



## PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

### STAFF REPORT

**DATE:** October 16, 2019

**TO:** Hearing Officer

**SUBJECT:** Minor Conditional Use Permit #6731

**LOCATION:** 781 South Grand Avenue

**APPLICANT:** Arrian Torkian

**ZONING DESIGNATION:** RS-4 (Single-Family Residential, 0-4 dwelling units per acre)

**GENERAL PLAN DESIGNATION:** Low Density Residential

**CASE PLANNER:** Kristen Johnston

**STAFF RECOMMENDATION:** Adopt the Environmental Determination and **approve** Minor Conditional Use Permit #6731 and three Variances for Historic Resources with the findings in Attachment A and the conditions in Attachment B.

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**PROJECT PROPOSAL:** Minor Conditional Use Permit: To allow the relocation of an existing two-story, single-family residence, identified as an eligible historic resource, from 164 Chestnut Street to 781 South Grand Avenue. The subject site is located within the RS-4 (Single-Family Residential) zoning district;

Variance for Historic Resources: To allow relief from the single-family residential parking requirement, where the Zoning Code requires two-covered parking spaces, with the project proposing no covered parking;

Variance for Historic Resources: To allow relief from the 28-foot maximum allowable height, with a proposed structure height of 29'5"; and

Variance for Historic Resources: To allow relief from the encroachment plane requirement for principal structures, where the Zoning Code limits a projecting feature to encroach up to 36-inches.

**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, §15303, Class 3, (New Construction or Conversion of Small Structures), and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. This exemption applies to the relocation of small structures, including single-family residences.

**BACKGROUND:**

**Site characteristics:** The project site is a rectangular-shaped interior lot measuring approximately 8,526 square-feet, and is currently vacant.

**Adjacent Uses:** North – Single-Family Residential  
South – Single-Family Residential  
East – Single-Family Residential  
West – Single-Family Residential

**Adjacent Zoning:** North – RS-4 (Single-Family Residential, 0-4 dwelling units per acre)  
South – RS-4 (Single-Family Residential, 0-4 dwelling units per acre)  
East – RS-4 (Single-Family Residential, 0-4 dwelling units per acre)  
West – RS-4 (Single-Family Residential, 0-4 dwelling units per acre)

**Previous zoning cases on this property:** None.

**PROJECT DESCRIPTION:**

The applicant, Arrian Torkian, has submitted the following applications to facilitate the relocation of a structure to a lot within the RS-4 (Single-Family Residential, 0-4 dwelling units per acre) zoning district: 1) Minor Conditional Use Permit to allow the relocation of an existing two-story, single-family residence from 164 Chestnut Street to 781 South Grand Avenue, identified as an eligible historic resource; 2) Variance for Historic Resources to allow relief from the single-family residential parking requirement, where the Zoning Code requires two-covered parking spaces, with the project proposing no covered parking; 3) Variance for Historic Resources to allow relief from the 28-foot maximum allowable height, with a proposed height of 29'5"; and 4) a Variance for Historic Resources to allow relief from the encroachment plane requirement for principal structures, where the Zoning Code limits a projecting feature to encroach up to 36-inches.

The existing two-story, single-family residence would be relocated from 164 Chestnut Street to 781 South Grand Avenue, a vacant parcel measuring 8,526 square feet in area located within the

RS-4 zoning district. As a part of the relocation, portions of the structure's non-original elements would be demolished including a small sunroom addition, chimney, and detached garage and carport. In addition, two-character defining features, a two-story porch at the west façade would be demolished, and the front porch would be demolished and reconstructed. No covered parking (garage or carport) is proposed to be reconstructed at the subject site. The single-family residence would be placed centrally on the subject site, providing a 50'6" front setback, 6'1" side setbacks, and a 61'10" rear setback. No protected trees are proposed for removal as a part of the project.

#### **ANALYSIS:**

Pursuant to Section 17.40.130 (Relocated Structures) of the Zoning Code, the approval of a Minor Conditional Use Permit is required for the relocation of a structure to a lot within the RS or RM-12 zoning districts. The project proposes the relocation of the existing two-story, single-family residence to an undeveloped property located within the RS-4 zoning district.

The Minor Conditional Use Permit application allows the City to review the project and determine if the proposed relocation of the structure would be compatible with the surrounding area. In order to approve a Minor Conditional Use Permit, six findings must be made in the affirmative. These findings relate to project conformance with the Zoning Code and General Plan, potential project impacts on the surrounding properties, and compatibility with the surrounding uses. The following analysis focuses on whether the request to relocate the single-family residence would create negative impacts to the surrounding uses, as it relates to conformance with the provisions of the Zoning Code and consistency with the General Plan.

#### RS-4 Single-Family Residential Development Standards

Properties located within the RS-4 zoning district are required to comply with all of the applicable development standards provided in Section 17.22.040 (RS and RM-12 Residential Districts General Development Standards), Section 17.22.050 (RS and RM-12 Additional Development Standards, and Chapters 17.40 (General Property Development and Use Standards), and 17.46 (Parking and Loading) of the Zoning Code.

#### *Maximum Allowable Floor Area:*

Pursuant to Section 17.22.040 Table 2-3 (RS and RM-12 Residential Districts General Development Standards), the maximum allowable gross floor area for a lot located within the RS-4 zoning district with less than 12,000 square feet in area, is 30 percent of the lot size plus 500 square feet. Gross floor area is defined as the floor area between the floor and roof above it, measured from the outside edge of the exterior walls of the main structure and all accessory structures, including required parking (either garage or carport). In addition, any portion of a structure, including stairwells over 17 feet in interior height, is counted twice for purposes of computing floor area.

The subject site measures 8,526 square feet in area. As such, the maximum floor area translates to a maximum of 3,058 square feet. The existing two-story, single-family residence is 2,548 square feet, which includes first and second floors, and is therefore in compliance with the maximum allowable gross floor area for the site.

### *Maximum Lot Coverage:*

In addition to the maximum allowable gross floor area, single-family residential properties are subject to site coverage. Site coverage is defined as the percentage of a site covered by roofs, soffits or overhangs extending more than three feet from a wall, and by decks more than four feet in height. As prescribed in the Zoning Code, the maximum allowable site coverage for a site between 7,200 square feet and 11,999 square feet in area is 35 percent up to 40 percent provided any additional coverage over 35 percent is single-story only.

In this case, 35 percent of the 8,526 square-foot lot is 2,984 square feet. The proposed lot coverage is 1,514 square feet, or 17 percent, which is less than the maximum allowable coverage, and therefore complies with the maximum allowable site coverage.

### *Setbacks*

The minimum required front setback shall be the average of the front setbacks of the developed lots, but not less than 25 feet, as provided in Section 17.22.050 of the Zoning Code. In calculating the block-face average, measurement shall be from the front property line to the principal structure. Building projections (such as eaves or bay windows) and unenclosed porches shall not be used as the reference point for this measurement.

Based on this provision, the applicant has demonstrated the front setback for each applicable property within the block-face, which concluded that the minimum required front setback for the subject site is 35 feet. As demonstrated on the plans provided by the applicant, the residence would provide a 50'6" front setback. Therefore, complies with the minimum front setback requirement.

The required side setback is equal to 10 percent of the lot width, with a minimum requirement of five feet and a maximum requirement of ten feet. The lot width measures across the lot at the required front setback line. In this case, the lot width is measured 35 feet from the front property line.

According to the plans, the lot width is 57 feet resulting in a minimum side setback of 5'7". The plans demonstrate the residence would provide a 6'1" side setbacks; therefore, complies with the minimum side setback requirement.

The minimum required rear setback is 25 feet. The residence would be centrally situated on the subject site, providing a rear setback 61'10" from the rear property line. As proposed, the residence would comply with the minimum rear setback requirement.

### *Height*

Pursuant to Section 17.22.040 Table 2-3 of the Zoning Code, a property located within the RS-4 zoning district, with a lot width of less than 75 feet is limited to a maximum height of 28 feet and within the encroachment plane, measured from the lowest elevation of the existing grade at an exterior wall of the structure to the highest point of the structure. Additionally, the maximum top plate height shall not exceed 23 feet.

The existing two-story, single-family residence at its current location has a top plate height of 19'0" and an overall height of 29'5". The existing top plate and overall height would be maintained at the subject site. As it exists, the height of 29'5" exceeds the maximum allowable height of 28 feet by

1'5"; therefore, as proposed, approval of a Variance for Historic Resources is required, as discussed later in this report.

### *Encroachment Plane*

Principal structures located within the RS-4 zoning district, may not be located within an encroachment plane that slopes upward and inward at a 30-degree angle, beginning six feet above existing grade along the side property lines. The intent of the encroachment plane standard is to moderate the mass and scale of structures and maintain desired neighborhood character. Pursuant to Section 17.40.160(E) Table 4-2 (Allowed Projections into Encroachment Plane), a projecting feature such as an eave or roof overhang, or a dormer, gable, and/or gable end of roof structure on a main structure may project into the encroachment plane up to 36-inches.

Plans provided by the applicant depict the encroachment plane, and demonstrate that portions of the two-story, single-family residence would project into the required encroachment plane. However, these portions are not one of the allowed projecting features listed; therefore, as proposed, approval of a Variance for Historic Resources is required as discussed later in this report.

### *Parking*

Pursuant to Section 17.46.040 Table 4-6 of the Zoning Code, the parking requirement for a single-family residential land use is two covered parking spaces within a garage or carport. Based on the plans provided, the project proposes no covered parking; therefore, requires approval of a Variance for Historic Resources, as discussed later in this report.

Variances for Historic Resources: To allow relief from the single-family residential parking requirement, to allow relief from the 28-foot maximum allowable height, and to allow relief from the encroachment plane requirement for principal structures

Pursuant to Section 17.61.080(H), a Variance for Historic Resources is intended to accommodate historic resources that are being relocated or are undergoing adaptive reuse, and is designed to provide relief from strict compliance with the development standards of the Zoning Code that may impair the ability of an historic resource to be relocated onto a new site. This type of Variance does not allow however, a use of land or structure that is not otherwise allowed in the zoning district in which the subject property is located.

In order to approve a Variance for Historic Resources, the following three specific findings must be made:

- that the Variance for Historic Resource is necessary to facilitate the appropriate use of an existing designated historic structure;
- that the Variance for Historic Resource would not adversely impact property within the neighborhood or historic district; and
- that granting the Variance for Historic Resource application would be in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan.

Staff's analysis suggests that all of the findings can be made, as reflected in the following analysis and in Attachment A.

### *Historic Resource*

The existing two-story, single-family residence was constructed in 1904 and was identified as a notable example of American Foursquare architecture with Victorian and Craftsman elements, and is individually eligible for local listing as a Pasadena landmark under Criterion C. Pursuant to Section 17.62.040 (Criteria for Designation of Historic Resources), Criterion C specifically relates to the design and construction, where properties embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant distinguishable entity whose components lack individual distinction.

The residence exhibits key character defining features of the style, such as an overall box-shaped form, low-pitched hipped roof, clapboard exterior, central dormer, large porch, and double-hung wood windows. Craftsman-style influences are integrated with its exposed rafter tails while Queen Anne influences can be seen with the two-story project bay at the front façade topped by a front-facing gabled roof with wood shingle in the gable peak. Therefore, once the structure has been relocated to the subject site, the applicant proposes to apply for individual historic designation.

In 2017, the City conducted a preliminary historic resource evaluation for the existing two-story, single-family residence at 164 Chestnut Street using the registration requirements in the Late 19<sup>th</sup> and Early 20<sup>th</sup> Century Development and Architecture in Pasadena historic context statement, and found the property a notable example of American Foursquare architecture eligible for local listing. Based on staff's assessment, the property was assigned a status code of 5S2, meaning it is individually eligible for local listing or designation; properties surveyed and found eligible for local, state, or national historic listing are considered a historic resource under the California Environmental Quality Act Guidelines (CEQA).

### *Parking*

The subject site is located within the RS-4 zoning district, where a single-family residential use is permitted by-right. Pursuant to Section 17.46.040 Table 4-6 of the Zoning Code the minimum required parking for a single-family residential land use is two covered parking spaces within a garage or carport. Moreover, pursuant to Section 17.22.050(B), a garage proposed on a block-face where 50 percent or more of the existing garages are located behind the primary structure shall also be located behind the primary structure. Carports shall be completely screened from view from the street and shall be located between the primary structure and the rear property line, so as to not be within the view down the driveway from the street. Based on a review of the properties within the block-face of the subject site, new covered parking (garage or carport) would be required to be located behind the primary structure.

As previously discussed, the project proposes no covered parking. The subject site is a vacant parcel with a lot width of 57 feet. The residence, once relocated would be located in the center of the site, approximately 50'6" from the front property line, and provide 6'1" side setbacks, which does not provide adequate distance between the residence and side property lines to construct a code compliant eight-foot wide driveway along either side of the property to provide vehicle access to covered parking at the rear of the site; necessitating the need for the requested application.

The construction of covered parking in the front yard was considered, and although a Variance for its location could have potentially been supported by staff, the construction of a structure in front of the house would have compromised its historic integrity. This could potentially result in the loss of the house's eligibility for historic designation.

### *Height and Encroachment Plane*

Pursuant to Section 17.22.040 Table 2-3 of the Zoning Code, a property located within the RS-4 zoning district, with a lot width of less than 75 feet is limited to a maximum height of 28 feet and within the encroachment plane, measured from the lowest elevation of the existing grade at an exterior wall of the structure to the highest point of the structure. Additionally, the maximum top plate height shall not exceed 23 feet.

Additionally, principal structures located within the RS-4 zoning district, may not be located within an encroachment plane that slopes upward and inward at a 30-degree angle, beginning six feet above existing grade along the side property lines. The intent of the encroachment plane standard is to moderate the mass and scale of structures and maintain desired neighborhood character. Pursuant to Section 17.40.160(E) Table 4-2 (Allowed Projections into Encroachment Plane), a projecting feature such as an eave or roof overhang, or a dormer, gable, and/or gable end of roof structure on a main structure may project into the encroachment plane up to 36-inches.

The existing two-story, single-family residence at its current location has an overall height of 29'5", which is proposed to be maintained once relocated to the subject site, which exceeds the maximum allowable height of 28 feet by 1'5". In addition, portions of the two-story, single-family residence would project into the required encroachment plane. Given the residence's eligibility for historic designation, requiring the existing residence to be altered to comply with the maximum allowable height and within the encroachment plane would, impact the residence's eligibility.

Strict compliance with the development standards of the current Zoning Code's parking, height, and encroachment plane requirements would impair the ability of this eligible historic resource to be relocated to the subject site.

### Tree Protection Ordinance

The tree inventory report and plan submitted by the applicant identified a total of three trees, with one tree located on the subject site and two in the public right-of-way. The single tree on the site does not qualify for protection as defined in the City's Tree Protection Ordinance, as determined by species, size, and location on the property. The two trees in the public right-of-way are one Mexican Fan Palm (*Washingtonia robusta*) and one Common Juniper (*Juniperus communis*). No trees are proposed for removal as a part of the project.

As a condition of approval, the Planning & Community Development Department will require the submittal of a Tree Protection Plan for trees that are located on public property, prior to the issuance of a building permit. This will ensure the health of the trees during and after construction.

### **GENERAL PLAN CONSISTENCY:**

The project as proposed is consistent with the goals and objectives of the General Plan. The subject site is designated as Low Density Residential in the General Plan Land Use Element. The use of the site would be a single-family residence. Therefore, the character of the single-family neighborhood would be maintained. Furthermore, one of the Guiding Principles of the Land Use Element of the General Plan is that Pasadena's historic resources will be preserved. Goal 8 of the General Plan seeks the preservation and enhancement of Pasadena's cultural and historic buildings as valued assets and important representations of its past. Specifically, General Plan

Policy 8.1 requires protection of historic resources that represent significant examples of the City's history.

**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, §15303, Class 3, (New Construction or Conversion of Small Structures), and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. This exemption applies to the relocation of small structures, including single-family residences.

**REVIEW BY OTHER DEPARTMENTS:**

The proposed project was reviewed by the Building Department, Pasadena Fire Department, Department of Transportation, Public Works Department, and Design and Historic Preservation Section. Based on their review of the project, the Public Works Department and Design and Historic Preservation Section provided comments and recommended conditions of approval, which have been incorporated in Attachment B of this staff report. The remaining departments had no comments and would review the plans through building permit plan check process.

**CONCLUSION:**

It is staff's assessment that the findings necessary for approval of the Minor Conditional Use Permit and Variances for Historic Resources to allow the relocation of an existing two-story, single-family residence, identified as a historic resource, can be made. The proposed project meets applicable development standards required by the Zoning Code, with the exception of the parking, height, and encroachment plane. Limiting exterior alterations to the residence is necessary to maintain the residence's historic eligibility. Given the existing single-family residence would be relocated to a single-family residential zoning district, and would maintain its historic eligibility without requiring substantial exterior alterations, the project would not negatively impact the surrounding single-family residential neighborhood. Furthermore, granting of the Minor Conditional Use Permit and the Variances for Historic Resources would be in conformance with the goals, policies, and objectives of the General Plan. Therefore, staff recommends that the Hearing Officer adopt the environmental determination and the specific findings in Attachment A to approve the application with the conditions in Attachment B.

Attachments:

- Attachment A: Minor Conditional Use and Variances for Historic Resources Findings
- Attachment B: Recommended Conditions of Approval

**ATTACHMENT A**  
**SPECIFIC FINDINGS FOR MINOR CONDITIONAL USE PERMIT #6731**

Minor Conditional Use Permit: To allow the relocation of an existing two-story, single-family residence

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 subject site is situated within the RS-4 (Residential Single-Family) zoning district. The approval of a Minor Conditional Use Permit is required for the relocation of a structure to a lot within the RS or RM-12 zoning districts. The project proposes the relocation of an existing two-story, single-family residence to a property located within the RS-4 zoning district. Therefore, the land use would remain single-family residential, which is a permitted land use within the RS-4 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 site is situated within the RS-4 (Single-Family Residential) zoning district. The purpose of the Single-Family Residential zoning district is to ensure adequate light, air, privacy, and open space for each dwelling, and to protect residents from the harmful effects of excessive noise, population density, traffic congestion, and other environmental effects. The intended land use within the RS zoning district is single-family residential. The primary use of the site, as a residence will not change as a result of this project. 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 project as proposed is consistent with the goals and objectives of the General Plan. The subject site is designated as Low Density Residential in the General Plan Land Use Element. The use of the site would remain a single-family residence. Therefore, the character of the single-family neighborhood would be maintained. Furthermore, one of the Guiding Principles of the Land Use Element of the General Plan is that Pasadena's historic resources will be preserved. Goal 8 of the General Plan seeks the preservation and enhancement of Pasadena's cultural and historic buildings as valued assets and important representations of its past. Specifically, General Plan Policy 8.1 requires protection of historic resources that represent significant examples of the City's history.
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.* With the exception of the parking, height, and encroachment plane requirements, the proposed relocation of the existing two-story, single-family residence meets applicable development standards of the Zoning Code, including, but not limited to, floor area, site coverage, and setbacks. The use of the site will remain residential; therefore, the project will not be detrimental to the health, safety, or general welfare of the persons residing or working in the neighborhood. The proposed relocation of the residence will adhere to applicable requirements as they relate to the Zoning Code and building and safety codes.
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 relocation of the existing two-story, single-family residence will be located in the center of the site and will comply with applicable development standards with the exception of

parking, height, and encroachment plane requirements. The project will preserve the residential character of the neighborhood and will not be injurious to the surrounding single-family residential uses. 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.

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 proposed relocation of the existing two-story, single-family residence will be located in the center of the site, set back more than 50 feet from the front property line, 6'1" from the side property lines, and 61'10" from the rear property line. The relocated residence will be architecturally compatible with the residential character of the neighborhood and will maintain the aesthetic values of the surrounding single-family homes within the project area.

Variance for Historic Resources: To allow relief from the single-family residential parking requirement, 28-foot maximum allowable height, and the encroachment plane requirement for principal structures

1. *The Variance for Historic Resources is necessary to facilitate the appropriate use of the existing historic structure.* The existing two-story, single-family residence was constructed in 1904 as a residential use. The relocation of the eligible historic residence requires relief from the current Zoning Code parking, height and encroachment plane requirements. The proposed single-family residential use is appropriate for the subject site as the site is located within the RS-4, (Single-Family Residential) zoning district.
2. *The Variance for Historic Resources would not adversely impact property within the neighborhood or historic district.* The proposed single-family residential use is permitted in the RS-4 (Single-Family Residential) zoning district. The subject site is a vacant parcel with a lot width of 57 feet. The residence, once relocated will be located in the center of the site, approximately 50'6" from the front property line, and provide 6'1" side setbacks, which does not provide adequate distance between the residence and side property lines to construct a code compliant eight-foot driveway along either side of the property to provide vehicle access to covered parking at the rear of the site.

The existing two-story, single-family residence maintains an overall height of 29'5", which exceeds the maximum allowable height of 28 feet by 1'5". In addition, the two-story, single-family residence will have a projecting feature that encroaches into the required encroachment plane. Given the residence's eligibility for historic designation, requiring the existing residence to be altered to comply with the required parking, maximum allowable height and within the encroachment plane will impact the residence's historic eligibility. However, granting the Variance will not adversely impact property within the neighborhood, as the use will be a single-family residence and will preserve historic resources that represent significant examples of the City's history.

3. *Granting the Variance for Historic Resources application would be in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan.* One of the Guiding Principles of the Land Use Element of the General Plan is that Pasadena's historic resources will be preserved. Goal 8 of the General Plan seeks the preservation and enhancement of Pasadena's cultural and historic buildings as valued assets and important representations of its past. Specifically, General Plan Policy 8.1 requires protection of historic resources that represent significant examples of the City's history.

**ATTACHMENT B**  
**CONDITIONS OF APPROVAL FOR MINOR CONDITIONAL USE PERMIT #6731**

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

General

1. The site plan, floor plan, elevations, and building sections, submitted for building permits shall substantially conform to plans submitted, stamped "Approved at Hearing, October 16, 2019", except as modified herein.
2. The right granted under this application must be enacted within 24 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 of the Zoning Code.
3. The applicant is granted approval for the relocation of an existing two-story, single-family residence, with a maximum overall height of 29'-5", allow for the primary structure to encroach into the encroachment plane, and provide no on-site covered parking.
4. Any change to these conditions of approval or expansion of the use shall require the modification of this Minor Conditional Use Permit or a new Minor Conditional Use Permit.
5. The applicant or successor in interest shall meet the applicable code requirements of all City Departments.
6. The final decision letter and conditions of approval shall be incorporated in the submitted building plans as part of the Building plan check process.
7. The proposed project, Activity Number **PLN2019-00046**, is subject to the Inspection Program by the City. A Final Zoning Inspection is required for your project prior to the issuance of a Certificate of Occupancy or approval of the Final Building Inspection. Contact Nathan Gapper, Current Planning Section, at (626)744-7096 to schedule an appointment for the Final Zoning Inspection.

Planning Division

8. The applicant shall submit an application for historic designation, prior to the issuance of Certificate of Occupancy.
9. The applicant shall comply with all applicable development standards of the RS-4 Residential Zoning District, with the exception of the single-family residential parking requirement, maximum overall height, , and encroachment plane requirements, as granted herein.
10. Any above ground mechanical equipment shall be located at least five feet from all property lines and shall comply with the screening requirements of Section 17.40.150 (Screening) of the Zoning Code.
11. The project shall comply with the Municipal Code Chapter 8.52 (City Trees and Tree Protection Ordinance). A tree protection and retention plan shall be submitted to the Zoning Administrator for approval prior to the issuance of any building or grading permits. Any proposal to remove a

protected tree requires approval of a Tree Removal Application prior to the issuance of building permits.

12. As part of its analysis, the tree protection plan shall take into account the trees on adjoining properties, and protected trees within the public-right-of way, adjacent to the project site. The plan shall provide mitigation measures, if necessary, and analyses potential damage to trees by mechanical injuries to roots, trunks or branches; the compaction of soil; and changes to existing grade which may expose or suffocate roots.
13. The applicant or successor in interest shall comply with all requirements of Municipal Code Chapter 9.36 (Noise Restrictions). Specifically, all construction activities shall adhere to Municipal Code Section 9.36.070 (Construction Projects) and Section 9.36.080 (Construction Equipment).
14. At no time shall construction activities, including, but not limited to, construction materials, vehicles and equipment, obstruct access to vehicular driveways of adjacent properties.

#### Design and Historic Preservation

15. The applicant shall submit an application for Certificate of Appropriateness for review and approval, prior to the issuance of building permits.

#### Public Works Department

16. The applicant shall file an application with the Department of Public Works to move a building or structure on any street in the City prior to the actual move. House move requirements can be found at the following link:  
<https://ww5.cityofpasadena.net/planning/wp-content/uploads/sites/56/2017/09/Moving-a-House-in-Pasadena.pdf>
17. Any existing street tree(s) proposed to be removed are subject to the approval of the Urban Forestry Advisory Committee (UFAC).
18. A Tree Protection Zone (TPZ) shall be established for all existing City trees within the scope of a construction project. The TPZ extends from the base of the tree to four (4) radial feet beyond the dripline of a tree and applies to the entirety of the tree – from the roots to the canopy of the tree.

The applicant is prohibited from the following within a designated TPZ: construction vehicle access, construction vehicle operation, staging of materials, and trenching without the consent of the Department of Public Works.

The applicant shall at minimum provide the following within a designated TPZ: mulching, irrigation, and protective fencing.

19. Prior to the issuance of any permit, the applicant shall submit a Preliminary Tree Protection Plan (PMC Ch. 8.52 – City Trees and Tree Protection Ordinance), prepared by a Landscape Architect or certified Arborist, showing the TPZ and all structures, footings, and grading that may impact City trees shall be submitted to the Department of Public Works, for review and approval. Given that each construction project poses unique conditions, it is the responsibility of the applicant to develop a Tree Protection Plan based off the TPZ standards to the extent

feasible. The Plan shall conform to the Tree Protection Standards which specifically require showing the locations of all existing trees, their diameters, canopies, whether the tree is a public tree or private tree, as well as any trees to be planted with their canopy at mature size. The final conditions of the Tree Protection Plan shall be approved by the Forestry Superintendent. A non-refundable flat fee, per the current General Fee Schedule, will be required for staff time to review the Tree Protection Ordinance compliance.

20. Prior to any construction, tree protections including the installation of fencing to protect public trees must be in place. The fencing material shall be chain-link attached to posts inserted into the ground at the edge of the dripline and shall be a minimum of 4' in height. See Standard Plan S-642 – Tree Protection Chain Link Fencing. Fencing shall maintain visual lines of sight in order to avoid vehicle and pedestrian hazards. Fencing shall include a minimum 8.5" x 11" warning sign with the following information: 'Tree Protection Zone'; name and contact information of project owner or authorized representative; 'Please contact the City of Pasadena Citizen Service Center to report any concerns (626) 744-7311. All protective fencing must be permitted, inspected and approved by Public Works prior to the commencement of any construction.
21. All new drive approaches shall be at least seven (7) feet clear of the existing street trees measured from the edge of the trunk closest to the drive approach. All public trees shall be protected and fenced with a posting on the fences advising of the tree protection.
22. Prior to issuance of any permit, the applicant shall submit a valuation assessment report of the existing public tree(s) along the boundary of their project. The report shall be prepared by a registered Arborist and submitted to PNR for review and approval. If it is determined that the applicant has failed to care for any City tree within their Tree Protection Plan, and the health of the tree(s) was critically compromised requiring its removal, the applicant shall be liable for the following costs: assessed value of tree determined by a PNR Arborist using a current ISA assessment methodology; the removal cost determined by PNR; and any applicable infraction or administrative fines determined by Code Compliance.
23. Prior to issuance of any permit, a deposit in the amount of the applicant's total liabilities based on the aforementioned approved tree assessment report shall be submitted to the City. The deposit is fully refundable, less administrative fees, upon the satisfaction of Public Works prior to the issuance of a Certificate of Occupancy.
24. The proposed development shall connect to the public sewer main line with a new six-inch diameter sewer lateral laid at a minimum slope of two percent. In accordance with PMC Chapter 13.24.010, house sewer (lateral) "means that part of the horizontal piping beginning 24 inches from the exterior wall of the building or structure and extending to its connection with the public sewer." The section of house sewer within the public right-of-way - from the property line to the public sewer, or within easement, shall be vitrified clay or cast iron pipe. The house sewer shall meet City Standards as determined by the Department of Public Works, and a permit issued by the Department of Public Works is required for work within the public right-of-way. The construction of all new house sewers shall be completed prior to the issuance of Certificate of Occupancy.
25. In accordance with Section 12.04.035, entitled "Abandoned Driveways" of the PMC, the applicant shall close any unused drive approach with standard concrete curb, gutter and sidewalk.

26. The applicant shall demolish existing and construct all new public improvements along the subject development frontage of Grand Avenue including concrete sidewalk per Standard Plan S-421; concrete curb and gutter per Standard Plan S-406. All public improvements shall be completed prior to the issuance of Certificate of Occupancy.
27. Grand Avenue restoration, fronting the subject development, shall be a full width (from gutter to gutter) cold milling and resurfacing of asphalt concrete roadway per Standard Plan S-415.
28. On-site drainage, such as roof drain, area drain and subterranean garage discharge, shall be contained on-site per LA County Regional Water Quality Control Board's current permit.
29. The applicant shall protect all existing public facilities and maintain the right of way in good clean condition during the construction. If any damage is proven to be caused by the subject development, the applicant is responsible for replacing and/or repairing the facilities to the satisfaction of the City, prior to the issuance of Certificate of Occupancy.
30. Prior to the start of construction or the issuance of any permits, the applicant shall submit a Construction Staging and Traffic Management Plan to the Department of Public Works for review and approval. The template for the Construction Staging and Traffic Management Plan can be obtained from the Department of Public Works webpage at: <https://ww5.cityofpasadena.net/public-works/engineering-and-construction/engineering/forms-and-applications/> . A non-refundable flat fee, based on the current General Fee Schedule, is required for plan review and on-going monitoring during construction. This plan shall show the impact of the various construction stages on the public right-of-way (and the private street) including all street occupations, lane closures, detours, staging areas, and routes of construction vehicles entering and exiting the construction site. An occupancy permit shall be obtained from the department for the occupation of any traffic lane, parking lane, parkway, or any other public right-of-way. All lane closures shall be done in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) and California Supplement. If the public right-of-way occupation requires a diagram that is not a part of the MUTCD or California Supplement, a separate traffic control plan must be submitted as part of the Construction Staging and Traffic Management Plan to the department for review and approval. No construction truck idling or staging, material storage, or construction trailer are allowed in the public right-of-way.
31. In preparation for the New Year Rose Parade and Rose Bowl Game, the Department of Public Works will suspend all works within the public right-of-way during the holiday season in accordance to PMC 12.24.100 and City Policy.

In general, all public streets, sidewalks and parkways shall be free and clear of excavations and other construction related activities during the period of November through January of the following year. Specific dates will vary on an annual basis. Accordingly, contractors will be required to shut down construction operations which would impede traffic and pedestrian movements during these periods unless otherwise authorized by the City Engineer. Any existing excavations shall be backfilled, compacted and temporarily repaved before the beginning of the moratorium period.

The Holiday Moratorium Map, showing the appropriate shutdown period, and corresponding areas in the City, is available at the Department of Public Works Permit Counter (window #6), 175 N. Garfield Avenue, Pasadena, CA 91109, or at the following link:

<https://ww5.cityofpasadena.net/public-works/engineering-and-construction/engineering/forms-and-applications/>

32. All costs associated with these conditions shall be the applicant's responsibility. Unless otherwise noted in this memo, all costs are based on the General Fee Schedule that is in effect at the time these conditions are met. A processing fee will be charged against all deposits. A Public Works permit is required for all construction and occupancies in the public right-of-way. If construction vehicles and equipment are parked off-site in the public right of way, the permit fee for street and sidewalk occupancy will be based on the area and duration corresponding to the current City's General Fee Schedule. For more information, please contact Yannie Wu at 626-744-3762.

In addition to the above conditions, the requirements of the following ordinances may apply to the proposed project:

- Sewer Facility Charge - Chapter 4.53 of the PMC  
The ordinance provides for the sewer facility charge to ensure that new development within the city limits pays its estimated cost for capacity upgrades to the city sewer system, and to ensure financial solvency as the city implements the operational and maintenance practices set forth in the city's master sewer plan generated by additional demand on the system. Based on sewer deficiencies identified in the City's Master Sewer Plan, the applicant may be subject to a Sewer Facility Charge to the City for the project's fair share of the deficiencies. The Sewer Facility Charge is based on the Taxes, Fees and Charges Schedule and will be calculated and collected at the time of Building Permit Issuance.
- Sidewalk Ordinance - Chapter 12.04 of the Pasadena Municipal Code (PMC)  
In accordance with Section 12.04.035, entitled "Abandoned Driveways" of the PMC, the applicant shall close any unused drive approach with standard concrete curb, gutter and sidewalk. In addition, the applicant shall repair any existing or newly damaged curb, gutter and sidewalk along the subject frontage prior to the issuance of a Certificate of Occupancy in accordance with Section 12.04.031, entitled "Inspection required for Permit Clearance" of the PMC.
- City Trees and Tree Protection Ordinance - Chapter 8.52 of the PMC  
The ordinance provides for the protection of specific types of trees on private property as well as all trees on public property. No street trees in the public right-of-way shall be removed without the support of the Urban Forestry Advisory Committee. No trees shall be damaged by the proposed construction, if a City tree is damaged, the applicant may be liable for the assessed value of the tree. Refer to <https://ww5.cityofpasadena.net/public-works/parks-and-natural-resources/urban-forestry/> for guidelines and requirements for tree protection.
- Residential Impact Fee Ordinance - Chapter 4.17 of the PMC  
The ordinance was established to provide funds to mitigate the impact of new residential development on City parks and park and recreational facilities. A copy of the Residential Impact Fee Information Packet is available at the city webpage at: <https://ww5.cityofpasadena.net/public-works/engineering-and-construction/engineering/information-and-reports/>  
The Residential Impact Fee is based on the current Taxes, Fees and Charges Schedule (<https://ww5.cityofpasadena.net/finance/fees-tax-schedules/>) and will be calculated and collected at the time of Building Permit Issuance.

The building plans shall include, preferably on the title sheet, a summary of all living units to capture the number of different units; number of bedrooms in each unit; and types of units (Regular, Workforce housing, Skilled nursing unit, Student housing, Residential care facility for the elderly, Affordable Housing). The definitions on the different types of units are available in the abovementioned Residential Impact Fee Information Packet as well as in the Pasadena Municipal Code.

The estimated Residential Impact Fee based on the current tax schedule and the submitted information in the application. This amount is a rough estimate and for informational purposes only. The exact amount will be calculated at the time of Building Permit issuance.

- Construction and Demolition Waste Ordinance, Chapter 8.62 of the PMC  
The applicant shall submit the following plan and form which can be obtained from the Permit Center's webpage at: <https://ww5.cityofpasadena.net/public-works/street-maintenance-waste-management/recycling-resources/construction-and-demolition-debris-recycling/> and the Recycling Coordinator, (626) 744-7175, for approval prior to the request for a permit:
  - a. C & D Recycling & Waste Assessment Plan – Submit plan prior to issuance of the permit. A list of Construction and Demolition Recyclers is included on the waste management application plan form and it can also be obtained from the Recycling Coordinator.
  - b. Summary Report with documentation must be submitted prior to final inspection.

A security performance deposit of three percent of the total valuation of the project or \$30,000, whichever is less, is due prior to permit issuance. For Demolition Only projects, the security deposit is \$1 per square foot or \$30,000, whichever is less. This deposit is fully refundable upon compliance with Chapter 8.62 of the PMC. A non-refundable Administrative Review fee is also due prior to permit issuance and the amount is based upon the type of project.