

**ATTACHMENT A**  
**FINDINGS FOR MODIFICATION TO HILLSIDE DEVELOPMENT PERMIT #6303**

Modification to Hillside Development Permit: To allow an increase in floor area

1. *The proposed use is allowed with a Hillside Development Permit within the applicable zoning district and complies with all applicable provisions of this Zoning Code.* A single-family residential use is allowed in the RS-2-HD (Residential Single-Family, Hillside Overlay District) zoning district with a Hillside Development Permit. With the exception of the requested variance, the proposed modifications will be in compliance with all applicable development standards, including maximum allowable lot coverage, setbacks, building height, and off-street parking requirements of the zoning district.
2. *The location of the proposed use complies with the special purposes of this Zoning Code and the purposes of the applicable zoning district.* The subject property is zoned RS-2-HD, which is designated primarily for single-family residential purposes. The properties in the neighborhood are currently developed with single-family residences, and the proposed modifications will be consistent with existing development in the vicinity. As such, the proposed use complies with the special purposes of this Zoning Code and the purposes of the applicable zoning district.
3. *The proposed use is in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan.* The subject site is designated as Low Density Residential in the General Plan Land Use Element. The use of the site will remain a single-family residence; therefore, the character of the single-family neighborhood will be maintained. The project is consistent with Policy 21.9 of the General Plan Land Use Element that requires hillside housing to "maintain appropriate scale, massing and access to residential structures located in hillside areas." The requested improvements will occur within an area of the lower level that is currently integrated into the structure through foundation walls. The massing, bulk, and building envelope will not change. From a visual perspective, the only exterior alterations that will occur because of the requested improvements will be the installation of windows and doors on the rear elevation facing the backyard. As a result, the overall appearance of the residence will not change nor change the overall character of the neighborhood. Approved access to the site will remain unchanged.
4. *The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.* The use of the site will be a single-family residence. The project will be constructed in such a manner as to minimize impacts to surrounding property owners. The proposed project meets all adopted code requirements, with the exception of the requested variance, and will be subject to all current code provisions. Conditions of approval will ensure that the project is compatible with the surrounding neighborhood. Therefore, the proposed project will not be detrimental to the public health, safety, or welfare of persons or properties within the surrounding neighborhood.
5. *The use, as described and conditionally approved, would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.* The use of the site will be a single-family residence. The proposed residence will be constructed in compliance with the current Building Code and Zoning standards, with the exception of



the requested variance. Furthermore, the City's plan check process will ensure that the proposed project will meet all of the applicable building and safety and fire requirements. The project must also comply with the conditions of approval required by the Department of Public Works. Furthermore, as part of their review, the Fire Department and Department of Transportation reviewed the project subject to Section 17.29.050.F.3, of the Zoning Code, and considered the location and design of the existing driveway as it relates to on- and off-street safety of vehicles, vehicle passengers and pedestrians, and access for emergency vehicles; no additional comments were provided.

6. *The design, location, operating characteristics, and size of the proposed use would be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, scale, and view protection.* The use of the site will be a single-family residence. The project is not located on the top of any prominent ridgelines and will not block protected views from neighboring properties. The existing residences in the neighborhood were built in a variety of architectural styles with no dominating architectural style for the neighborhood. The additional floor area will be gained within an area of the lower level that is currently integrated into the structure through foundation walls. The massing, bulk, and building envelope will not change. From a visual perspective, the only exterior alterations that will occur as a result of the requested improvements will be the installation of windows and doors on the rear elevation facing the backyard. As a result, the overall appearance of the residence will not change nor change the overall character of the neighborhood. As designed, the proposed project will be compatible with the surrounding neighborhood.
7. *The design, location, and size of the proposed structures and/or additions or alterations to existing structures will be compatible with existing and anticipated future development on adjacent lots as described in Section 17.29.060.D of this ordinance and in terms of aesthetics, character, scale, and view protection.* The existing structure, including the lower levels, will be utilized as a single-family residence. The project is not located on the top of any prominent ridgelines and will not block protected views from neighboring properties. The existing residences in the neighborhood were built in a variety of architectural styles with no dominating architectural style for the neighborhood. As designed, the proposed project will be compatible with the existing surrounding structures that, have lower basement levels that are habitable. Thus, the project is consistent with development in the neighborhood and anticipated future development on adjacent lots.
8. *The placement of the proposed additions avoids the most steeply sloping portions of the site to the maximum extent feasible and minimizes alteration of hillside topography, drainage patterns, and vegetation.* The additional floor area will be gained within an area of the lower level that is currently integrated into the structure through foundation walls. The massing, bulk, and building envelope will not change. Therefore, the project will not be placed on sloping portions of the site and will not alter the undisturbed topography of the site.

Variance: To allow 5,932 square feet of gross floor area, where the maximum permitted is 5,469 square feet:

9. *There are exceptional or extraordinary circumstances or conditions applicable to the project site that do not apply generally to sites in the same zoning district.* The subject property is characterized by a sloped topography where the difference in elevation between the front property line and the rear of the property is approximately 26 feet. Due to this topographical condition, the residence was designed to step down and follow the downward slope of the site. This results in a design where the residence has a two-story elevation from Fairfield



Circle and a three-story elevation on the rear façade. Due to the topography of the site, the lower level of the residence (basement), had areas that were not fully excavated or improved for habitation. These areas were integrated into the structure through the use of foundation walls along the rear façade and partially on the side elevations.

10. *Granting the application is necessary for the preservation and enjoyment of a substantial property right of the applicant, and to prevent unreasonable property loss or unnecessary hardship.* The purpose of the application is to allow the utilization of former unimproved lower level space as habitable space. During the construction process, portions of the basement were graded, at the recommendation of the applicant's engineer, to stabilize the foundation of the residence. This resulted in areas in the lower level (basement) of the residence that contribute as additional floor area. The request will allow this lower level area to be retained as it is already integrated into the structure through foundation walls and will not result in additional modifications outside of the existing building footprint.
11. *Granting the application will not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety, or general welfare.* The granting of the application to convert a portion of the lower level from unimproved lower level area into habitable floor area will not be detrimental or injurious to property or improvements in the vicinity of the development site, and to the public health, safety, and general welfare. The requested improvements will occur within an area of the lower level that is currently integrated into the structure through foundation walls. The massing, bulk, and building envelope will not change. From a visual perspective, the only exterior alterations that will occur because of the requested improvements will be the installation of windows and doors on the rear elevation facing the backyard. As a result, the overall appearance of the residence will not change nor change the overall character of the neighborhood.
12. *Granting the application is in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan and the purposes of this Zoning Code, and will not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and in the same zone district.* The subject site is designated as Low Density Residential in the General Plan Land Use Element. The use of the site will remain a single-family residence; therefore, the character of the single-family neighborhood will be maintained. The project is consistent with Policy 21.9 of the General Plan Land Use Element that requires hillside housing to "maintain appropriate scale, massing and access to residential structures located in hillside areas." The requested improvements will occur within an area of the lower level that is currently integrated into the structure through foundation walls. The massing, bulk, and building envelope will not change. From a visual perspective, the only exterior alterations that will occur because of the requested improvements will be the installation of windows and doors on the rear elevation facing the backyard. As a result, the overall appearance of the residence will not change nor change the overall character of the neighborhood. Approved access to the site will remain unchanged. Approval of the application will not constitute a grant of special privilege as there are other properties in the vicinity and in the same zone district with a floor area that exceeds the permitted and, because of site topography, have lower basement levels that are habitable.
13. *Cost to the applicant of strictly complying with the regulation in question is not the primary reason for the granting of the variance.* The cost to the applicant has not been considered a factor at any time throughout the review of this application.