

# City of Lafayette Staff Report

**For:** Planning Commission

**By:** Christine Sinnette, Senior Planner

**Date Written:** November 7, 2006

**Meeting Date:** November 16, 2006

**Subject:** GP03-04, CITY OF LAFAYETTE (APPLICANT): Amendment to General Plan Map I-1 to reclassify three properties (APN 232-140-014, 232-150-027, and 232-150-028) located on Deer Hill and Pleasant Hill roads from Administrative/Professional/Office/Multifamily Residential to Rural Residential Single Family and/or Low Density Single Family. The Planning Commission may also consider an amendment to General Plan Map I-1 to reclassify four properties (APN 232-140-004, 232-140-010, 232-140-016, and 232-150-021) located on Deer Hill and Pleasant Hill roads from Low Density Single Family Residential to Rural Residential Single Family.

RZ02-04, CITY OF LAFAYETTE (APPLICANT): Change of zoning designation for three properties (APN 232-140-014, 232-150-027, and 232-150-028) located on Deer Hill and Pleasant Hill roads from APO to L-R-10 and/or R-20. The Planning Commission may also consider rezoning four properties (APN 232-140-004, 232-140-010, 232-140-016, and 232-150-021) located on Deer Hill and Pleasant Hill roads from R-20 to L-R-10.

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## BACKGROUND

This public hearing was continued to this date without consideration from the Planning Commission meeting of October 19, 2006. Although the Planning Commission reviewed the Eastern Deer Hill Opportunities and Constraints Analysis at their meeting on September 7, the Commission determined they still needed additional information on the possible development potential for the study area. The purpose of the continuance was to allow staff to respond to Planning Commission requests for more information. The following items were requested.

1. A legal opinion from the City Attorney on the affect split zoning has on the development potential and allowed density of a parcel.
2. A scope of work and estimated cost for a consulting civil engineer to calculate the average slope of specific properties in the study area.

3. Conceptual development studies for parcels 27 and 28, including bulk and mass studies and circulation and traffic constraints.

## **STAFF COMMENTS**

City Attorney Malathy Subramanian prepared the following response to the Commission's question about split zoning on a parcel.

To illustrate the result of split zoning, we will use the example of a nine acre parcel in the City that is divided by zoning districts such that 3 acres are zoned R-40 and 6 acres are zoned LR-10. If the owner pursues a subdivision of the 3 acres zoned R-40 to be divided into three lots, the remaining 6 acre parcel zoned LR-10 cannot be developed with a dwelling unit or as a separate lot under a LR-10 zoning designation, as it does not meet the minimum lot area requirement of 10 acres. It should be noted that the minimum lot area of an existing L-R parcel that is less than 10 acres on July 8, 2002 (the date when the new hillside regulations and LR-10 rezonings were adopted) is the area of the parcel that existed on that date. In this case, if the parcel existed as of July 8, 2002, a single family residence could be permitted on the 9 acres. However, because the owner has decided to subdivide the parcel, the remaining parcel will now become 6 acres and will no longer be grandfathered in with the lower minimum lot area for LR-10. Therefore, the owner can either subdivide the 3 acre lot, which will cause the remaining 6 acres to further nonconform to the LR-10 zoning or the owner can develop one single family residence on the existing 9 acres under the LR-10 zoning.

Regarding the slope analysis, staff requested that Schell & Martin, Inc., a local civil engineering firm familiar with Lafayette's hillside regulations and average slope calculation formula, prepare a proposal based on the following scope of work. Schell & Martin has estimated that the fee would be between \$2,000 and \$3,500.

- ✓ Calculate average slope for each of the seven parcels.
- ✓ Calculate average slope of the R-20 zoned area on parcels 232-140-010, 232-140-016, and 232-150-021.
- ✓ Calculate square feet/acres of land with slope of 15 percent or less in R-20 zoned area on parcels 232-140-010, 232-140-016, and 232-150-021 and on parcels 232-150-027 and 232-150-028.
- ✓ Calculate square feet/acres of land with slope of 30 percent or less in R-20 zoned area on parcels 232-140-010, 232-140-016, and 232-150-021 and on parcels 232-150-027 and 232-150-028.
- ✓ Calculate average slope on 232-150-027 for the area northeast of the drainage channel.
- ✓ Calculate average slope on 232-150-027 for the area southwest of the drainage channel.

The Commission's third request was for a program or scope of work to prepare a conceptual development plan for parcels 27 and 28. In preparing the scope of work, staff specified that the conceptual development studies should test different land use and density options for multi-family residential and office uses. The scope of work is an outline only; a more formal request for proposals will be prepared following the Commission's review and direction to staff. Once the conceptual development studies are completed, they will be analyzed by the City's traffic consultant.

### **STAFF RECOMMENDATION**

Staff recommends that the Commission review the scopes of work for the slope analysis and conceptual development studies and direct staff to proceed with requests for proposals. The public hearing should be closed at this time. Future public hearings will be duly noticed as required by law.