



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: June 6, 2018

TO: Hearing Officer

SUBJECT: Minor Conditional Use Permit #6630

LOCATION: 721 – 725 South Pasadena Avenue

APPLICANT: Pasadena Community Garden

ZONING DESIGNATION: RS-4 HH (Single-Family Residential, 0-4 dwelling units per acre; Hospitality Home Overlay District)

GENERAL PLAN DESIGNATION: Low Density Residential

CASE PLANNER: Jennifer Driver

STAFF RECOMMENDATION: Adopt the Environmental Determination and the Specific Findings in Attachment A and **approve** Minor Conditional Use Permit #6630 with the conditions in Attachment B.

PROJECT PROPOSAL: Minor Conditional Use Permit: to allow for the establishment of a Community Garden land use on a 36,512 square-foot (0.83 acre) lot in the Residential Single-Family (four dwelling units per acre) – Hospitality Home (RS-4 – HH) zoning district. The Community Garden would have 69 individual raised garden planters totaling 2,930 square feet of planted area. The project does not involve the removal of any trees or the construction of any new permanent structures. A Minor Conditional Use Permit is required to allow the use in the RS-4 HH zoning district.

ENVIRONMENTAL DETERMINATION: This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15304, Class 4, (Minor Alterations to Land), and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. This class exemption exempts from environmental review, the minor public or private alterations in the condition of land,

water, and/or vegetation, which do not remove healthy, mature, scenic trees.

BACKGROUND:

Site characteristics: The subject property is on the west side of South Pasadena Avenue between West California Boulevard to the north and Bellefontaine Street to the south. There is a single-lane driveway entrance on Pasadena Avenue. The subject site is generally flat and approximately 0.83 acres. The site is currently developed with a Community Garden with 69 garden plots and three small, prefabricated, garden enclosures. The site only has water access and no electric or gas utility connections. The site has 51 trees on-site, all of which will be retained (29 Pittosporum, 11 Mexican Palm Trees, three Black Oaks, three Royal Palms, two Black Ash trees, one Jacaranda Blue, one Canary Island Date Palm tree, and one Acacia tree).

Adjacent Uses: North – Single-family home
South – Single-family home
East – Huntington Memorial Hospital
West – Single-family home

Adjacent Zoning: North – RS-4 HH (Single-Family Residential, 0-4 dwelling units per acre, Hospitality Home Overlay District)
South – RS-4 HH (Single-Family Residential, 0-4 dwelling units per acre, Hospitality Home Overlay District)
East – PS (Public and Semi-Public)
West – RS-4 (Single-Family Residential, 0-4 dwelling units per acre)

Previous Zoning Cases: None.

BACKGROUND

The subject site is owned by Caltrans and is leased to the City of Pasadena for the sole purpose of allowing for the operation of a Community Garden (Pasadena Community Garden (PCG)). The lease between the City of Pasadena and Caltrans was originally signed on October 1, 2011 for five years, and then extended until September 31, 2021 in 2016. In addition, since March 2016, the Los Angeles Community Garden Council (LACGC), as a non-profit entity, has been partnering with PCG. In December 2017, Pasadena Community Garden entered into a Memorandum of Understanding with the City of Pasadena to oversee the maintenance and operations of the Community Garden.

PROJECT DESCRIPTION:

The applicant, Pasadena Community Garden, has submitted Minor Conditional Use Permit application to allow for the continued operation of a Neighborhood or Community Garden (land use; “Community Garden”) within the Single-Family Residential, 0-4 dwelling units per acre, Hospitality Home Overlay District (RS-4 – HH) zoning district. A Community Garden (is defined as a site “used by the community or a neighborhood for the growing of ornamental plants or vegetables that are not sold commercially but are used exclusively for personal use. The site is

without permanent structures and without the on-site storage of nursery equipment or materials.” The proposed site will have 69 individual two-foot high raised planters as follows: fifty-two 12’ x 4’ planters, six 9’ x 3’ planters, eight 5’ x 5’ planters, and three 6’ x 4’ planters. In addition, there are three small, prefabricated, garden enclosures that are not considered permanent structures nor space to store nursery equipment or materials due to their size (two 8’ x 10’ garden enclosures and one 10’ x 12’ garden enclosure) and because the enclosures are used by garden members on need-as basis for use.

The site serves as a space open to the public for recreational use to grow vegetables, fruits and flowers and functions as a focal point for educational programs regarding environmental sustainability and healthy living. The garden also grows food to donate to its community partner, “Friends in Deed” food bank. PCG also provides food-growing space for its community partner, Habitat for Humanity’s Desiderio residential project.

It should also be noted that the garden does not:

- 1) Grow food for commercial/sale purposes
- 2) Grow for commercial plant nurseries
- 3) Host commercial activities such as weddings or private parties
- 4) Provide use for commercial photo shoots

Garden membership is approximately 40 people, but typically, there are only two to three people on-site at a time, except for during classes, volunteer days, semi-public events or workdays, as outlined below. Members are required to work in the garden at least two hours per month, and organized work days are usually held once a month on a Saturday between 9 a.m. and 12 p.m. There are typically between 10 – 12 garden members in attendance on these work days and no volunteers from the public (schools or corporate businesses) attend. In addition, the garden is open to members throughout the week during operational hours.

The garden currently holds private member events and events that are open to invited visitors/volunteers. Activities and programs proposed are categorized as five types of events: Work Days, Classes, Volunteer Days, Board/Committee Meetings, and semi-public events, such as an Earth Day Celebration and a Bird House Building event. The organization also occasionally hosts events off-site for larger-scale Garden Classes or fundraisers/gatherings. Catered food service is not a part of event programs on-site and food, if provided, is potluck style as there is no running electricity or gas on-site.

On-site events include:

- 1) Work Days: Work Days are held once a month on a Saturday from 9 a.m. to 12 p.m., with between 10 – 12 garden members and no public volunteers in attendance.
- 2) Garden Classes: Instructional sessions consisting of 10 to 15 people and are open to the public through advance reservation. The classes are scheduled to occur between 10:00 a.m. and 12:00 p.m. with the majority held on-site, but could be held off-site as well. The garden proposes to host an estimate of two to three garden classes per calendar year.
- 3) Volunteer Days: Times set aside to allow volunteers and students opportunities to focus on sustainability and healthy living. These events would be limited to approximately 10 to 25 people and would be scheduled in advance with a cap of 25 attendees. The garden is proposing to host an estimate of two to three Volunteer Day events per calendar year.
- 4) Board/Committee Meetings: Sporadically held on-site with 10-12 garden members in attendance.
- 5) Semi-public events: Historically, PCG holds one to two larger events a year, which have included two Bird House Building events and an Earth Day celebration, since the opening

of the garden in 2013. While these are open to more than the registered Garden members, attendance is by invite and rsvp only.

In order to accommodate parking for the operation and events, the applicant proposes on-site parking for eight to ten cars on a designated portion of the property, which serves as a parking lot with a mulch with gravel substrate surface in lieu of Code required concrete paving. In addition, for larger events, such as Volunteer Days, Garden Classes or Semi-Public events, PCG proposes options for offsite parking, including a private off-site, free, parking arrangement with Huntington Memorial Hospital, a for-fee parking arrangement at Della Martin Center and bus/volunteer parking at Singer Park, northwest of the site.

ANALYSIS:

Minor Conditional Use Permit

Staff's review of a Minor Conditional Use Permit to allow the establishment of a Community Garden land use includes an analysis of whether the proposed location of the use would affect the general welfare of the surrounding property owners in terms of zoning, number/type of events, parking, noise and hours of operation. In reviewing the proposed Minor Conditional Use Permit to allow the use of the site as a Community Garden, staff finds that, as conditioned, the proposed activities would not result in a detrimental impact on the surrounding properties. As the majority of the proposed volunteer or semi-public events would be scheduled in advance and require reservations, the garden would be able control the number of guests allowed on-site, noise levels and location of parking at any given time.

Zoning and Land Use:

The City's Zoning Code defines a Neighborhood or Community Garden as "a site used by the community or a neighborhood for the growing of ornamental plants or vegetables that are not sold commercially but are used exclusively for personal use. The use is without permanent structures and without the on-site storage of nursery equipment or materials." Pasadena Community Garden is not for-profit and is solely for the personal betterment and education of its garden members and invited volunteers. It has no permanent structures and does not have on-site storage areas for commercial nursery equipment or materials. The small, prefabricated, garden enclosures are meant to provide temporary placement of garden members' tools and equipment and are not meant to be used by the public or for commercial nursery activity. These enclosures are used on a temporary basis as many members walk to the site. The three, small enclosures on-site are less than 120 square feet and do not require a Building Permit from the Division of Building and Safety nor review from most other City Departments. That being said, the enclosures do need to receive a Zoning Permit, from the Planning Division, to verify that basic Zoning Code development standards are maintained (i.e. height, setback from property line, size etc.). With that in mind, as proposed, Shed C (the largest enclosure) currently does not conform to the required ten-foot setback along the southern property line of the RS-4 zone, and as conditioned herein, shall obtain a Zoning Permit and shall be identified on the revised site plan as demonstrating compliance with the Zoning Code.

Events:

As a member-driven Community Garden, access to the public is considerably limited. Staff analyzed the proposed number of events per calendar year and determined that the number of private and semi-public events is not excessive given the short duration of each event, the limited

number of attendees at each event, and the recommended conditions of approval related to parking and noise.

Throughout the year, PCG hosts five different types of events on- or off-site:

- 1) Work Days (W)
- 2) Garden Classes (C)
- 3) Volunteer Days (V)
- 4) Board/Committee Meetings (B)
- 5) Semi-public events (SP)

Since the Gardens groundbreaking event in June 2012, the following is a summary of the documented events/gatherings held in association with the Community Garden:

Date	Event Type (on-site unless noted otherwise)	Classification Code	Number of Attendees (approx.)	Parking Location	Time Frame
6/9/2012	Groundbreaking	SP	80	off-site	9 a.m. – 12 p.m.
1/26/2013	Grand Opening	SP	80	off-site	1 p.m. – 3 p.m.
2/8/2014	Garden Class	C	10	on-site	10 a.m. - 12 p.m.
2/15/2014	Garden Class	C	12	on-site	10 a.m. - 12 p.m.
10/4/2014	Bird House Building	SP	75	off-site	11 a.m. - 2 p.m.
3/14/2015	Garden Class	C	15	on-site	10 a.m. - 12 p.m.
4/18/2015	Garden Class	C	15	on-site	10 a.m. - 12 p.m.
10/24/2015	Bird House Building	SP	75	off-site	11 a.m. - 2 p.m.
3/16/2016	USC Volunteer Day	V	25	on-site	9 a.m. - 12 p.m.
6/14/2016	Dinner event	SP	25	on-site/ off-site	5 p.m. - 7:30 p.m.
10/29/2016	Dinner event	SP	25	on-site/ off-site	5 p.m. - 7:30 p.m.
4/1/2017	Mark Keppel HS	V	12	off-site	9 a.m. - 12 p.m.
4/22/2017	Garden Class	C	12	on-site	9 a.m. - 12 p.m.
4/23/2017	DaVita HealthCare	V	10	off-site	9 a.m. - 12 p.m.
9/9/2017	Pepperdine University	V	25	off-site	9 a.m. - 12 p.m.
9/23/2017	Garden Class (off-site)	C	15	off-site	10 a.m. - 12 p.m.
10/21/2017	Garden Class	C	15	on-site	9 a.m. - 12 p.m.
2/17/2018	Garden Class (off-site)	C	10 - 25	off-site	10 a.m. - 12 p.m.
4/21/2018	Earth Day Celebration	SP	25	off-site	9 a.m. - 12 p.m.
4/28/2018	Garden Class	C	10-12	on-site	10 a.m. - 12 p.m.
5/19/2018	PCG Board Meeting	B		on-site	10 a.m. - 12 p.m.
9/8/2018	Pepperdine University	V		off-site	9 a.m. - 12 p.m.

In addition, Work Days are generally held once a month and Board/Committee Meetings are held sporadically throughout the year. While the number of events per year is low, given the potential increase need for parking or elevated noise, staff recommends limiting the number of Volunteer Days and classes to no more than one per month, for each type. In addition, staff is recommending that no more than two Semi-Public events be held a year. Lastly, as parking demand for Work

Days or Board/Committee meetings is accommodated on-site, there should not be a cap on the number of those type of days per month or year.

Off-Street Parking Requirement:

As Community Garden (Land Use) is not a listed use in Table 4-6 of Section 17.46.040, the Zoning Administrator shall determine the requirement for off-street parking (17.46.040.F.1) and should use Table 4-6 as a guide. Given the options of Land Uses within the Zoning Code, the most comparable Land Use to the Community Garden, in terms of peak visitor demand and general nature of the use, would be 'Park and Recreation Facilities.' The Zoning Code defines this land use as "a noncommercial park, playground, or other recreation facility, and/or open space officially designated as a public park or recreation facility. This use includes community centers." In the General Plan, Green Space Element, Policy 15.4, Community Gardens are included as an example of Community Services and Recreation programs and in Policy 10.12 of the Land Use Element of the General Plan, Community Gardens are included as an example of Urban Open Space, which also includes parklets and paseos. As a result, Community Gardens most closely mimic the operation of a Park and Recreational Facility that functions as a noncommercial park and landscaped area for the community to grow fruits, vegetables and flowers.

The required Zoning Code off-street parking for Park and Recreation Facilities is 2.5 spaces per 1,000 square feet of Gross Floor Area (Table 4-6, Section 17.46.040). As there are no permanent, habitable structures on site with Floor Area to quantify to determine the required number of spaces, the Zoning Administrator applied the parking standard to areas of 'work' or rather only the area used for community purposes (i.e. growing plants). As a result, only the area contained by the planter boxes themselves was considered in the following calculation of off-street parking spaces.

The site currently has 69, two-foot high planter boxes as follows:

Dimension of Planter Box	Box Area (sf)	Number	Total Area (sf)
12' x 4'	48	52	2,496
9' x 3'	27	6	162
5' x 5'	25	8	200
6' x 4'	24	3	72
Total		69	2,930

With 2,930 square feet of planter bed area, the operation would require seven off-street parking spaces. If the operation increases the number or size of planter beds, additional parking shall be required at the same rate, as conditioned herein. As demonstrated in photographic evidence (see file) nine cars can be parked on-site in a designated area on the eastern portion of the site, and thus satisfies the off-street parking requirement.

In addition, as conditioned, the garden operation is required to mark off the area generally delegated for parking with flags/cones/signs etc. Furthermore, due to the proposed programming, additional parking would be needed to accommodate events that have many attendees. As a result, for larger, semi-public events, PCG has a private agreement to allow for off-site parking at Huntington Memorial Hospital across the street at the 10 Congress Street parking lot at no cost on an "as needed basis." In addition, for other larger volunteer events, PCG asks visitors to park at the Della Martin parking lot across the street for a fee or asks that individual volunteers or buses bringing volunteer groups, to park at Singer Park, on St. John Street. Parking instructions and

locations would be included in the invitations and PCG volunteers would be available to direct visitors the day-of as needed. The use of off-site parking could occur up to 26 times per year, as conditioned herein (12 Garden Classes, 12 Volunteer Days and two Semi-Public events).

Based on the highest participant event, which is expected to have a maximum of 80 people, staff is of the opinion that these additional parking lots, in conjunction with the parking spaces available on-site, are able to accommodate the parking demand. A recommended condition of approval requires the applicant keep a record of all off-site parking agreements for events held on-site. These records shall be provided to the City upon request. In addition, to further mitigate the use of on-street parking by the visitors of the garden, a recommended condition of approval requires that a member from the garden monitor on-street parking to ensure guests of the garden are not utilizing on-street parking.

Alternative Paving:

Pursuant to Pasadena Zoning Code Section 17.46.0300.A (Paving), all parking areas, circulation aisles, and accessways shall be paved with Portland cement concrete. Per Section 17.46.300.B (Paving) of the Zoning Code, the Zoning Administrator may approve alternative materials for driveway paving, circulation and parking areas. As proposed, and currently built, the driveway is concrete and the parking area is mulch with gravel substrate. The decision to retain the existing alternative paving material is needed in order to allow for permeability of the site and to maintain a natural appearance that coincides with the use of the site as a community garden. As such, the alternative paving choice of mulch with gravel substrate is a suitable alternative material for a Community Garden parking area. Therefore, the Zoning Administrator recommends approval of the alternative paving material choice and that the request be included as part of the approval of the Minor Conditional Use Permit decision.

Hours of Operation:

As the Community Garden is a Non-Residential use adjacent to a Residential use, the use is subject to the Limited Hours of Operation in Section 17.40.070 and may only operate between the hours of 7:00 a.m. and 10:00 p.m. However, as currently operated, the Garden is open from dawn to dusk with the majority of events begin after 9:00 a.m. and end around 12:00 p.m. on Saturdays. As conditioned, the Community Garden will not be open until 7:00 a.m. The site is secured with a chain-link fence and a locked gate after hours. While no amplified noise is anticipated at any of the events during operating hours, the possibility for noise is further discussed below. Although public/semi-public uses occur at varying hours, the proposed hours for the events is consistent with the limited hours established in the Zoning Code, and consistent with the surrounding residential uses.

Utilities:

Water access was installed for the property in 2011, with the main meter service in the public right-of-way. Throughout the garden, there are spigots available for all the raised planter beds. No electricity or gas is connected to the subject site. As conditioned herein, if PCG obtains either gas or electricity, approval from the Zoning Administrator is required prior to installation.

Noise:

As described by the applicant, most of the proposed events and programming do not include amplified music and sound. However, for those events that do provide amplified music or sound, a condition of approval requires a noise reading at the property lines indicating that the noise level

does not exceed five decibels above ambient noise level, in compliance with the City's Noise Ordinance. Section 9.36.110.B of the City's Municipal Code states that "any noise level exceeding the ambient base level at the property line of any property by more than five decibels is deemed to be prima facie evidence of a violation of the provisions of this section".

In addition, if there are to be events with amplified speakers or music, it is conditioned herein that the applicant send a notice to the residents within a 100' radius, seven days prior to the event informing the neighbors of the event with amplified noise. The notice shall also provide a contact person and phone number for any questions or concerns during these events.

GENERAL PLAN CONSISTENCY:

The proposed Minor Conditional Use Permit (MCUP) to permit a Community Garden in the RS-4 HH Zoning District is in conformance with the goals, policies, and objectives of the General Plan and the purposes of this Zoning Code. Granting the MCUP would be consistent with General Plan Land Use Element Goals and Policies that focus on creating and maintaining Urban Open Spaces such as community gardens and parklets (Policy: 10.12 – Urban Open Spaces). In addition, the approval is supported by Green Space, Recreation and Parks Element (Green Space Element) Goals and Policies that focus on creating neighborhood open space centers (Policies: 7.5 – Neighborhood Centers and 15.4 – Community Gardens) by establishing spaces that are both areas of pride and beauty in a neighborhood and also places to plant and grow fruit and vegetables for personal use.

ENVIRONMENTAL REVIEW:

This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15304, Class 4, Minor Alterations to Land) and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. This class exemption exempts from environmental review, the minor public or private alterations in the condition of land, water, and/or vegetation, which do not remove healthy, mature, scenic trees, such as Community Gardens.

REVIEW BY OTHER DEPARTMENTS:

The City's Department of Transportation, Public Works Department, Police Department, Health Department, Fire Department, Design and Historic Preservation Section, and Building and Safety Section reviewed the proposal. The Department of Transportation provided comments and recommended conditions of approval that have been included in Attachment B of this staff report. No other comments or concerns were provided.

CONCLUSION:

Approval of the Minor Conditional Use Permit and an alternative choice of paving would allow for the continued operation of an existing Community Garden, which serves for the betterment of the community. The proposal is consistent with the General Plan Land Use, Green Space and Open Space Elements, and complies with applicable development standards of the Zoning Code as conditioned herein. Events proposed for the site are all small in scale and will not generate obtrusive noise for the surrounding residential properties and parking can be provided either on-site or at designated off-site locations. Conditions of approval are recommended for the events to limit their noise level and frequency in order to ensure their compatibility with the surrounding residential setting. Furthermore, the hours of operation are consistent with the hours of operation

imposed on other commercial uses located adjacent to residential districts. Therefore, staff recommends approval of the application based on the findings in Attachment A and the conditions in Attachment B.

Attachments:

Attachment A: Findings

Attachment B: Conditions of Approval

ATTACHMENT A
SPECIFIC FINDINGS FOR MINOR CONDITIONAL USE PERMIT #6630

Minor Conditional Use Permit – To allow for a Community Garden within a Residential Zoning District

1. *The proposed use is allowed with a Minor Conditional Use Permit within the applicable zoning district and complies with all applicable provisions of this Zoning Code.*

The proposed Community Garden Use is permitted within the RS-4 HH Zoning District subject to approval of a Minor Conditional Use Permit. As detailed in this report, the proposal is to establish a use, which is complimentary to the surrounding area and, one that will not conflict with the provisions of the Zoning Code, which includes, but not limited to, compliance with structure setbacks, fence heights, hours of operation, the noise ordinance and parking requirements, as conditioned herein.

Furthermore, as evidence that the proposed use meets the definition of the Zoning Code's classification as a Neighborhood and Community Garden, the garden is not a commercial, for-profit nursery, there are no permanent structures on-site and there is no storage of commercial nursery equipment or materials on-site. As such, the proposal will comply with all applicable provisions of the Zoning Code.

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 site is located in the RS-4 HH Zoning District. The RS-4 HH District is intended to provide appropriate sites for community service land uses, such as Neighborhood or Community Gardens, which are needed to complement residential development. In addition, prior to the establishment of PCG, the Caltrans owned site was vacant and underutilized for many years and the operation as a Community Garden is a complimentary service to the surrounding residential uses. PCG maintains and protects the value of the neighborhood by creating a productive and attractive use of open land for urban agriculture.

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 PCG was created to utilize the vacant Caltrans owned public land to establish an opportunity for the residents of Pasadena to grow food and to also serve the general public by creating a venue for educational programs on sustainability and healthy living. The PCG site location was chosen because it serviced an area with limited ability to plant and grow any vegetables, fruits or flowers and is also close enough to its members to allow for walkability and bikeability to the garden.

The proposed use meets the objectives of the General Plan Elements (Land Use, Green Space and Open Space and Conservation Elements) to create urban open space and neighborhood centers for recreational activity and the betterment of its' citizenry in an area where it is both complimentary and needed. The approval is in line with the General Plans Goals and Policies, as follows:

General Plan: Land Use Element

The approval would be consistent with the following Land Use Element Policy that encourages the development of urban open spaces for public use:

“Policy 10.12 Urban Open Spaces:

Preserve and develop urban open spaces such as landscaped parklets, paseos, courtyards, and community gardens. Ensure adequate public access to these open spaces.”

The approval would allow the continued Community Garden operation that is providing a space for the community to grow plants, fruits and vegetables for personal and communal purposes.

General Plan: Green Space, Recreation and Parks Element

In addition, the approval would satisfy the following Green Space, Recreation and Parks Element of the General Plan policies that are conducive to creating recreational facilities and urban open spaces servicing a community purpose:

“Policy 7.5 – Neighborhood Centers:

In order to provide a focus and center of activity for neighborhoods, encourage the use of public open spaces or recreation facilities such as pocket parks, community centers, public schools, community gardens, or “tot lots” as neighborhood centers. (LUE Policy 1.7)

Policy 15.4 – Community Gardens:

Community gardens are areas where residents can plant and grow fruit and vegetables or they can be ornamental gardens that can be a source of pride and beauty in a neighborhood. Promote both of these “types” of community gardens as an open space alternative because of the community-building they create and the valuable resource they provide.”

General Plan: Open Space and Conservation Element

Lastly, the site was specifically identified in the General Plan’s Open Space and Conservation Element as a potential Open Space location: “A large parcel located along the proposed freeway corridor just north of California Street is owned by Caltrans. This parcel could have potential for temporary recreational use. Also within the corridor are the Pasadena Community Garden site, and the triangle below Bellefontaine Street which currently functions as an informal, temporary open space.”

Allowing the site to continue operation as a Community Garden fulfills the Goals, Objectives and Policies of the Land Use, Green Space and Open Space Elements of the City’s General Plan. PCG’s operation supports the City’s goals of creating community gardens, providing access to locally grown fruits and vegetables, ensuring green space access for residents and by promoting public wellness.

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 proposed community garden use is low impact and would not have a detrimental impact on the people (residents and workers) in the surrounding homes and Hospital use. Conditions of approval are recommended for parking, security of the site and limiting the frequency and size of events in order to ensure their compatibility with the surrounding residential setting. Furthermore, the hours of operation are consistent with the hours of operation imposed on other commercial uses located adjacent to residential districts.

In addition, PCG also promotes the health of residents in the City of Pasadena by providing access to space to grow healthy, organically grown food and promotes the well-being of its citizens through the physical activity of gardening. Furthermore, PCG maintains the value and cleanliness of the property by using PCG garden members and a variety of corporate volunteers such as Kaiser Permanente, Davita Health Services, and USC Alumni Association, student volunteers from Pepperdine University, Westridge School for Girls and Occidental College to clear the property of weeds and spread mulch to inhibit weed growth.

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 proposed community garden use is low impact and would not have a detrimental impact on the surrounding property and improvements in the neighborhood or to the general welfare of the City. Conditions of approval are recommended for parking, security of the site and limiting the frequency and size of events in order to ensure their limited impact on the surrounding properties and citizenry. Furthermore, the hours of operation are consistent with the hours of operation imposed on other commercial uses located adjacent to residential districts.

In addition, the required number of parking spaces for regular use will be provided on-site. However, for the larger, semi-public events, the applicant has entered into a private parking lease agreement with Huntington Hospital, located just east of the garden, to utilize their parking or volunteers can park at the nearby Singer Park. Conditions of approval are recommended to monitor parking and the noise level of events to ensure the operation of the garden would not be detrimental to the welfare of the residents residing in the immediate neighborhood. Furthermore, to insure that the site is protected and safe from “inharmonious or harmful land uses”, PCG has a perimeter fence with gates that are locked when the garden is not in use by its garden members.

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 garden will only have limited days open to the public and will require advance reservation for most other events, which will allow the operator of the garden to better control the number of visitors at any given time. Conditions of approval have been incorporated to limit the number of events and where parking is permitted. The noise level from the events will be monitored to ensure compliance with the City’s Noise Ordinance. The hours of the events are consistent with the limited hours of operation for other commercial uses located near a residential use. Finally, the Community Garden use will operate in accordance with the Caltrans lease agreement, the City’s laws and ordinances, the MOU between the City and PCG and the garden’s business plan and by-laws, thus ensuring continuing compatibility with neighboring residential uses and protecting other land uses in the area from adverse impacts.

ATTACHMENT B
CONDITIONS OF APPROVAL FOR MINOR CONDITIONAL USE PERMIT #6630

The applicant or successor in interest shall meet the following conditions:

General

1. The site plans submitted for future building permits and/or future development shall substantially conform to the site plans stamped "Approved at Hearing, June 6, 2018," except as modified herein.
2. The approval of this application authorizes the operation of the site as a Community Garden with 69 planter beds (2,930 square feet of planted area) and three, small, prefabricated garden enclosures, no more than 120 square feet in area, each.
3. The rights granted under this application must be enacted within 36 months from the effective date of approval. It shall expire and become void, unless an extension of time is approved in compliance with Section 17.64.040.C (Time Limits and Extensions – Extensions of time) of the Zoning Code.
4. The Zoning Administrator, at any time, can call for a review of the approved conditions at a duly noticed public hearing. These conditions may be modified or new conditions added to reduce any impacts of the use. The Hearing Officer may revoke the Minor Conditional Use Permit if sufficient cause is given.
5. Any change to these conditions of approval, expansion of the use, addition of electricity or gas utilities, or the introduction of permanent structures, requires the modification of this Minor Conditional Use Permit, a new Minor Conditional Use Permit or other entitlement(s) as deemed necessary.
6. The applicant or successor in interest shall meet the applicable code requirements of all other City Departments.
7. The final decision letter and conditions of approval shall be incorporated in the building plans as part of any future building plan check process.
8. The proposed project, Activity Number PLN2018-00086, is subject to a Final Zoning Inspection. A Final Zoning Inspection is required for the project prior to the issuance of a Certificate of Occupancy. Contact the Planning Case Manager, Jennifer Driver at (626) 744-6756 to schedule an inspection appointment time.

Planning

9. Parking Restrictions.
 - a. Required off-street parking shall be required at a rate of 2.5 vehicle parking spaces per 1,000 sf of raised planter beds.
 - i. With 2,930 square feet of raised planter beds proposed, a minimum of seven spaces are required on-site.

- ii. If the area of planter beds increases, in compliance with Condition No. 5 above, additional parking shall be required at a rate of 2.5 vehicle parking spaces per 1,000 sf of raised planter beds.
 - b. For events with anticipated attendance of more than ten cars, off-site parking options shall be provided and identified in the event invitation and rsvp information. Off-site locations may include private agreements with Huntington Memorial Hospital or at Singer Park with agreement with the Department of Parks and Recreation.
 - c. The parking area shall be designated on the east side of the property by cones/flags/signs.
 - d. PCG shall keep a record of all off-site parking agreements for events held on-site. These records shall be provided to the City upon request.
 - e. No vehicles operated by garden members or volunteers shall be parked upon any public street.
 - f. A member of the garden shall monitor on-street parking to ensure guests of the garden are not utilizing on-street parking during all events.
 - g. All event invitations shall include instruction and directions to the parking locations. The instruction shall clearly state that no parking in the surrounding streets (Pasadena Avenue, California Boulevard, Bellefontaine Street or St. John Avenue) is permitted at any time. The applicant shall keep a copy of the parking instruction and directions for all events, which shall be available to the Zoning Administrator upon request.
 - h. The applicant shall submit a Zoning Permit application within 60 days of the effective date of this permit to verify and establish the required, minimum, off-street parking spaces on-site. As part of the permit application, photographic evidence documenting the required number of vehicles on-site on the east side of the property shall be sufficient for approval.
10. The applicant or its successor shall maintain a schedule of events and shall provide a copy to the Zoning Administrator upon request.
11. The applicant shall maintain a monthly list of events listing the event type, date, time, whether or not amplified music and/or sound was provided, number of attendees and staff. A copy of such documentation shall be provided to the Zoning Administrator upon request.
12. Event Limitations:
- a. No more than one on-site Volunteer Day per month with a maximum of 25 attendees.
 - b. No more than two on-site Semi-Public events to be held per calendar year; with a maximum of 80 attendees.
 - c. No more than one on-site Class (by invitation only) per month; with a maximum of 15 attendees.
 - d. No limit on publicized Work Days; with a maximum of 15 members of the organization.
13. No two events shall occur simultaneously at any time.
14. The premises and surrounding gardens, sidewalk, and street shall be kept free of litter and debris at all times.

15. All alterations to the existing site, paving and landscape on the site shall be required to comply with the development standards and land use regulations of the RS-4 HH Zoning District, subject to review of the Zoning Administrator, and all applicable permits must be obtained.
16. The installation of any fence or wall on-site shall require a permit and comply with the provisions of the RS-4 HH Zoning District pertaining to fences and walls. The applicant shall submit a Zoning Permit application within 60 days of the effective date of this permit for the existing, unpermitted fence located within the eastern, front yard setback.
17. The applicant shall submit a Zoning Permit application within 60 days of the effective date of this permit for all three existing, garden sheds. Each shed shall comply with the RS-4 HH zone setback regulations.
18. The project shall comply with the City of Pasadena Refuse Storage regulations at all times. See Section 17.40.120 of the Pasadena Municipal Code.
19. The hours of operation shall comply with Section 17.40.070.
20. Site shall comply with Fire Department regulations on the maximum permitted occupancy of the site during events.
21. All temporary structures, including tents, canopies, trellises, etc. shall be shown on a site plan for review and approval by the Zoning Administrator, Building and Safety Division and Fire Department prior to the erection of such structures.
22. All events shall comply with all provisions of the City's Noise Ordinance (PMC Chapter 9.36).
23. All activities associated with the use shall be contained to the project site. There shall be no loitering, personnel or equipment in the public right-of-way.
24. There shall be no amplified music for any event without notification by mail, seven days before the event, to the surrounding neighbors (100-foot radius of owners/tenants) notifying them of the event with amplified noise. The notice shall include a contact person and phone number for any questions or concerns during these events. PCG is to keep a record of all events held on-site with amplified sound or music with proof of notification of the surrounding neighbors. These records shall be provided to the City upon request. The applicant and successor shall adhere to the City's noise regulations as specified in Chapter 9.36 of Pasadena Municipal Code.

Department of Transportation

25. Access and Operations for Parking/Loading/Trash: The parking, loading and trash/recycling areas shall conform to the requirements of the Pasadena Municipal Code.

If a gate will be placed at the driveway entrance, the gate shall be installed at least 20' back from the property line.

26. Parking requirements: Existing on-street parking conditions fronting this project should be maintained.

The development shall comply with the number of Code required parking spaces for the project. Except by Special Event Permit, Code required parking shall not be satisfied on-street.

DOT will not install a loading zone for project use along Pasadena Avenue.