



# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Stephen M. Haase

**SUBJECT:** SEE BELOW

**DATE:** August 25, 2005

**COUNCIL DISTRICT:** 6

**SNI AREA:** None

**SUBJECT: PDC05-062. PLANNED DEVELOPMENT REZONING FROM R-1-8 SINGLE-FAMILY RESIDENCE DISTRICT TO A(PD) PLANNED DEVELOPMENT ZONING FOR A PROPERTY ON THE SOUTH SIDE OF MOORPARK AVENUE APPROXIMATELY 100 FEET EAST OF CLOVER AVENUE (2830 MOORPARK AVENUE) TO ALLOW 3 SINGLE-FAMILY RESIDENCES ON A 0.65 GROSS ACRE SITE.**

## **RECOMMENDATION**

The Planning Commission voted 5-0-2 (Platten and Pham absent) to recommend that the City Council adopt an ordinance approving this Planned Development Rezoning.

## **BACKGROUND**

On August 24, 2005, the Planning Commission held a public hearing to consider a Planned Development Rezoning from R-1-8 Single-Family Residence District to A(PD) Planned Development Zoning district, to allow three single-family residences on a 0.65 gross acre site. This item was heard as a part of the Consent Calendar and there was no testimony either for or against the proposed rezoning.

The Director of Planning, Building and Code Enforcement recommended approval of the proposed rezoning.

## **OUTCOMES**

City Council approval of the Planned Development Rezoning and the revised development standards would allow 3 single-family residences on a 0.65 gross acre site.

HONORABLE MAYOR AND CITY COUNCIL  
August 25, 2005  
Subject: PDC05-062  
Page 2

**PUBLIC OUTREACH**

A notice of the public hearing was distributed to the owners and tenants of all properties located within 500 feet of the project site. Staff has been available to discuss the proposal with members of the public.

**COORDINATION**

This project was coordinated with the Department of Public Works, Fire Department, Police Department, Environmental Services Department and the City Attorney.

**CEQA**

Exempt, File Number PDC05-062.

  
STEPHEN M. HAASE  
Secretary, Planning Commission

cc: Stephen and Maude Mason, 2830 Moorpark Avenue, San Jose, CA 95128  
Patrick Flanders, Flanders Bay Company, P.O. Box 300, Los Gatos, CA 95031

CITY OF SAN JOSÉ, CALIFORNIA  
Department of Planning, Building and Code Enforcement  
801 North First Street, Room 400  
San José, California 95110-1795

Hearing Date/Agenda Number  
P.C. 8-24-05 Item # **3c**  
C.C. 9-13-05

File Number  
PDC 05-062

Application Type  
Planned Development Rezoning

Council District  
6

Planning Area  
West Valley

Assessor's Parcel Number(s)  
279-03-020

## STAFF REPORT

### PROJECT DESCRIPTION

Completed by: Erin L. Morris

Location: South side of Moorpark Avenue approximately 100 feet east of Clover Avenue (2830 Moorpark Avenue)

Gross Acreage: 0.65      Net Acreage: 0.61      Net Density: 4.9 DU/AC

Existing Zoning: R-1-8 Single Family Residence District      Existing Use: Single Family Residential

Proposed Zoning: A(PD) Planned Development      Proposed Use: Single-Family Residential

### GENERAL PLAN

Land Use/Transportation Diagram Designation  
Medium Low Density Residential (8 DU/AC)

Project Conformance:  
 Yes     No  
 See Analysis and Recommendations

### SURROUNDING LAND USES AND ZONING

North: Office      CO – Commercial Office

East: Single-family detached residential      R-1-8 Single Family Residence District

South: Single-family detached residential      R-1-8 Single Family Residence District

West: Single-family detached residential      R-1-8 Single Family Residence District

### ENVIRONMENTAL STATUS

Environmental Impact Report found complete       Exempt  
 Negative Declaration circulated on       Environmental Review Incomplete  
 Negative Declaration adopted on

### FILE HISTORY

Annexation Title: Maypark No\_1

Date: February 18, 1954

### PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

Approval      Date: 8-10-05      Approved by: *Jean Hamilton*  
 Approval with Conditions       Action  
 Denial       Recommendation  
 Uphold Director's Decision

### APPLICANT/OWNER

### CONTACT

Stephen and Maude Mason  
2830 Moorpark Avenue  
San Jose, CA 95128

Patrick Flanders  
Flanders Bay Company  
P.O. Box 300  
Los Gatos, CA 95031

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**PUBLIC AGENCY COMMENTS RECEIVED**

Completed by: ELM

**Department of Public Works**

See attached memorandum.

**Other Departments and Agencies**

See attached memoranda from the Fire Department and Environmental Services Department.

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**GENERAL CORRESPONDENCE**

None received.

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**ANALYSIS AND RECOMMENDATIONS**

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**BACKGROUND**

The applicants, Stephen and Maude Mason, are requesting a Planned Development Rezoning from R-1-8 Single Family Residence District to A (PD) Planned Development Zoning District to allow up to three single-family residences on a 0.65 gross acre site. A Planned Development Zoning is required because the proposed residential development is designed in a flag lot configuration.

**Project Description and Surrounding Uses**

The proposed Planned Development Zoning would allow the site to be divided into three single-family lots. The existing single-family house would be retained on Lot 3, and the existing detached garage would be demolished and replaced with a new two-car attached garage. Two new houses would be constructed on Lots 1 and 2. All three houses would share one private driveway that would be under shared ownership of Lots 1 and 2. The project proposes to dedicate approximately 0.04 acres for public street improvements, resulting in a net acreage of 0.61 and a net density of 4.9 DU/AC. Lots 1 and 2 are proposed to be 5,445 square feet in size and Lot 3 is proposed to be 15,631 square feet in size.

The site is surrounded by single-family detached residential uses to the west, south, and east, and office uses to the north.

**ENVIRONMENTAL REVIEW**

Under the provisions of Section 15303(a) of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA) this project is found to be exempt in that it consists of the construction of fewer than four single-family residences in an urbanized area.

## GENERAL PLAN CONFORMANCE

The subject site is designated Medium Low Density Residential (8 DU/AC) on the City of San Jose's 2020 General Plan Land Use/Transportation Diagram. The proposal to provide a total of three units on a 0.61 net acre site results in a net density of 4.9 units per acre, consistent with this designation.

## ANALYSIS

The primary issues for this project are conformance with City Council Policy 6-19 regarding Flag Lot Development and parking.

### Conformance with Flag Lot Policy

In 1990, the City Council adopted City Council Policy 6-19, Flag Lot Policy, to provide criteria for flag lots in "flat land" areas developed predominantly as single-family, detached neighborhoods. The policy provides six criteria for the evaluation of the proposed flag lot development. Below is an analysis of the key criteria:

- 1) **Lot Size.** The Flag Lot Policy specifies that flag lots are not appropriate where a series of large lots could be converted to flag lot developments, thereby raising the density and changing the character of the neighborhood. The Policy states that flag lot developments may be appropriate in neighborhoods that exhibit a uniformity of single-family lot sizes with an occasional, unique larger parcel with a minimum square footage of 8,000 square feet. At 28,502 square feet in area in a neighborhood where other properties range between 6,300 and 9,100, the site is unique in its neighborhood and far larger than the recommended minimum size. Staff believes that the subject site is appropriate for Flag Lot development based on the size and uniqueness of the existing lot.
- 2) **Street Presence.** The Flag Lot Policy indicates that flag lot units located away from the street should be oriented toward and be visible from the street. The existing single-family residence, proposed to become the rear flag lot unit, is situated at the end of the proposed private driveway and would be visible from Moorpark Avenue, consistent with the Policy criteria.
- 3) **Setbacks and Unit Orientation.** The Flag Lot Policy specifies that the front yard setback for the front unit should match the neighborhood pattern and that all units should orient to the street. The subject site is located on a short block and is the only parcel that fronts onto Moorpark Avenue between Clover Avenue and South Monroe Street. The applicant is proposing a 25-foot front setback consistent with the standards of the R-1-8 Single Family Residence District; all adjoining parcels are zoned R-1-8. The proposed design orients the houses on Lots 1 and 2 to the driveway, rather than to Moorpark Avenue. Staff believes that this is acceptable in this case given the amount of traffic that Moorpark carries and the fact that no other parcels front onto this block of Moorpark Avenue. The Policy further specifies that all units should orient toward the street and that each unit should have a front and rear yard on opposite sides of the unit. The proposed site design creates three lots with front and rear yards on the opposite sides of the unit.

- 4) **Private Yards.** The Flag Lot Policy specifies that rear yards for all units shall be a minimum of 1,200 square feet in size with a minimum dimension of 25 feet. The proposed design includes rear yards that are approximately 1,375 square feet for Lots 1 and 2 and a significantly larger rear yard for Lot 3. All three yards are at least 25 feet deep.
- 5) **Private Driveway and Vehicle Turnaround.** The Flag Lot Policy encourages a common driveway for all units and specifies that the driveway should be a minimum of 10 feet in width with a minimum of 3 feet of landscaping on each side. The conceptual site design proposes a 12-foot wide common private driveway with five feet of landscaping on each side, consistent with the Policy. The Draft Development Standards for the project include a condition requiring a private maintenance agreement for the driveway. The Policy specifies that each unit should be provided with adequate vehicle turnaround space; the conceptual site design meets this requirement in that adequate back-out areas are proposed.
- 6) **Parking Ratios.** The Flag Lot Policy specifies that parking ratios for each unit should be in conformance with the Residential Design Guidelines. See the "Parking" section below for further analysis.
- 7) **Window Orientation.** The Flag Lot Policy specifies that large windows and decks on the second floor shall orient toward on-site yard areas and not toward neighboring properties. The conceptual building elevations included in the plan set include windows that face the front and rear yards and the common driveway in conformance with the Policy.
- 8) **Drainage.** The Flag Lot Policy specifies that drainage shall follow pre-existing drainage patterns to avoid padding up the rear of the site. The proposed conceptual grading and drainage plan indicates minimal site grading to direct water to a swale located along the western edge of the subject site.
- 9) **Massing.** The Flag Lot Policy specifies that the mass of the front and back units should be consistent with the average mass in the surrounding neighborhood.

## **Parking**

The Residential Design Guidelines specify parking standards for single-family detached residential units. The Guidelines indicate that two covered parking spaces (in the form of a garage) and one additional off-lot space within 150 feet of each unit should be provided. The project proposes two-car garages for each unit but does not include the recommended off-lot spaces. Such spaces would normally be provided on the public street; however, in this case parking is not allowed on Moorpark Avenue. Staff believes that the proposed parking is adequate for this small project and that any requirement for additional parking bays would detract from the low-density, single-family character of the project. The garage parking includes driveway aprons of sufficient length and width to accommodate additional vehicles. The conceptual site design indicates that an additional parking space on Lot 3 could be accommodated in a location that would not be visible from Moorpark Avenue or from the common driveway if needed in the future.

Based on this analysis, staff concludes that the project provides adequate parking consistent with the intent of the Residential Design Guidelines.

### **Conclusion**

Based on the above analysis, staff believes that the proposed Planned Development Zoning is in conformance with the Flag Lot Policy, including the provision of adequate parking, and will result in new development that is compatible with the surrounding neighborhood.

### **PUBLIC OUTREACH**

A notice of the public hearing was distributed to the owners and tenants of all properties located within 500 feet of the project site. This staff report has been available for review on the City's web site and staff has been available to discuss the project with interested members of the public.

### **RECOMMENDATION**

Planning staff recommends that the Planning Commission recommend that the City Council approve the subject rezoning for the following reasons:

1. The proposed project is consistent with the San José 2020 General Plan Land Use/Transportation Diagram designation of Medium Low Density Residential (8 DU/AC).
2. The proposed project is consistent with the Flag Lot Policy.
3. The proposed rezoning is compatible with the surrounding neighborhood.

Attachments

## **PDC05-062 – 2830 Moorpark Avenue**

The following Development Standards are to be placed on the Land Use Plan for this Planned Development Zoning once the Zoning is approved by the City Council.

### **DRAFT DEVELOPMENT STANDARDS**

**Permitted Uses:** Permitted uses of the R-1-8 Residence District, as amended

**Minimum Lot Size:** Minimum lot size of the R-1-8 Residence District, as amended

**Side setback adjoining private driveway:** 11 feet from the property line

**Development Standards:** Development Standards, with the exception of the side setback noted above, shall conform to the R-1-8 Residence District standards of Chapter 20.30 of the San Jose Municipal Code, as amended. Fence height and accessory structures shall conform to the requirements of Chapter 20.30 of the San Jose Municipal Code, as amended. Parking requirements shall conform to the requirements of Chapter 20.90 of the San Jose Municipal Code, as amended.

**Planned Development Permit Requirements:** In accordance with Title 20 as amended. A Planned Development Permit is required for any accessory structure or parking arrangement that would otherwise require a Special Use Permit pursuant to the requirements of Title 20 of the San Jose Municipal Code, as amended.

### **Water Pollution Control Plant Notice**

Pursuant to part 2.75 of chapter 15.12 of the San Jose Municipal Code, no vested right to a building permit shall accrue as the result of the granting of any land development approvals and applications when and if the City Manager makes a determination that the cumulative sewage treatment demand on the San Jose – Santa Clara water plant will cause the total sewage treatment demand to meet or exceed the capacity of the San Jose – Santa Clara water pollution control plant to treat such sewage adequately and within the discharge standards imposed on the city by the state of California regional water control board for the San Francisco Bay region. Substantive conditions designed to decrease sanitary sewage associated with any land use approval may be imposed by the approving authority.

### **Post-Construction Storm Water Treatment Controls**

The city's national pollutant discharge system ( NPDES ) permit compliance requires this project to incorporate post-construction mitigation measures to control the discharge of pollutants into the storm drainage system to the maximum extent practical. Planned development permit plans for this project shall include design details of all post construction storm water treatment controls proposed for the project to the satisfaction of the director of planning.

### **Tree Mitigation**

Trees to be removed shall be mitigated at the following ratios:

- Each tree less than 12" in diameter will be replaced by a one 15-gallon tree
- Each tree 12"- 17" in diameter will be replaced by two 15-gallon trees
- Trees greater than 18" in diameter shall not be removed without a tree removal permit and shall be replaced with four 15-gallon trees.

### **Private Driveway**

The private driveway serving the three units and the five-foot landscape strip adjoining the driveway located on Lots 1 and 2 shall be maintained by a private maintenance agreement.

## Flag Lot Policy

### BACKGROUND

Policy Number: 6-19  
Effective Date: 12/11/90

This Council policy implements the 1989 General Plan action: **To strengthen the Neighborhood Preservation policy and objectives of the General Plan, the City Council may adopt a policy to establish criteria for the use of flag lots.**

Throughout the older neighborhoods of the City of San Jose, certain properties in predominantly single family detached neighborhoods were developed with deep lots. In recent years, there has been increasing speculative interest in additional development or redevelopment of these parcels through the use of flag lots. Many problems result, especially in areas designated medium low density residential (8 DU/AC) including overdensification of narrow streets, large asphalt areas created to access rear units and the overwhelming mass of new units incompatible with the existing neighborhood. These problems threaten the character and stability of existing neighborhoods which are vital elements of the City's housing stock. For these reasons, increasing residential density in predominantly single family detached neighborhoods through the use of flag lots shall not be considered as Infill Housing Policy development.

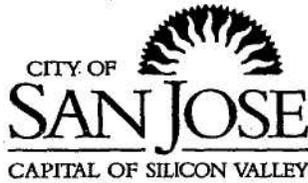
The following Flag Lot Criteria for flat land areas pertain only to established areas of San Jose developed predominantly as single-family, detached neighborhoods. A Council Policy regarding flag lot development which would apply to mixed housing types, multiple densities, and varying lot sizes shall also be developed.

#### Flag Lot Criteria for Flat Land Areas

In established, predominantly single family detached neighborhoods, the following criteria shall apply:

1. Flag lots are not appropriate in situations where a series of large lots could be converted to flag lot developments, thereby raising the density and changing the character of the neighborhood.
2. Neighborhoods that may be appropriate for flag lot development have uniformity of single-family lot sizes, but with an occasional and unique in its neighborhood, larger parcel, suitable for flag lot projects.
3. In neighborhoods which are designated medium low density residential (8 DU/AC), parcels considered for flag lot development are recommended to be approximately 8,000 square feet in size. At a minimum, the parcel must be larger than the average, or of an unique configuration, in the surrounding area in order to generously meet R-1 setback zoning codes.
4. Flag lot units located away from the street shall maintain a presence to the street, be oriented to the street, and be visible from the street. A larger building mass for the flag lot unit in relation to the front unit is not acceptable as a means to meet the street presence requirement.
5. Flag lots shall be approved only through the Planned Development zoning process.
6. Orientation, setbacks and private yards should conform to the following criteria:
  - All units shall orient to the street.
  - Each unit shall have both a "front" and "rear" yard on opposite sides of the unit.
  - Front yard setback for the front unit must match neighborhood pattern. "Front" setbacks for rear units must meet R-1 standards.
  - Rear yards for all units shall be a minimum of 1200 square feet, with a minimum dimension of 25 feet.

- Setbacks from interior project boundaries should be:
    - To a neighboring rear yard, 10 feet for first floor and 20 feet for second floor.
    - To a neighboring side yard, 5 feet.
  - A common driveway for all units is encouraged; multiple driveways are discouraged.
  - Driveways shall be a minimum of 10 feet wide, with a minimum of 3 feet of landscaping on either side.
  - Parking ratios for each unit shall be in conformance with the Residential Design Guidelines, varying by unit size. Guest parking for units not having street frontage shall be provided at each unit.
- Adequate vehicle turn-around space shall be provided for each unit (typically a 26-foot minimum dimension).
  - To protect the privacy of yard areas on neighboring properties, large windows and decks on the second floor shall orient to on-site yard areas, not to surrounding properties.
  - Drainage shall follow pre-existing drainage patterns, which may require obtainment of easements from adjacent property owner. Padding up the rear of the site to achieve drainage to the street is discouraged.
  - The mass of the front and back units should be consistent with the average mass in the surrounding neighborhood.



RECEIVED  
AUG 03 2005  
CITY OF SAN JOSE  
PLANNING DEPARTMENT

## Memorandum

**TO:** Erin Morris  
Planning and Building

**FROM:** Ebrahim Sohrabi  
Public Works

**SUBJECT:** FINAL RESPONSE TO  
DEVELOPMENT APPLICATION

**DATE:** 08/01/05

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**PLANNING NO.:** PDC05-062  
**DESCRIPTION:** Planned Development Rezoning from the R-1-8 Residential District to the A(PD) Residential District to allow 3 single-family residences on a 0.65 gross acre site  
**LOCATION:** South side of Moorpark Avenue approximately 100 feet east of Clover Avenue  
**P.W. NUMBER:** 3-16885

### Project Conditions:

1. **Public Works Development Review Fee:** An additional Public Works Review Fee is due. This project is subject to the NPDES – C.3 Requirements Review Fee. Prior to the project being cleared for the hearing and approval process, a sum of \$200.00 shall be paid to the Department of Public Works.

**Public Works Clearance for Building Permit(s):** Prior to the issuance of Building permits, the applicant will be required to have satisfied all of the following Public Works conditions. The applicant is strongly advised to apply for any necessary Public Works permits prior to applying for Building permits.

2. **Construction Agreement:** The public improvements conditioned as part of this permit require the execution of a Construction Agreement that guarantees the completion of the public improvements to the satisfaction of the Director of Public Works. This agreement includes privately engineered plans, bonds, insurance, a completion deposit, and engineering and inspection fees.
3. **Grading/Geology:**
  - a) A grading permit is required prior to the issuance of a Public Works Clearance. The construction operation shall control the discharge of pollutants (sediments) to the storm drain system from the site. An erosion control plan may be required with the grading application.
  - b) A soils report addressing the potential hazard of liquefaction must be submitted to and accepted by the City Engineering Geologist prior to the issuance of a Public Works Clearance or a grading permit.

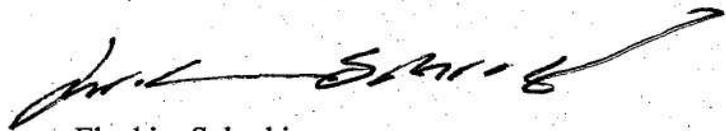
4. **Stormwater Runoff Pollution Control Measures:** This project must comply with the City's Post-Construction Urban Runoff Management Policy (Policy 6-29) which requires implementation of Best Management Practices (BMPs) that include site design measures, source controls, and stormwater treatment controls to minimize stormwater pollutant discharges.
5. **Sewage Fees:** In accordance with City Ordinance all storm sewer area fees, sanitary sewer connection fees, and sewage treatment plant connection fees, less previous credits, are due and payable.
6. **Undergrounding:** The In Lieu Undergrounding Fee shall be paid to the City for all frontage adjacent to Moorpark Avenue prior to issuance of a Public Works clearance. 100 percent of the base fee in place at the time of payment will be due. (Currently, the base fee is \$224 per linear foot of frontage.)
7. **Street Improvements:**
  - a) Improvement along project frontage should conform to the existing improvement adjacent to the project site. Construct 4' attached sidewalk with park-strip at the back of sidewalk.
  - b) Applicant shall be responsible to remove and replace curb, gutter, and sidewalk damaged during construction of the proposed project.
  - c) Remove and replace broken or uplifted rolled curb, gutter, and sidewalk along project frontage.
  - d) Construct City standard driveway.
  - e) Close unused driveway cut.
  - f) Proposed driveway width to be 26'.
  - g) Dedicate and improve 18' of right-of-way along project frontage.
  - h) Dedication and improvement of the public streets to the satisfaction of the Director of Public Works.
8. **Complexity Surcharge (In-Fill):** This project has been identified as an in-fill project, and as such is subject to Complexity Surcharge. Based on established criteria, the public improvements associated with this project have been rated medium complexity. An additional surcharge of 25% will be added to the Engineering & Inspection (E&I) fee collected at the street improvement stage.
9. **Sanitary:** The project is required to submit plan and profile of the private sewer mains with lateral locations for final review and comment prior to construction.
10. **Electrical:**
  - a) Installation of electrolier on project frontage may be required.
  - b) Provide clearance for electrical equipment from driveways, and relocate driveway or electrolier. The minimum clearance from driveways is 5' in residential areas.

**11. Private Streets:**

- a) Per Common Interest Development (CID) Ordinance, all common infrastructure improvements shall be designed and constructed in accordance with the current CID standards.
- b) The details are shown for information only; final design shall require the approval of the Director of Public Works.

**12. Landscape:**

- a) Install street trees within the public right-of-way along the entire street frontage per City standards.
- b) The locations of the street trees will be determined at the street improvement stage. Street trees shown on this permit are conceptual only.
- c) Contact the City Arborist at (408) 277-2756 for the designated street tree.

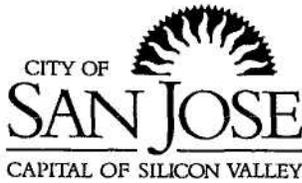


Ebrahim Sohrabi  
Senior Civil Engineer  
Transportation and Development Services Division

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c:



**RECEIVED**  
JUL 21 2005  
CITY OF SAN JOSE  
PLANNING DIVISION

# Memorandum

**DATE:** 07/21/05

**TO:** Erin Morris  
**FROM:** Nadia Naum-Stoian

**REVISION 2**

Re: Plan Review Comments

PLANNING NO: PDC05-062

DESCRIPTION: Planned Development Rezoning from the R-1-8 Residential District to the A(PD) Residential District to allow 3 single-family residences on a 0.65 gross acre site

LOCATION: South side of Moorpark Avenue approximately 100 feet east of Clover Avenue

ADDRESS: South side of Moorpark Avenue approximately 100 feet east of Clover Avenue (2830 MOORPARK AV)

FOLDER #: 05 029165 ZN

The Fire Department's review was limited to verifying compliance of the project to Article 9, Appendix III-A, and Appendix III-B of the 2001 California Fire Code with City of San Jose Amendments (SJFC). **Compliance with all other applicable fire and building codes and standards relating to fire and panic safety shall be verified by the Fire Department during the Building Permit process.**

This project has been approved for Fire flow and access **only** based on Variance # 05-035521.

Nadia Naum-Stoian  
Fire Protection Engineer  
Bureau of Fire Prevention  
Fire Department  
(408) 277-8754

**CITY OF SAN JOSÉ, CALIFORNIA  
DEPARTMENT OF PLANNING, BUILDING AND CODE ENFORCEMENT  
STATEMENT OF EXEMPTION**

**FILE NO.** PDC05-062

**LOCATION OF PROPERTY** South side of Moorpark Avenue approximately 100 feet east of Clover Avenue (2830 MOORPARK AV)

**PROJECT DESCRIPTION** Planned Development Rezoning from the R-1-8 Residential District to the A(PD) Residential District to allow 3 single-family residences on a 0.65 gross acre site

**ASSESSOR'S PARCEL NUMBER** 279-03-020

**CERTIFICATION**

Under the provisions of Section 15303 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA) as stated below, this project is found to be exempt from the environmental review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act of 1970, as amended.

**15303. New Construction or Conversion of Small Structures**

Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include, but are not limited to: One single-family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to three single-family residences may be constructed or converted under this exemption.

This project qualifies for this exemption because it proposes construction of two new single-family residences and retention of an existing single-family residence on a site within an urbanized area.

Stephen M. Haase, AICP  
Director, Planning, Building and Code Enforcement

Date July 27, 2005

  
Deputy

Project Manager: Erin Morris