



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: March 20, 2019

TO: Hearing Officer

SUBJECT: Hillside Development Permit #6675

LOCATION: 1155 Linda Vista Avenue

APPLICANT: Deborah Rachlin Ross

ZONING DESIGNATION: RS-4-HD (Single-Family Residential, 0-4 dwelling units per acre, Hillside Overlay District)

GENERAL PLAN DESIGNATION: Low Density Residential

CASE PLANNER: Kristen Johnston

STAFF RECOMMENDATION: Adopt the Environmental Determination and Specific Findings in Attachment A to **approve** Hillside Development Permit #6675 and **approve** Minor Conditional Use Permit with the conditions in Attachment B.

PROJECT PROPOSAL: Hillside Development Permit: To allow the construction of a two-story 3,201 square-foot, single-family residence with two 461 square-foot attached garages, and three accessory structures totaling 1,400 square feet. There are no trees proposed for removal as part of this project. A Hillside Development Permit is required for the construction of a new single-family residence in the Hillside Overlay District. The property is located within the RS-4-HD zoning district.

Minor Conditional Use Permit: To allow metallic finish on the exterior walls and roof of the main structure.

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),

and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Section 15303 exempts the construction of one-single-family residence, or a second dwelling unit in a residential zone. The project involves the construction of a two-story, single-family residence and three accessory structures within the RS-4-HD zoning district, which is within the maximum allowable number of structures on a legal parcel within a residential zone.

BACKGROUND:

Site characteristics: The subject property is located on the west side of Linda Vista Avenue just south of Afton Street. The 24,100 square-foot lot is currently developed with a 1,402 square-foot single-story, single-family residence and a detached two-car garage at the west/rear of the site. A pool and spa is located in front of the residence and detached garage. There are 17 trees located on the subject site, 13 of which have been identified as protected trees. The topography of the site is relatively flat, with an average slope of three percent. According to the slope analysis for the site, no portion of the site has a slope equal to or greater than 50 percent. Surrounding properties are predominantly two-story single-family residences.

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

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

Previous Zoning Cases on this Property: None.

PROJECT DESCRIPTION:

The applicant has submitted a Hillside Development Permit application to allow construction of a two-story, single-family residence with two attached garages, and three accessory structures. The project also includes a Minor Conditional Use Permit application to allow metal siding on the exterior façade of the proposed residence and 18-inch standing seam metal roof edge. A Hillside Development Permit is required for the construction of a new single-family residence for properties located within the Hillside Overlay District. The subject property is located within the RS-4 zoning district and Hillside Overlay District and is therefore subject to this requirement. A

Minor Conditional Use Permit is required for metallic finish on the exterior walls and roof of a main structure.

There are 17 trees located on the subject site, of which 13 have been identified as protected trees. Five of the protected trees are spread throughout the rear yard (west) and south side yard, with three protected trees centrally located along the north property line: one protected tree at the center of the site, and three protected trees toward the front property line. In addition, there are two protected trees located on the adjacent property to the south that encroach onto the subject site, and two protected street trees within the public right-of-way. There are no protected trees proposed for removal, as a part of this project.

The project proposes to demolish the existing 1,402 square-foot residence and detached garage, both constructed in 1910, and existing site improvements (pool and spa), in order to facilitate the construction of a new, two-story 3,201 square-foot single-family residence with a 2,489 square-foot basement, and two 461 square-foot attached garages. The proposed residence includes four bedroom and four bathrooms. The northern portion of the first-floor consists of two bedrooms and two bathrooms, and two-car garage. The entry and living room area is centrally located, with the remaining southern portion devoted to the kitchen, powder bath, office, and the second two-car garage. The second-story is limited to the southern end of the proposed residence, and includes two bedrooms, one bathroom and two decks. The plans indicate that a basement, for mechanical equipment and storage, is proposed and would be internally accessed and confined to the footprint of the first floor of the residence. The project also includes construction of three accessory structures totaling 1,400 square feet at the rear of the subject site, and a future pool and spa within the same location as the existing pool and spa.

ANALYSIS:

Hillside Development Permit - To allow construction of a two-story, single-family residence

The subject property is located in the RS-4-HD (Single-Family Residential, 0-4 units per acre, Hillside Overlay District) zoning district. Properties located within the Hillside Overlay are required to comply with additional standards beyond those applicable to the base single-family residential zoning district (RS-4). These additional standards are intended, in part, to preserve and protect views to and from hillside areas, maintain an environmental equilibrium by preserving and protecting existing natural resources, prohibit features that would create or increase fire, flood, landslide or other safety hazards to public health and safety, and preserve significant natural topographic features. A Hillside Development Permit is required for the construction of a new single-family residence located within the Hillside Overlay District.

The Hearing Officer may approve a Hillside Development Permit only after making eight findings pursuant to Zoning Code Section 17.61.050 (Conditional Use Permits and Master Plans) and 17.29.080 (Hillside Development Permit). Findings are necessary for the purpose of evaluating compliance with the Zoning Code and General Plan, whether the use would be detrimental or injurious to the neighborhood, and compatibility of the operation with existing and future uses. The following analysis discusses the project's compliance with development standards of the Hillside Overlay District that are applicable to construction of a new single-family residence.

RS-4 and Hillside Overlay Development Standards

Properties located within the Hillside Overlay District are required to comply with all of the required development standards of the RS-4 district, except as superseded by additional development

standards listed in Sections 17.29.050 through Section 17.29.070 (Hillside Overlay District). In addition to the following discussion, an outline of development standards provided in Table A (page 11) illustrates compliance with all applicable zoning and overlay development standards.

Floor Area

Calculating the maximum allowed floor area is a multi-step process. The intent of the process is to consider the steepness or topography of a property when determining the size of a development. A steeper property may provide less land area suitable for development. The Zoning Code considers this with respect to maximum allowed floor area. The following calculations were undertaken:

Gross floor area includes all covered parking (garage and carport areas), habitable attic space, basements, and accessory structures, with any exposed wall (or portion thereof) six feet or more above finished grade, measured from finished grade elevation to the floor above. If a basement has an exposed wall over six feet in height, then the entire area shall be counted as floor area. The maximum allowable gross floor area for properties located in the RS-4-HD zoning district with a property size greater than 10,000 square feet is 25 percent of the lot size plus 500 square feet. For lots 10,000 square feet or more in the Hillside Overlay District, any portion equal to or greater than 50 percent slope, or any access easement on the lot must be deducted from the lot area when calculating the maximum allowable gross floor area. According to the topographic survey submitted with the application, no portion of the site is 50 percent or greater, and there is no access easement across the site. As such, the maximum floor area translates to a maximum of 6,525 square feet for the 24,100 square-foot subject site.

Pursuant to Section 17.29.060.A.4 of the Zoning Code, the maximum allowable gross floor area for a lot with an average slope exceeding 15 percent shall be further reduced. To confirm applicability of this reduction, the applicant calculated the average slope across the lot using contour information taken from a topographic survey of the site. The applicant calculated an average slope of three percent. As a result, the reduction is not applicable to calculation of the maximum allowable gross floor area for this site.

The project proposes a total floor area of 5,591 square feet, which includes first and second floors of the proposed residence, attached garages, and all three accessory structures. Given the proposed basement would not have any exposed walls, it is not counted toward the gross floor area. Therefore, the proposed floor area is less than the maximum allowable gross floor area of 6,525 square feet for the subject site.

Lot Coverage

The maximum allowed lot coverage is equal to 35 percent of the lot area. Lot coverage is the percentage of the site covered by roofs, soffits or overhangs extending more than three feet from a wall, and decks more than four feet in height. In short, this measurement includes all covered structures, whether or not they are fully enclosed. This standard generally evaluates the percentage of land area covered by development. In this case, 35 percent of the 24,100 square-foot lot is 8,435 square feet. The proposed lot coverage is 22 percent, or 5,187 square feet, which is less than the maximum allowable coverage, and therefore complies with the maximum allowable lot coverage.

Setbacks

The minimum required front setback for a main structure in the Hillside Overlay District is 25 feet, as measured from the front property line. In this case, the proposed front setback is 59'-6" feet, measured from the front property line to the exterior wall of the proposed residence. The front setback measured from the front property line to the proposed garages is 35 feet, and is also in compliance with the minimum front setback requirement.

The minimum required interior side setback is 10 percent of the lot width, with a minimum requirement of five feet and a maximum requirement of 10 feet. The lot width measures across the lot at the required front setback line, in this case, 25 feet from the front property line. According to the plans submitted, the lot width is 100 feet, resulting in a minimum side setback of 10 feet. The proposed interior side setbacks for both north and south side yards is 10 feet, which complies with the minimum side setback requirement.

The minimum required rear setback is 25 feet. The setback measured from the proposed single-family residence to the rear property line is 136 feet, which exceeds the minimum rear yard setback requirement.

Encroachment Plane

Structures may not be located within an encroachment plane that slopes upward and inward at a 30-degree angle, as measured in a continuum, six feet above 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. As proposed, the residence complies with this requirement.

Height

Properties in the Hillside Overlay District are required to comply with two separate standards for building height. No structure may exceed a height of 28 feet at any point on the site, measured as the vertical distance from the existing grade to an imaginary plane parallel to the existing grade; nor can the overall height, as measured from the lowest elevation on the site where the structure touches the grade, to the highest point of the roof (ridge or parapet), exceed a height of 35 feet.

The project proposes a building height of 25 feet measured from the lowest elevation of the existing grade, and measures 27'-6½" from the lowest elevation at an exterior wall of the structure to the highest point of the building. Therefore, the proposed residence complies with both standards for building height.

Parking

Single-family residences are required to provide two covered parking spaces within a garage or carport in the RS-4-HD zoning district. Additionally, properties within the Hillside Overlay District are required to provide a minimum of four guest parking spaces on a site fronting on a street where parking is prohibited on both sides of the street at the site, and a minimum of two guest parking spaces on a site fronting a street where on-street parking is allowed. Guest parking spaces may be located in the driveway side-by-side or in a tandem configuration.

The portion of Linda Vista Avenue fronting the property allows parking, therefore two guest parking spaces are required for the project. The project proposes the construction of two 461 square-foot, two-car attached garages accessible from Linda Vista Avenue, with interior

dimensions of 21 feet wide by 19 feet deep. The submitted site plan demonstrates that the proposed 15-foot wide driveway leading to the garage can accommodate the two guest parking spaces required, in a tandem configuration. Therefore, the proposed project complies with the minimum parking requirement for single-family residential uses and required guest parking for properties located in the Hillside Overlay District.

Neighborhood Compatibility

Construction of a new single-family residence located within the Hillside Overlay District is required to consider the character and scale of existing development in the neighborhood. The analysis for neighborhood compatibility is generally comprised of lots located within a 500-foot radius of the subject site. The Zoning Code specifies that the allowable floor area of a proposed residence (excluding garages and other accessory structures) may not exceed the median floor area of existing residences within the 500-foot radius by more than 35 percent. Floor area for this calculation relies on data from the Los Angeles County Assessor.

Within the 500-foot radius of the subject site, there are 70 single-family residences. The median floor area of those 70 residences is 2,386 square feet. Thirty-five percent above the median floor area of 2,386 square feet equates to 3,221 square feet. The proposed residence would have a floor area of 3,201 square feet (excluding the garages, basement, and the accessory structures), which is below the maximum allowed floor area of neighborhood compatibility. Data used for the median calculation is included as Attachment C.

Accessory Structures

Accessory structures are subject to the development standards pursuant to Section 17.50.250 of the Zoning Code, which states that accessory structures shall be limited to uses which are accessory to the main use, including but not limited to, cabana, garage or carport, gazebo, greenhouse, pergola, pool, or hot tub and related equipment, or workshop. An accessory structure shall not be used for sleeping quarters.

Additionally, an accessory structure may contain air conditioning, heating, shower, toilet, washtub, and/or washer and dryer facilities. However, when an accessory structure contains any of the above listed facilities or a combination of such facilities, a covenant shall be required that restricts the use of the accessory structure, prior to the issuance of a building permit.

The project proposes three accessory structures located within the north, south, and west portions of the rear yard, and would be adjacent to a 24-inch raised deck connecting all three accessory structures. The north accessory structure would be 600 square feet and would consist of a workshop with a restroom (toilet, shower, and sink), the south accessory structure would be 600 square feet and would be utilized for storage, and the west accessory structure would be 200 square feet and would contain a changing room with two restroom facilities to serve a future pool and spa, that would be reconstructed within the same area as the existing pool and spa. As a result, a covenant is required to be recorded for the north and west accessory structures prior to the issuance of building permits. A condition of approval has been included in Attachment B of this report to ensure compliance with this requirement.

Height Limits

As prescribed in Section 17.50.250(E) of the Zoning Code for accessory structures, the top plate height for an accessory structure shall not exceed nine feet. Additionally, the overall height of an accessory structure may exceed the nine-foot height limit as it steps, or slopes, away from the two-foot initial setback, but shall not intercept an encroachment plane sloping inward from a point nine feet in height and rising a maximum of one and one-half feet of distance starting at the two-foot setback. Furthermore, an accessory structure may rise to, but shall not exceed, an overall height of 15 feet, so long as the structure does not intercept the encroachment plane.

As discussed above, all three accessory structures would be constructed within the rear yard of subject site, and would be adjacent to a 24-inch raised deck connecting all three accessory structures. The raised decking is proposed in order to eliminate grading and ground disturbance, will allowing for a finished walking surface. There are 17 trees that encumber a majority of the subject site, 13 of which have been identified as protected trees. In addition, there are two protected trees located on the south adjacent property that encroach onto the subject site, and two protected street trees located within the public right-of-way.

An arborist report prepared by Carlberg Associates in August 2018, noted that grading would result in substantial damage to protected tree roots. As such, the inclusion of the raised deck to protect the trees raises the otherwise compliant heights of the top plates by two feet, thereby exceeding the maximum allowable top plate height of nine feet, measured from existing grade. The proposed top plate height of the north accessory structure is 9'-9". The top plate height of the south accessory structure is proposed at 10'-4", and the top plate height of the west accessory structure is 10 feet. All three accessory structures propose an overall structure height of 15 feet, measured from existing grade, and do not intercept the encroachment plane at any point.

Pursuant to Section 17.44.090 (Tree Retention), the review authority may modify up to two development standards or accept alternative solutions to assist in the preservation of protected trees in compliance with Chapter 8.52 (City Trees and Tree Protection Ordinance). Modifications may include a reduction to garden requirements, guest parking requirements, location of driveways and building height limits. Furthermore, the review authority may only approve the modification to development standards after making the required findings. These findings include the evaluation of alternative site designs, health of the trees to be preserved, design solutions that enhance the property, the proposed project is not detrimental or injurious to the neighborhood, and is consistent with applicable design guidelines within the Zoning Code and General Plan.

The proposed location and construction methods incorporated into the design of the accessory structures with adjacent decking was determined based on the conclusions and recommendations provided by the certified arborist and geotechnical engineer reports. The arborist report provided by the applicant indicates the health and condition of the trees range from average to outstanding. Alternative site design, including the proposed accessory structure locations would result in substantial root damage to the protected trees if the proposed accessory structures were to be constructed in any other location on the site, or at grade with standard foundation construction. Alternatively, the applicant proposes piles/caissons with a raised floor construction with a 24-inch raised deck adjacent to the accessory structures to create a flat walking surface without grading, which results in a top plate height that exceeds the maximum allowed.

The proposed residence and accessory structures have been designed to enhance the project and the surrounding properties by mitigating substantial root damage in order to protect and

maintain the existing protected trees, and the root systems of the protected trees located on the adjacent property and within the public right-of-way. As such, the construction of the proposed two-story residence and the three accessory structures would not be injurious to adjacent properties or uses, or would the development be detrimental to environmental quality, quality of life, or health, safety, and welfare of the public.

Furthermore, the proposed two-story residence and accessory structures are consistent with the objectives and policies of the Hillside Overlay District and the Design Principles of the General Plan. These design standards are specific to development of residential properties located within the Hillside Overlay District, which include architectural features, exterior wall features, privacy, support structures, basements and colors and materials. The proposed project has incorporated the building design standards with the use of earth tone colors, location of structures to reduce impacts to protected views, and variation of architectural elements that are consistent with surrounding uses, and most importantly the protection of the existing trees. Therefore, staff recommends that the Hearing Officer waive the top plate height requirement and determine that the construction of the decking, in order to limit grading, is the only feasible option in order to mitigate substantial root damage to protected trees.

Setbacks

Pursuant to Section 17.50.250(D)(2) of the Zoning Code, an accessory structure may be located in a required side or rear setback; provided it is located more than 100 feet from the front property line or entirely within the rear 25 feet of the site. Otherwise, the minimum required setbacks of the primary structure shall also apply to the accessory structure. Additionally, in order to prevent an excessive amount of structure located along a property line, the maximum horizontal length of an accessory structure than can be located less than five feet from the property line shall be limited to 22 feet.

The proposed north accessory structure would be constructed 10 feet from the north side property line, 81 feet from the rear property line, and 126 feet from the front property line. The proposed south accessory structure would be set back 17 feet from the south side property line, 32'-9" from the rear property line, and 177 feet from the front property line. The proposed west accessory structure would provide a 35-foot north side setback, a 45-foot south side setback, a 10-foot rear setback, and a 221-foot setback from the front property line. Therefore, all three of the proposed accessory structures comply with the minimum setback requirements described above.

Accessory Structure Size and Placement

Pursuant to Section 17.50.250(G) of the Zoning Code, the maximum size of all accessory structures on a site shall not exceed an aggregate of 600 square feet or six percent of the lot size, whichever is greater. Furthermore, Section 17.29.060(C), states that accessory structures located in the HD and HD-SR districts shall comply with the following size and location limits:

- a) In addition to the aggregate size requirements of Section 17.50.250(G), for lots larger than 10,000 square feet in size, portions of a lot with a slope 50 percent or greater shall not be included in the lot size when determining maximum aggregate size.
- b) In addition to the aggregate size requirements of Section 17.50.250(G), individual accessory structures shall be limited to a maximum size of 600 square feet.

- c) Accessory structures, except for detached garages, must be located behind the rear wall plane(s) of the primary structure. An existing primary structure may not be converted into an accessory structure unless the new primary structure is in front of the accessory structure.

The subject site is 24,100 square feet in area, and no portions of the site have a slope of 50 percent or greater. Therefore, based on the lot size of 24,100 square feet, the maximum allowable aggregate size of all accessory structures is 1,446 square feet. Two of the proposed accessory structures, north and south structures, would be 600 square feet, and the west accessory structure would be 200 square feet, in compliance with the maximum size for individual accessory structure. All three accessory structures total 1,400 square feet, and meet the maximum allowable aggregate accessory structure size for the site. Additionally, the proposed accessory structures would be located behind the rear wall plane of the proposed residence. Therefore, all three accessory structures comply with location requirements.

Architecture, Setting, and View Protection

The existing single-family residences located in the surrounding neighborhood consist of various architectural styles and elements such as height, rooflines, massing, scale and setbacks. For example, the following architectural styles were observed: neoclassical, ranch, modern ranch, mid-century modern, and English colonial. The proposed single-family residence would display a modern architectural style featuring horizontal building form, and articulated wall planes with the proposed residence set further back than the garages along the front façade, and limited two-story element to the south elevation. The exterior finish would consist of a dark brown (obsidian) powder coated vertical metal siding that resembles ‘board and batten’ siding, reclaimed natural heavy timber headers and lintels, and an asphalt composition shingle roof with 18-inch dark gray standing seam metal roof edge. The proposed metal siding and the standing seam metal roof edge require the review and approval of a Minor Conditional Use Permit, which is discussed later in the report.

The proposed design, materials, and color palette are consistent with the applicable design criteria (architectural features) for the Hillside Overlay District, specifically the requirement of earth tones on the exterior building walls and the roof. As shown on the elevations, elements such as overhangs and building articulation is incorporated into the design of the residence, by providing building articulation and contrasting materials such as the powder coated metal siding and natural reclaimed wood accents in order to articulate the exterior walls.

The Zoning Code requires applicants to design and locate improvements so that they avoid blocking views from neighboring properties to the maximum extent feasible. Specifically, new improvements shall not be centered directly in the view of any room of a primary structure on a neighboring parcel. The standard specifies that improvements are to avoid blocking culturally significant structures such as the Rose Bowl, Colorado Street Bridge, City Hall, downslope views of the valley floor, prominent ridgelines, and/or the horizon line. Views of the open sky, existing foliage, private yards, and existing structures on surrounding properties shall not be taken into consideration by the review authority.

The Rose Bowl is located toward the southeast of the subject site, therefore the properties adjacent to the north (two properties located on the south side of Afton Street) and west (two properties located on Wellington Avenue) could potentially have views through the subject site. The proposed two-story residence would be situated toward the front portion of the subject site, in order to preserve the existing protected trees. Additionally, the two story element of the

proposed residence is situated at the southerly elevation and is relatively small in size (443 square feet). The proposed residence would be set back 59'-6" from the front property line, with the attached garages as close as 35 feet, while the existing residence is situated over 150 feet from the front property line.

The surrounding residences are predominantly two-story single-family residences, while the surrounding properties are relatively flat along both sides of Linda Vista Avenue with an elevation of approximately 966 feet on the west side of Linda Vista Avenue and 963 feet along the east side. The two abutting properties to the north of the subject site, located on the south side of Afton Street, have an elevation of 974 feet; and the west adjacent properties along Wellington Avenue are situated at an elevation of approximately 977 feet. Furthermore, the properties abutting the subject site are developed with two-story residences, with the exception of one property on Wellington Avenue. Therefore, the proposed two-story residence would not impede on any protected views from the adjacent properties, given there are no protected views from any neighboring properties on Wellington Avenue.

Ridgeline Protection

The proposed single-family residence complies with the ridgeline protection standards of the Zoning Code. There are no ridgelines adjacent to the subject property. Therefore, no part of the proposed two-story residence will appear silhouetted against the sky above a ridge when viewed from a public street or park.

Preliminary Geotechnical Report

Subsurface Designs, Inc. conducted a geotechnical investigation of the site and prepared a report. This included field exploration and laboratory testing. The geotechnical investigation is required for projects subject to a Hillside Development Permit. The purpose of the report is to identify any soils or geological problems that may affect site stability or structural integrity. The purpose of the report was to determine the subsurface conditions as they relate to the construction of the proposed single-family residence and accessory structures. The subsurface exploration consisted of six hand-dug test pits ranging from five feet to 15-½' within the area of proposed construction. Based on the exploration testing, consultation and review of the development plans, it is found that the construction of the proposed project is feasible from a geologic and soils engineering standpoint with the recommendations contained in the report.

Tree Protection Ordinance and Preliminary Landscape Plan

The tree inventory report and tree protection plan submitted by the applicant identified a total of 17 trees on the subject site. Of the 17 trees identified, 13 trees qualify for protection as defined in the City's Tree Protection Ordinance, as determined by species, size, and location on the property. However, none of the 17 trees identified are proposed for removal as a part of this project.

In addition to the trees located on the subject site, the tree inventory report identified two Chinese elm (*Ulmus parvifolia*) located within the public right-of-way, and are adjacent to the subject site. Furthermore, the tree inventory identified two protected trees, a coast live oak (*Quercus agrifolia*), and a deodar cedar (*Cedrus deodara*) located on neighboring property south of the subject site. As noted in the arborist report, specific construction methods such as structure location, and limitation of grading are recommended in order to significantly reduce impacts to the protected

trees identified on the subject site, the neighboring property to the south, and within the public right-of-way.

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

Minor Conditional Use Permit - To allow the use of a metallic finish on the exterior wall and roof of a main structure

Properties located within the RS and RM-12 zoning district are subject to Section 17.40.110 (Reflective Surfaces) of the Zoning Code, which states that the exterior walls and/or roof of a main structure may have a metallic finish (e.g., exposed metal cladding) with the approval of a Minor Conditional Use Permit.

The applicant is proposing a dark brown (obsidian) powder coated vertical metal siding for the exterior of the proposed two-story residence, and an 18-inch (dark gray in color) standing seam metal roof edge in combination with the asphalt composition shingle roof material. The purpose of the Minor Conditional Use Permit is to ensure the proposed material would not create a new source of substantial light or glare which would adversely affect views in the area. Based on the material samples provided by the applicant, the proposed siding and standing seam metal roof edge are not metallic in finish or have a reflective finish. Therefore, as proposed the exterior vertical metal siding and standing seam metal roof edge is considered an appropriate exterior finish for the proposed residence.

Table A: RS-4 and Hillside Overlay Development Standards

Development Feature	Required	Proposed	Analysis
RS-4 – Single Family Residential Development Standards			
Minimum Area	12,000 square feet	24,100 square feet	Complies
Lot Width	75 feet	100 feet	Complies
Setbacks			
Front (East): Garages Residence	25 feet	35 feet 59'6"	Complies
Interior Side (North & South)	10 feet or (10% of lot width, minimum of 5 feet – maximum of 10 feet)	10 feet	Complies
Rear (West)	25 feet	136 feet	Complies
Maximum Coverage			
Site Coverage	8,435 square feet or 35 percent	5,187 square feet or 22 percent	Complies
Floor Area Ratio	6,525 square feet or (25 percent, plus 500 square feet)	5,591 square feet or 23 percent	Complies
Minimum Parking			
Single-Family Residence(s)	2 covered spaces	4 car garage	Complies

Hillside Overlay: Development Standards			
Maximum Allowable Height- Primary Structure	28 feet at any point from existing grade; and 35 feet from lowest point where the building touches finished grade to highest point of the building	27'6"	Complies
Guest Parking	2 on-site guest spaces	2 guest spaces	Complies
Neighborhood Compatibility within a 500-foot radius	Median – 2,386 square feet Median + 35 percent – 3,221 square feet	3,201 square feet	Complies
Accessory Structure(s)			
Maximum Individual Accessory Structure Size- North Structure South Structure West Structure	600 square feet	600 square feet 600 square feet 200 square feet	Complies
Maximum Allowable Aggregate Accessory Structure Size	6% of the lot size (1,446 square feet) or 600 square feet, whichever is greater	1,400 square feet	Complies
Maximum Allowable Height Accessory Structure	15 feet	15 feet	Complies
Maximum Allowable top plate height- North Structure South Structure West Structure	9 feet	9'9" 10'4" 9'10"	Modification Requested for Tree Retention

GENERAL PLAN CONSISTENCY:

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. General Plan Land Use Policy 21.9 (Hillside Housing) requires residences to maintain appropriate scale, massing and access to residential structures located in hillside areas. The proposed two-story residence complies with all the development standards set forth in the City's Zoning Code. The proposed living area of 3,201 square feet is compatible with the median home size of single-family residences within the immediate neighborhood. The residence proposes a modern architectural style utilizing earth tone colors and materials, an architectural style and color scheme that is compatible with the architectural guidelines of the City's Hillside Development Ordinance. Additionally, the scale and massing of the proposed two-story residence is consistent with the scale and setting of the surrounding residences. Vehicle access to the site will continue to occur from Linda Vista Avenue via the existing driveway approach. Therefore, staff finds that the project would be consistent with General Plan objectives and policies.

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), and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Section 15303 exempts the construction of one-single-family residence, or a second dwelling unit in a residential zone. The project involves the construction of a two-

story, single-family residence and three accessory structures within the RS-4-HD zoning district, which is within the maximum allowable number of structures on a legal parcel within a residential zone.

REVIEW BY OTHER CITY DEPARTMENTS:

The proposed project was reviewed by the Building Department, Pasadena Fire Department, Department of Transportation, Public Works Department, Water and Power Division, and the Design and Historic Preservation Section. Based on their review of the project, the Building Division, Department of Public Works, the Pasadena Fire Department, and the Water and Power Divisions 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 the building permit plan check process.

CONCLUSION:

It is staff's assessment that the findings necessary for approving the Hillside Development Permit and Minor Conditional Use Permit to allow construction of a two-story 3,201 square-foot, single-family residence with two 461 square-foot attached garages, and three accessory structures totaling 1,400 square feet, with powder coated vertical metal siding and 18-inch standing seam metal roof edge, can be made (Attachment A). The proposed project meets all applicable development standards required by the Zoning Code for the RS-4 zoning district and the additional development standards required within the Hillside Overlay District including the Neighborhood Compatibility guidelines of the Hillside Ordinance, with the exception of the requested accessory structure top plate height modification for tree retention. Given that the proposed project is to allow the construction of a new two-story, single-family residence and would have to comply with all Building Code requirements, the proposed project would not be detrimental or injurious to surrounding properties or improvements. Therefore, staff recommends approval of the Hillside Development Permit and Minor Conditional Use Permit, subject to the findings in Attachment A and recommended conditions of approval in Attachment B.

ATTACHMENTS:

Attachment A: Hillside Development Permit and Minor Conditional Use Permit Findings
Attachment B: Recommended Conditions of Approval
Attachment C: Neighborhood Compatibility Analyses

ATTACHMENT A
SPECIFIC FINDINGS FOR HILLSIDE DEVELOPMENT PERMIT #6675

Hillside Development Permit: To allow construction of a two-story, single-family residence

1. *The proposed use is allowed with a Hillside Development Permit within the applicable zoning district and complies with all applicable provisions of this Zoning Code.* A single-family residential use is a permitted use within the RS-4-HD (Residential Single-Family, Hillside Overlay District) Zoning District. In addition, the proposed two-story residence will be in compliance with all applicable development standards, including maximum allowable floor area, lot coverage, setbacks, building height, and off-street parking requirements of the RS-4-HD Zoning District, with the exception of the requested accessory structure top plate height modification for tree retention.
2. *The location of the proposed use complies with the special purposes of this Zoning Code and the purposes of the applicable zoning district.* The subject property is zoned RS-4-HD, which is designated primarily for single-family residential purposes. The subject site and the surrounding properties within the neighborhood are developed with single-family residences. The proposed project will be consistent with existing development within the vicinity. As analyzed, the project will meet all applicable development standards for the RS-4-HD zoning district and Hillside Overlay such as setbacks, lot coverage and floor area, height and neighborhood compatibility, with the exception of the requested accessory structure top plate height modification for tree retention.
3. *The proposed use is in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan.* The subject site is designated as Low Density Residential in the General Plan Land Use Element. The use of the site would remain a single-family residence; therefore, the character of the single-family neighborhood would be maintained. General Plan Land Use Policy 21.9 (Hillside Housing) requires residences to maintain appropriate scale, massing and access to residential structures located in hillside areas. The proposed two-story residence complies with all the development standards set forth in the City's Zoning Code. The proposed living area of 3,201 square feet is compatible with the median home size of single-family residences within the immediate neighborhood. The residence proposes a modern architectural style utilizing earth tone colors and materials, an architectural style and color scheme that is compatible with the architectural guidelines of the City's Hillside Development Ordinance. Additionally, the scale and massing of the proposed two-story residence is consistent with the scale and setting of the surrounding residences. Vehicle access to the site will continue to occur from Linda Vista Avenue via the existing driveway approach. Therefore, staff finds that the project would be consistent with General Plan objectives and policies.
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 project will be constructed in such a manner as to minimize impacts to surrounding property owners. The proposed project meets all adopted Code requirements and will be subject to all current Code provisions. As proposed, the height of the proposed two-story, single-family residence will be below the maximum allowable height, and the floor area and lot coverage will be within the maximum floor area and lot coverage permitted for the site. The project meets all code requirements and no variances are required. Furthermore, the project is required to all applicable conditions of approval. Therefore, the proposed project will not be detrimental to

the public health, safety, or welfare of persons or properties within the surrounding neighborhood.

5. *The use, as described and conditionally approved, would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.* The proposed two-story residence will be constructed in compliance with the current Building Code and Zoning standards. Furthermore, the City's plan check process will ensure that the proposed project will meet all of the applicable building and safety and fire requirements. The project must also comply with the conditions of approval required by Public Works Department, Building Department, and Pasadena Fire Department. In addition, a Tree Protection Plan will be submitted as part of building permit plan check to ensure that the project will comply with the City's Tree Ordinance. A Soils Engineering Report has been submitted which reported that the site is considered feasible for construction of the proposed addition.
6. *The design, location, operating characteristics, and size of the proposed use would be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, scale, and view protection.* The use of the site will remain as a single-family residential use. The project complies with all the development standards of the Zoning Code. The project is not located on the top of any prominent ridgelines and will not block views from neighboring properties. The proposed project will be below the maximum allowable floor area requirements and meets Neighborhood Compatibility guidelines. The project has been designed with the use of metal and natural materials, which are design elements that can be found in the neighborhood. Additionally, the proposed single-family residence's scale and massing is within the scale and setting of the surrounding residences. Thus, the project would be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, scale, and view protection.
7. *The design, location, and size of the proposed structures and/or additions or alterations to existing structures will be compatible with existing and anticipated future development on adjacent lots as described in Section 17.29.060.D of this ordinance and in terms of aesthetics, character, scale, and view protection.* The Neighborhood Compatibility guidelines are established to ensure that a project is compatible with the character and scale of existing development in the vicinity. The size of the proposed single-family residence is 3,201 square feet, which is below the maximum allowable Neighborhood Compatibility floor area for properties located within 500-foot radius of the subject site. The project has been designed with the use of metal and natural materials, which are materials compatible with the surrounding environment. Additionally, the proposed residence scale and massing is keeping with the scale and setting of the surrounding residences. Furthermore, as designed, the placement of the proposed single-family residence would not impede the protected view of an adjoining property. Thus, the project is in scale with the context and character of existing and future development in the neighborhood in terms of aesthetics, character, scale, and view protection.
8. *The placement of the proposed additions avoids the most steeply sloping portions of the site to the maximum extent feasible and minimizes alteration of hillside topography, drainage patterns, and vegetation.* The subject site is relatively flat, with an average slope of three percent. The proposed single-family residence will comply with all of the required development standards. Given the site is developed with a single-family residence, the project proposes minimal grading and site disturbance compared to typical hillside development. As part of the building permit review, the Building Division will review any grading and/or drainage plans to

ensure that the drainage conditions after construction comply with all applicable regulations. A soil and Geological report was prepared by Subsurface Designs, Inc., which concludes that the proposed development is safe and adequate for its intended use.

Minor Conditional Use Permit: To allow the use of a metallic finish on the exterior wall and roof of a main structure

9. *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 use of metallic finish on the exterior walls of a main structure in the RS zoning district is permitted through the approval of a Minor Conditional Use Permit application, as indicated in Section 17.40.110 B. of the Zoning Code. No Variances are requested as the improvements comply with the applicable development standards of the RS-4-HD zoning district.
10. *The location of the proposed use complies with the special purposes of this Zoning Code and the purposes of the applicable 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 protect residents from the harmful effects of excessive noise, population density, traffic congestion, and other adverse environmental effects. The proposed dark brown (obsidian) powder coated vertical metal siding for the exterior of the proposed two-story residence, and an 18-inch (dark gray in color) standing seam metal roof edge in combination with the asphalt composition shingle roof material, are non-reflective; thus, the proposed residence will not be considered a substantial source of glare. The project will be in compliance with the development standards of the single-family residential zoning districts.
11. *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.* An objective of City's General Plan advocates preserving the character, scale, and quality of established residential neighborhoods. In this case, the proposed dark brown (obsidian) powder coated vertical metal siding for the exterior of the proposed two-story residence, and an 18-inch (dark gray in color) standing seam metal roof edge material is favorable and comparable to other building surface materials commonly used for residential buildings in terms of reflectivity and heat emittance. The character of the neighborhood will be maintained as the subject site will remain as a single-family residence.
12. *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 dark brown (obsidian) powder coated vertical metal siding for the exterior of the proposed two-story residence, and 18-inch (dark gray in color) standing seam metal roof edge in combination with the asphalt composition shingle roof material, are non-reflective, durable, and energy-efficient materials. The proposed use of the metal materials for the exterior finish of the residence will not be detrimental to the health, safety, and public welfare. In addition, all new construction proposed for the project will adhere to the requirements as they relate to the Zoning Code and building and safety codes.
13. *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.* Approval of the application will not intensify the use of the land as it will remain a single-family residence. The construction of the new single-family residence will be required to meet all fire, safety and building codes which will be reviewed through the plan check process.

14. *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 site is located on a relatively flat lot, within an urbanized area of the City. With the powder coated dark color of the exterior finish, along with the proposed landscaping for the site, the proposed project will not have a significant impact on views in the area.

ATTACHMENT B
CONDITIONS OF APPROVAL FOR HILLSIDE DEVELOPMENT PERMIT #6675

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 stamped "Approved at Hearing, March 20, 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 Zoning Code Section 17.64.040.C (Time Limits and Extensions – Extensions of Time).
3. The approval of the Hillside Development Permit allows the applicant to construct a two-story 3,201 square-foot, single-family residence with two 461 square-foot attached garages, a 2,489 square-foot basement internally accessed from the residence, and three accessory structures totaling 1,400 square feet.
4. The approval of the Minor Conditional Use Permit allows the use of a metallic finish on the exterior walls and roof of the main structure, provided that the material remain non-reflective, with a powder coated or matte finish.
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 **PLN2018-00470** 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 Kristen Johnston, Current Planning Section, at (626) 744-6709 to schedule an inspection appointment time.

Planning Division

8. The applicant shall comply with all requirements of Zoning Code Chapters 17.22 (Residential Zoning Districts), 17.29 (Hillside Overlay District), and 17.50.250 (Residential Uses - Accessory Uses and Structures) that relate to residential development in the Hillside Development Overlay District.
9. 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).
10. No demolition or grading permit shall be issued until the building permit for the residential project is ready to be issued.

11. The applicant or successor in interest shall use earth tones, for the exterior walls and roofs on the house that blend with the natural terrain. Color and material samples shall be reviewed and approved by the Zoning Administrator prior to the issuance of any building permits.
12. A covenant shall be required for the proposed accessory structure(s) in compliance with Section 17.50.250.B.2, which prohibits an accessory structure to be used for sleeping quarters. The covenant shall be recorded with LA County Recorder prior to the issuance of a building permit.
13. 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.
14. As part of its analysis, the tree protection and retention plan shall take into account the trees on adjoining properties along the south property line, adjacent to the proposed project that might be impacted by the proposed construction. 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.
15. A certified arborist and the civil engineer of record shall monitor all related construction activities including, but not limited to: demolition, digging, grading, excavating, or trenching, and as recommended in the supplemental reports. The monitoring of construction activities shall ensure the project implements all of recommendations and conditions provided in the arborist and geotechnical reports in order to protect the existing trees during construction.
16. This project meets the threshold for state-mandated water-efficient landscaping. Accordingly, the final landscape plans (inclusive of planting and hardscape plans, the planting pallet, drainage plan, and irrigation system plan(s) and specifications), shall be reviewed by Planning and Community Development Department staff for conformance with the standards and requirements specified within the 2015 California Model Water Efficient Landscape Ordinance (MWELo) prior to the issuance of a building permit. No certificate of occupancy shall be issued until such plans have been deemed compliant with the MWELo and the landscaping has been installed per such approved MWELo-compliant plans to the satisfaction of the Director of Planning and Community Development or his/her designee.
17. A construction staging and traffic management plan shall be submitted to and approved by the Zoning Administrator, Department of Public Works, and Department of Transportation prior to issuance of any permits. The plan shall include information on the removal of demolished materials as well as the on-site storage of new construction materials. A copy of the approved construction parking and staging plan shall be furnished to the Current Planning Division for inclusion into the case file on this project. The plan shall be available for review by surrounding property owners.
18. 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. Mechanical equipment shall be placed on a rooftop only if the equipment is not visible from off the site.

19. Any new construction shall meet all applicable SUSMP (Standard Urban Water Mitigation Plan) requirements as determined by the Building and Safety Division.
20. All construction vehicles or trucks including trailers with length over 30 feet or widths over 102 inches shall require a lead pilot vehicle and flag person to enter the streets within the Hillside District. The flag person will stop opposing traffic as necessary when trucks are negotiating tight curves. Operation of construction vehicles or trucks with lengths over 35 feet shall require approval from the Department of Transportation and Department of Public Works, subject to demonstration that such vehicles can maneuver around specific tight curves in the Hillside District. Operation of construction trucks with lengths over 30 feet shall be prohibited before 9:00 a.m. and after 3:00 p.m., Monday through Friday and all day during weekends and holidays. On refuse collection days, the operation of construction trucks with lengths over 30 feet shall be prohibited before 10:00 a.m. and after 3:00 p.m.
21. At no time shall construction activities, including, but not limited to, construction materials, vehicles and equipment, obstruct access to vehicular driveways of adjacent properties.

Fire Department

22. Fire Flow Test: Provide a Fire Flow Analysis (contact Pasadena Water Department 626-744-4498).
23. Automatic Fire Sprinkler: A complete automatic fire sprinkler system designed and installed in compliance with NFPA 13D is required throughout all proposed structures per 2016 CFC Section 503, 2016 CRC Section R313, and PMC Section 14.28.020.12 requirements. Plans shall be submitted to the Permit Center for Fire Department's review within 30 working days of the issuance of the Building Permit.
24. This project is located in an Extreme Fire Severity Zone and is required to comply with 2016 CFC; 2016 CRC Section R337, 2016 CBC Chapter 7A, Urban- International Wildland-Urban Interface Code (IWUIC) requirements.

Building and Safety Division

25. GOVERNING CODES:

- Comply with the Current Edition of California Building Code, California Electrical Code, California Plumbing Code, California Mechanical Code, California Energy Code, California Green Building Standard Code and the City of Pasadena Municipal Code. The governing edition is based on the date in which the project is submitted to the City of Pasadena for review.

26. BUILDING CODE ANALYSIS:

- Provide a Building Code Analysis on the title sheet. Include the code(s) information for each building proposed: Descriptive scope of work, occupancy, assessor's parcel number, number of stories, type of construction, fire sprinklers, floor area, height, and allowable floor area.

27. BEST MANAGEMENT PRACTICES:

- Photocopy to plans and complete the BEST MANAGEMENT PRACTICE page 1 (form must be signed). Photocopy any other applicable pages and cross reference the location at the site plan, i.e. the material storage, the concrete waste management, etc. These

forms can be found at <https://ww5.cityofpasadena.net/planning/building-and-safety/informational-handouts/>

28. GREEN CODE:

- Photocopy to plans and complete the 2016 CALIFORNIA GREEN BUILDING STANDARDS CODE WITH CITY OF PASADENA AMENDMENTS FORMS. These forms are being provided attach and can be found at <https://ww5.cityofpasadena.net/planning/building-and-safety/informational-handouts/>

29. REQUIRED PLANS AND PERMIT(S):

- In addition to architectural plans, provide Structural, Plumbing, Mechanical, Electrical, Shoring and Grading Plans as required. No deferred submittal.
- Separate permits are required for the following: Mechanical, Electrical, Plumbing, Fire Sprinkler, Demolition, Block walls, others.

Public Works Department

30. The proposed City street tree removal and relocation shall be reviewed/approved by the Parks and Natural Resources Division. Please contact Kenneth Graham, Public Works Superintendent, at 626-744-3880 for more details and further processing.

31. The existing street lighting system along the project frontage appears to be in conflict with the proposed development/driveway, it is the responsibility of the applicant to relocate the affected street light, including new LED light, conduit(s), conductors, electrical service, pull boxes and miscellaneous appurtenant work in a manner that complies with the requirements and receives the approval of the Department of Public Works.

32. 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.

33. A backwater trap and valve shall be installed in the proposed basement per Section 13.24.300 of Pasadena Municipal Code, if applicable: In every case where a plumbing outlet or plumbing fixture is installed or located below the elevation of the curb or property line, an approved type of backwater trap or an approved type of backwater sewer valve shall be installed between the outlet and the public sewer in such a manner as to prevent sewage from flowing back or backing up into any such outlet or plumbing fixture. Every such trap or valve shall be installed in the basement, or in a box or manhole of concrete, or cast iron, or other material approved by the superintendent so that it will be readily accessible at all times. The trap or valve shall be placed only in the drain line serving the fixtures that are located below the elevation of the above-mentioned curb or property line and no drainage from fixtures located above this elevation shall pass through such trap or valve.

34. The applicant shall construct the proposed drive approach per Standard Plan S-403. The applicant shall demolish existing and construct all new public improvements along the subject development frontages of Linda Vista 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.
35. Linda Vista Avenue restoration, fronting the subject development, shall be a full width (from gutter to gutter) cold milling and resurfacing of 1.5 inches depth asphalt concrete roadway, or to the satisfaction of the City Engineer. Restoration of asphalt concrete pavement shall be per Standard Plan S-416 to the satisfaction of the City Engineer. Traffic channelization shall be restored per the Department of Transportation requirements and approval.
36. Any existing street tree(s) proposed to be removed are subject to the approval of the Urban Forestry Advisory Committee (UFAC).
37. 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.

38. Prior to the issuance of any permit, the applicant shall submit a Preliminary Tree Protection Plan, 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 sundry deposit may be required for staff time to review the preliminary plans.
39. 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 inspected and approved by Public Works prior to the commencement of any construction.

40. 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.
41. 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.
42. Prior to issuance of any permit, a sundry deposit in the amount of the applicant's total liabilities based on the aforementioned approved report shall be submitted to the City. The sundry deposit is fully refundable, less administrative fees, upon the satisfaction of Public Works prior to the issuance of a Certificate of Occupancy.
43. Past experience has indicated that projects such as this tend to damage the existing public and private street improvements with the heavy equipment and truck traffic that is necessary during construction. Additionally, the City has had difficulty in requiring developers to maintain a clean and safe site during the construction phase of development. Accordingly, the applicant shall place a \$5,000 deposit with the Department of Public Works prior to the issuance of a building or grading permit. This deposit is subject to refund or additional billing, and is a guarantee that the applicant will keep the site clean and safe, and will make permanent repairs to the existing public and private street improvements that are damaged, including striping, slurry seal/resurfacing, curb, gutter, and sidewalk, either directly or indirectly, by the construction on this site. The deposit may be used for any charges resulting from damage to street trees and for City personnel to review traffic control plans and maintain traffic control. A processing fee will be charged against the deposit.
44. 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 deposit, 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 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 staging, material storage, or trailer in the public right-of-way.

In addition, prior to the start of construction or issuance of any permits, the applicant shall conduct a field meeting with an inspector from the Department of Public Works for review and approval of construction staging, parking, delivery and storage of materials, final sign-off

procedure, and any of the specifics that will affect the public right-of-way. An appointment can be arranged by calling 626-744-4195.

45. 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/>.

46. 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.

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

- 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.
- 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-recyclers/](#) 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.

**ATTACHMENT C
NEIGHBORHOOD COMPATIBILITY – PROPERTIES WITHIN 500 FT.**

#	PARCEL NO.	SITE ADDRESS	ZONE	OVERLAY	LOT AREA	BUILDING SIZE
1	5702-001-901	1001 ROSE BOWL DR	OS		0	0
2	5705-009-017	1211 WELLINGTON AVE	RS2	HD	230115	8407
3	5705-010-009	1385 EL MIRADOR DR	RS2	HD	49704	2400
4	5705-010-014	1135 WELLINGTON AVE	RS4	HD	14614	3282
5	5705-010-015	1125 WELLINGTON AVE	RS4	HD	12723	2699
6	5705-010-017	1153 WELLINGTON AVE	RS2	HD	22101	4560
7	5705-010-018	1145 WELLINGTON AVE	RS2	HD	19477	4823
8	5705-010-019	1111 WELLINGTON AVE	RS4	HD	20855	3182
9	5705-014-002	1200 WELLINGTON AVE	RS4	HD	19301	2860
10	5705-014-004	1283 AFTON ST	RS4	HD	8412	1634
11	5705-014-008	1220 WELLINGTON AVE	RS4	HD	11119	1818
12	5705-014-016	1205 LINDA VISTA AVE	RS4	HD	22856	6018
13	5705-014-019	1217 LINDA VISTA AVE	RS4	HD	8143	2359
14	5705-014-020	1223 LINDA VISTA AVE	RS4	HD	8572	1251
15	5705-014-023	1207 LINDA VISTA AVE	RS4	HD	23268	1757
16	5705-014-026	1261 AFTON ST	RS4	HD	20509	2140
17	5705-014-027	1195 LINDA VISTA AVE	RS4	HD	10551	2386
18	5705-014-028	1212 WELLINGTON AVE	RS4	HD	21715	5770
19	5705-015-001	1215 EL MIRADOR DR	RS4	HD	16803	2456
20	5705-015-002	1225 EL MIRADOR DR	RS4	HD	9119	1797
21	5705-015-004	1265 EL MIRADOR DR	RS4	HD	9123	2081
22	5705-015-005	1275 EL MIRADOR DR	RS4	HD	7623	2320
23	5705-015-006	1112 WELLINGTON AVE	RS4	HD	23975	3473
24	5705-015-007	1118 WELLINGTON AVE	RS4	HD	24005	3213
25	5705-015-008	1132 WELLINGTON AVE	RS4	HD	12030	1040
26	5705-015-009	1136 WELLINGTON AVE	RS4	HD	12009	2620
27	5705-015-010	1146 WELLINGTON AVE	RS4	HD	15604	3941
28	5705-015-011	1150 WELLINGTON AVE	RS4	HD	18015	1747
29	5705-015-012	1164 WELLINGTON AVE	RS4	HD	11534	3840
30	5705-015-013	1180 WELLINGTON AVE	RS4	HD	11749	2148
31	5705-015-014	1105 LINDA VISTA AVE	RS4	HD	16863	3104
32	5705-015-015	1115 LINDA VISTA AVE	RS4	HD	14461	3246
33	5705-015-016	1121 LINDA VISTA AVE	RS4	HD	16853	1534
34	5705-015-017	1135 LINDA VISTA AVE	RS4	HD	12062	1720
35	5705-015-018	1137 LINDA VISTA AVE	RS4	HD	12077	2178
36	5705-015-019	1145 LINDA VISTA AVE	RS4	HD	23206	1538
37	5705-015-020	1155 LINDA VISTA AVE	RS4	HD	24125	1402

38	5705-015-021	1280 AFTON ST	RS4	HD	20704	2573
39	5705-015-022	1175 LINDA VISTA AVE	RS4	HD	14747	3400
40	5705-015-023	1241 EL MIRADOR DR	RS4	HD	9112	2117
41	5705-015-024	1251 EL MIRADOR DR	RS4	HD	9180	2406
42	5705-021-001	1215 AFTON ST	RS4		7005	1676
43	5705-021-002	1220 LINDA VISTA AVE	RS4		7181	1924
44	5705-021-003	1228 LINDA VISTA AVE	RS4		7180	1363
45	5705-021-004	1209 AFTON ST	RS4		10806	1577
46	5705-021-019	1175 AFTON ST	RS4		10799	1774
47	5705-021-020	1185 AFTON ST	RS4		10797	2262
48	5705-021-021	1195 AFTON ST	RS4		10797	1674
49	5705-022-006	1190 AFTON ST	RS4	HD	12254	2712
50	5705-022-007	1180 AFTON ST	RS4	HD	9004	2347
51	5705-022-008	1176 AFTON ST	RS4	HD	19560	2558
52	5705-022-009	1170 AFTON ST	RS4	HD	10494	2766
53	5705-022-010	1157 PARKVIEW AVE	RS4	HD	43832	2642
54	5705-022-011	1160 AFTON ST	RS4		11436	2896
55	5705-022-016	1137 PARKVIEW AVE	RS4	HD	49601	7377
56	5705-022-900	1005 SALVIA CANYON RD	RS4	HD	7377	0
57	5705-023-002	1090 LINDA VISTA AVE	RS4	HD	18942	2199
58	5705-023-003	1100 LINDA VISTA AVE	RS4	HD	13616	2476
59	5705-023-004	1094 LINDA VISTA AVE	RS4	HD	14405	2078
60	5705-023-005	1120 LINDA VISTA AVE	RS4	HD	12000	1449
61	5705-023-006	1110 LINDA VISTA AVE	RS4	HD	19387	4498
62	5705-023-007	1126 LINDA VISTA AVE	RS4	HD	12390	2192
63	5705-023-008	1130 LINDA VISTA AVE	RS4	HD	11102	2342
64	5705-023-009	1134 LINDA VISTA AVE	RS4	HD	7522	1126
65	5705-023-010	1140 LINDA VISTA AVE	RS4	HD	10802	3035
66	5705-023-012	1190 LINDA VISTA AVE	RS4	HD	12736	4493
67	5705-023-013	1180 LINDA VISTA AVE	RS4	HD	12381	4587
68	5705-023-014	1170 LINDA VISTA AVE	RS4	HD	19526	4434
69	5705-023-900	1150 LINDA VISTA AVE	RS4	HD	28830	0
70	5705-023-901	1095 SALVIA CANYON RD	RS4	HD	35322	0

Median	2,386
Median + 35%	3,221.1