equivalent number of affordable units as would otherwise be required under this Article based upon an affordability gap analysis provided by the applicant.
2. The average unit size in the project seeking to pay an in-lieu fee is two thousand (2,000) square feet or four (4) bedrooms.

## **AFFORDABLE HOUSING PLAN WITH OFF-SITE UNITS: Demonstrate how the project meets the following additional Affordable Housing Plan findings.**

1. Financing or a viable financing plan, which may include public funding sources, is in place for the proposed affordable housing units; and
2. The proposed location must be suitable for the proposed affordable housing, allow residential uses, accommodate the required affordable units, must be consistent with the Housing Element, general plan, and zoning, and should not cause or exacerbate residential segregation; and
3. Any affordable rental or for-sale units proposed as an alternative to the payment of the housing impact fee shall be subject to the requirements described in [Section 29.6](#) (Standards for Affordable Housing).



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## PARCEL MAPS: Demonstrate how the project does not meet the following Parcel Map findings.

- A. The map, design or improvement of the proposed subdivision are inconsistent with the general or specific plans, the Zoning Ordinance, or subdivision improvement requirements.
- B. The site is not physically suited for the proposed type or density of development.
- C. The design or proposed improvements are likely to cause substantial environmental damage, or substantially and avoidably injure fish, wildlife or their habitat, or cause serious public health problems.
- D. The design or improvements of the proposed subdivision will conflict with essential public easements for access through, or use of, property within the proposed subdivision, unless acceptable alternate public easements will be provided.
- E. Such other findings of conflict with written public policy or with the public interest as the Subdivision Committee may determine.