



## PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

### STAFF REPORT

**DATE:** February 2, 2022

**TO:** Hearing Officer

**SUBJECT:** Neighborhood Development Permit #6912

**LOCATION:** 3810 Greenhill Road

**APPLICANT:** Bedros Darkjian

**ZONING DESIGNATION:** RS-6-ND (Single-Family Residential, 0-6 units per acre, Neighborhood Overlay District)

**GENERAL PLAN DESIGNATION:** Low Density Residential

**CASE PLANNER:** Jason Van Patten

**STAFF RECOMMENDATION:** Adopt the Environmental Determination and Specific Findings in Attachment A to **approve** Neighborhood Development Permit #6912 with the conditions in Attachment B.

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**PROJECT PROPOSAL:** Neighborhood Development Permit: To allow the construction of a new 4,050 square-foot one-story single-family dwelling, with detached 400 square-foot two-car garage.

**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, §15301, 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. Section 15303 consists of construction and location of limited numbers of new, small facilities or structures that include the construction of a single-family residence in a residential zone. The proposed single-family

residence is located in a residential zone and is therefore exempt from environmental review.

**BACKGROUND:**

**Site characteristics:** The subject property is located on the south side of Greenhill Road, west of Michillinda Avenue, and east of Hasting Ranch Drive in the Lower Hasting Ranch neighborhood. The 14,460 square-foot property is relatively flat and was developed with a 1,955 square-foot, single-story, single-family dwelling with attached 492 square-foot two-car garage.

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

**Adjacent Zoning:** North – RS-6-ND (Single-Family Residential, 0-6 units per acre, Neighborhood Overlay District)  
South – RS-6-ND (Single-Family Residential, 0-6 units per acre, Neighborhood Overlay District)  
East – RS-6-ND (Single-Family Residential, 0-6 lots per acre, Neighborhood Overlay District)  
West – RS-6-ND (Single-Family Residential, 0-6 lots per acre, Neighborhood Overlay District)

**Previous Zoning Cases on this Property:** Neighborhood Development Permit #6821: To allow one-story additions totaling 1,885 square-feet to an existing 1,955 square foot one-story, single-family residence. The proposed additions consist of 283 square feet to the front of the house and 1,602 square feet to the rear. Approved October 21, 2020.

**PROJECT DESCRIPTION:**

The applicant, Bedros Darkjian, on behalf of the property owner has submitted a Neighborhood Development Permit application to allow the construction of a new 4,050 square-foot one-story single-family dwelling, with detached 400 square-foot two-car garage. A Neighborhood Development Permit is required to allow a new dwelling in the Lower Hastings Ranch neighborhood. No protected tree removal is proposed.

The proposed one-story dwelling would consist of four bedrooms and bathrooms as well as living, dining, and kitchen areas. An outdoor patio covered by an open trellis is centrally located on the south side (rear) of the dwelling. A detached two-car garage is proposed in the southwest corner of the property, accessed via a driveway located along the west property line. The existing pool at the rear would also be reconstructed, but remain behind the house.

In October 2020, a Hearing Officer approved a neighborhood development permit to allow an addition to the front and rear of the property. Subsequent to the approval, a Building Permit was issued for construction. During construction, it was decided that the dwelling would need to be reconstructed. Therefore, the applicant submitted this request for a neighborhood development permit.

## **ANALYSIS:**

### Neighborhood Development Permit

The subject property is located in the RS-6-ND (Single-Family Residential, 0-6 units per acre, Neighborhood Overlay District) zoning district. Properties located in the Neighborhood Development Overlay are required to comply with additional standards beyond those applicable to the base single-family residential zoning district (RS-6). These additional standards are intended to promote development that is orderly and compatible with the traditional scale and character of the neighborhood. A Neighborhood Development Permit is required when a new dwelling is proposed.

The Hearing Officer may approve a Neighborhood Development Permit only after making four findings pursuant to Zoning Code Section 17.28.090.L (Neighborhood Development Permit). Findings are necessary for the purposes of evaluating consistency with development standards, building and design standards, compatibility with neighborhood character, scale and proportion, and topographic conditions.

Lower Hastings Ranch is predominantly defined by one-story, single-family dwellings exhibiting California Ranch and/or Modern Ranch style architecture. These types of architecture are defined as a series of set elements that address both the building form and the spaces in and around the house. The prevailing neighborhood character surrounding the subject property includes one-story dwellings that have moderate-to-wide roof overhangs, entries sheltered under the main roof of the house, and garages detached and to the rear or attached to the main dwelling. Gable and hipped roofs, stucco facades, asphalt shingles are common in the area, as are large front and rear setbacks.

The applicant's proposal is consistent with the scale and proportion of existing houses in the neighborhood. The dwelling proposes a one-story height, recessed entry, and incorporates hip and gable roof elements with moderate sized eave overhangs that run continuously for the perimeter length of the roof. The front entry is sheltered under the main roofline of the structure, and the roof pitch does not exceed a maximum of 4:12 (vertical:horizontal) as required by the Zoning Code. The size and scale of the proposed project complies with maximums for floor area, lot coverage, and height. The front façade visible from the public right-of-way complies with the front setback requirement, which is calculated based on the existing setbacks at the adjacent properties on the blockface. The proposed front and rear setbacks are of ample size. The proposal incorporates modern ranch style architectural elements through compliance with all applicable development standards of the Neighborhood Development overlay, incorporates a well-defined covered entry, consistent with the character in the neighborhood. Materials used include stucco, stone, and asphalt shingles, consistent with the neighborhood. The analysis that follows summarizes the project's compliance with applicable development standards of the Neighborhood Overlay District.

### Development Standards

Development within the Neighborhood Overlay District shall comply with applicable development standards of the RS-6 district, Zoning Code 17.22.040 (RS and RM-12 Residential Districts General Development Standards) and 17.22.050 (RS and RM-12 District Additional Development Standards), except as specified in Zoning Code Sections 17.28.090.E, F, and G (ND Neighborhood Overlay District). The applicable ND development standards address heights, roofs, and building design.

### *Floor Area*

Gross floor area is defined as the floor area between the floor and roof above it, as measured from the outside edge of the exterior walls of the main structure and all accessory structures, including required parking. The maximum allowed gross floor area for the 14,460 square-foot property is equal to 20 percent of the lot size plus 1,700 square feet. In addition, within the ND overlay district, all portions of a lot with a 50 percent slope or greater shall be deducted from the lot area used for calculating maximum allowable gross floor area. In this case, the site is relatively flat and no portion slopes 50 percent or greater. Therefore, the maximum allowable gross floor area is 4,592 square feet. The project proposes a 4,050 square-foot dwelling, and a 400 square-foot garage for a total gross floor area of 4,450 square feet. This complies with the maximum allowed floor area.

### *Lot Coverage*

Lot coverage is defined as 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. This standard generally evaluates the percentage of land area covered by development. The maximum allowed lot coverage for the 14,460 square-foot property is equal to 35 percent of the lot area, or 4,800 square feet, whichever is greater. In this case, 35 percent of the property is 5,061 square feet, and represents the maximum allowed lot coverage. The project proposes 4,618 square feet or a 32 percent lot coverage, which complies with the maximum allowed. This calculation includes the building footprint, covered rear patio, covered front entry, and the detached garage.

### *Setbacks (Primary Structure)*

The minimum required front setback shall be the average of the front setbacks of the developed lots on the blockface in the same zoning district (excluding corner yards of reverse corner lots but including the existing setback of the proposed development site), but not less than 25 feet. In this case, there are 15 developed properties on the blockface, including the subject property. The average setback of these properties is 31'3". The proposed dwelling is setback a minimum of 31'10" from the front property line and complies with the front setback requirement.

The required side setbacks (east and west) are equal to 10 percent of the lot width, with a minimum requirement of five feet and a maximum requirement of ten feet. According to the survey, the lot width exceeds 100 feet (110' front; 102.8' rear), resulting in a minimum side setback of 10 feet. The proposal provides minimum 10-foot side setbacks from both the east and west side property lines, and complies with the side setback requirement.

The minimum required rear setback is 25 feet. The proposed dwelling is setback 34'9" from the rear property line and complies with the rear setback requirement.

### *Encroachment Plane*

In addition to the minimum side setback requirements, the dwelling shall not be located within a side-yard encroachment plane sloping at a 45-degree angle measured from the vertical, commencing six feet above the existing grade along the interior side property line. The intent of the encroachment plane is to moderate the mass and scale of structures and maintain desired neighborhood character. The plans depict the encroachment plan and demonstrate that the dwelling complies with the requirement from the east and west side property lines.

### *Height*

In the ND overlay district, the maximum height of the main structure shall be 26 feet and the maximum top plate height of the first story shall not exceed 10 feet. Building heights are measured from the lowest elevation of existing grade at an exterior wall of the structure. The applicant has proposed a maximum height of 18'3" and a top plate height of 9'6", which complies with the requirements for height.

### *Parking*

Single-family dwellings are required to provide two covered parking spaces within a garage or carport. The proposal includes a detached 400 square-foot two-car garage located to the rear of the property. The minimum interior width shall be 19 feet, and the minimum interior depth shall be 18 feet. The proposed garage provides an interior width of 19'2" and a depth of 19'2", and complies with the minimum requirements.

### *Building Design Standards*

New houses in the ND overlay district shall comply with building design standards specific to roof design and materials, exterior wall surfaces, window design and style. The proposal includes a predominantly hipped roof while featuring gable accents. All portions of the roof provide a 4:12 (vertical:horizontal) pitch and consist of asphalt shingles. Roof overhangs extend 18 inches around the perimeter of the dwelling and are continuous to avoid flat tall walls. The wall surfaces of the dwelling consist of stucco and stone. Variation in material is proposed at the street facing front façade to break up the design. Windows throughout include a casement type.

The proposed dwelling is designed to comply with all applicable building design standards and does not include any design elements that are otherwise prohibited such as faux or precast materials. As discussed, the homes in the Lower Hastings Ranch are primarily defined by one-story residences exhibiting California and Modern Ranch style architecture. The proposed improvements are consistent with the recommended architectural styles and design standards listed in the ND overlay district and comply with all of the required development standards of the underlying zoning district.

### Development Standards (Accessory Structure)

The applicant has proposed accessory structures at the rear of the site, that being a detached two-car garage and has relocated the pool. Accessory structures are permitted within single-family residential zones and are subject to compliance with Zoning Code Section 17.50.250 (Residential Uses – Accessory Uses and Structures). These standards include, but are not limited to, maximum floor area, height and top plate height, encroachment plane, setbacks, length of structure walls, separation between structures, site location, and restricted facilities, as discussed below.

### *Floor Area*

The maximum floor area of accessory structures on a site shall not exceed six percent of the lot size, or 867 square feet for the subject 14,460 square-foot property. The proposed 400 square-foot garage equates to approximately three percent of the lot size, and complies with the maximum floor area.

### Location and Setbacks

Accessory structures may be located in a required side or rear setback, provided it is more than 100 feet from the front property line or in the rear 25 feet of the site. The minimum setback from a property line shall be two feet. The proposed garage is located entirely in the rear 25 feet of the site and provides a minimum 2'8" setback to the side property line (west), and 5'2" to the rear property line. Therefore, the accessory structure complies with the minimum location and setback requirements.

### Height and Encroachment Plane

Accessory structures are subject to a maximum top plate height of nine feet, and may rise above, but shall not exceed, an overall height of 15 feet, provided compliance with the encroachment plane. The applicable encroachment plane slopes inward from a point nine feet in height rising a maximum of one and one-half feet for each one foot of distance starting at the two-foot setback.

The garage proposes a maximum top plate of nine feet, an overall height of 12'6", and the plan demonstrates compliance with the encroachment plane at the two-foot setback, from both the west and south sides of the garage. Therefore the structure complies with requirements for height and encroachment plane.

### Separation

Accessory structures, other than mechanical equipment, a hot tub, or a swimming pool, shall maintain a minimum separation of six feet from any other structure on the site. The separation shall be clear and unobstructed by any encroachments. The proposed garage provides a clear and unobstructed separation from the dwelling of approximately 24 feet and complies with the requirement.

### Pool

Pools shall not be closer than five feet from a property line. The proposed pool located at the rear of the property is setback a minimum of 6'3" from the rear property line, 26'10" to the east property line, and approximately 45 feet to the west property line. The proposed pool complies with the applicable requirements.

**Table 1: RS-6 and ND Development Standards**

<b>Development Standards</b>	<b>Required</b>	<b>Proposed</b>	<b>Compliance</b>
<b>RS-6</b>			
<b>Setbacks (minimum)</b>			
<i>Front (north)</i>	31'3"	31'10"	Complies
<i>Side (east/west)</i>	10'	10' (east); 10' (west)	Complies
<i>Rear (south)</i>	25'	34'9"	Complies
<b>Max Site Coverage</b>	35% of lot size (5,061 sf)	32% (4,618 sf)	Complies
<b>Max Floor Area</b>	4,592 square feet (20% of lot size + 1,700 sf)	4,450 square feet	Complies
<b>Parking</b>	2 covered spaces	2 in a garage	Complies

<b>Accessory Structure</b>			
<b>Setbacks (minimum)</b>			
<i>Side (west)</i>	2'	2'8"	Complies
<i>Rear (south)</i>	2'	5'2"	Complies
<b>Max Floor Area</b>	6% of lot size (867 sf)	3% (400 sf)	Complies
<b>Height</b>	15'	12'6"	Complies
<b>Top Plate Height</b>	9'	9'	Complies
<b>Separation</b>	6'	24'	Complies
<b>ND Overlay</b>			
<b>Height Limit</b>	26'	18'3"	Complies
<b>Top Plate Height</b>	10'	9'6"	Complies
<b>Encroachment Plane</b>	45 degrees	45 degrees	Complies
<b>Roof Pitch (max)</b>	4:12	4:12	Complies
<b>Roof Design</b>	Hipped, Dutch-gabled, side-gabled, or cross-gabled	Hipped with side-gable accents	Complies
<b>Roof Material</b>	Asphalt shingles, wood shingles, flat concrete tile	Asphalt shingles	Complies
<b>Roof Overhang</b>	Minimum 12" deep	18"	Complies
<b>Exterior Wall Surface (at least one)</b>	Wood, brick, stone, wood shingles, stucco, and/or board-and-batten	Stucco, stone	Complies
<b>Window Types</b>	Casement, double-hung, large picture windows, short windows grouped on an upper facade	Casement	Complies

### Tree Protection Ordinance and Landscaping

The tree inventory provided by the applicant identifies several trees on private property, with one located in the public right-of-way. The applicant proposes to retain all trees. Prior to the issuance of any building or grading permits the applicant is required to submit a tree protection and retention plan to the Zoning Administrator for approval. The applicant is also required to landscape and irrigate the front setback area as part of a new single-family project. Therefore, a condition of approval is recommended requiring submittal of a final landscape and irrigation plan as part of the building permit plan check process.

### **GENERAL PLAN CONSISTENCY:**

The subject property is designated Low Density Residential in the Land Use Element of the General Plan. The existing use of the site is a single-family residence and the proposed use will remain for a single-family use. The proposed single-story dwelling would maintain consistency with General Plan Land Use Policy 21.5 (Housing Character and Design) which encourages the renovation of existing housing that provides unique neighborhood character and qualities. The proposed one-story dwelling is compatible with the traditional scale and character of the neighborhood. Lower Hastings Ranch is defined by one-story residences exhibiting California and Modern Ranch style architecture. The proposed improvements are consistent with the recommended architectural styles and design standards outlined in the Neighborhood Overlay District and comply with all of the required development standards of the underlying zoning district. Therefore, the project is consistent with the General Plan.

**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, §15301, 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. Section 15303 consists of construction and location of limited numbers of new, small facilities or structures that include the construction of a single-family residence in a residential zone. The proposed single-family residence is located in a residential zone and is therefore exempt from environmental review.

**REVIEW BY OTHER CITY DEPARTMENTS:**

The Fire, Public Works, Transportation Departments, Building and Safety Division, and Design and Historic Preservation Section were provided with an opportunity to review the proposed project. The Public Works Department provided comments that are included as recommended conditions of approval in Attachment B. In addition to recommend conditions of approval, all departments would review the project for compliance during the building permit plan check review process.

**CONCLUSION:**

It is staff's assessment that the findings necessary for approving the Neighborhood Development Permit to allow the construction of a new dwelling can be made (Attachment A). The proposed project complies with applicable development standards and the architecture incorporates design elements consistent with the character of the Ranch style neighborhood. Given that the proposed dwelling maintains a one-story height, and substantial setbacks from property lines, there would not be detriment or injury to surrounding residents, properties or improvements. Therefore, staff recommends approval of the Neighborhood Development Permit, subject to the recommended findings in Attachment A and recommended conditions of approval in Attachment B.

**ATTACHMENTS:**

Attachment A: Recommended Findings for a Neighborhood Development Permit  
Attachment B: Recommended Conditions of Approval



**ATTACHMENT A**  
**SPECIFIC FINDINGS FOR NEIGHBORHOOD DEVELOPMENT PERMIT #6912**

Neighborhood Development Permit

1. *The design, location, and character of the proposed house or other structure are consistent with the Development Standards in Section F and Building Design Standards in Section G.* The proposed dwelling is designed to comply with all applicable development standards in Section F and building design standards in Section G and does not include any design elements that are otherwise prohibited such as faux or precast materials. The one-story dwelling emphasizes the horizontal through a wide façade and compliance with the maximums for top plate and overall height. The proposal includes a predominantly hipped roof while featuring side gable accents. All portions of the roof provide a 4:12 (vertical:horizontal) pitch and consist of asphalt shingles. Boxed eave overhangs extend 18 inches around the perimeter of the dwelling and are continuous to avoid the appearance of flat tall walls. Additionally, the wall surfaces of the dwelling consist of stucco and stone. This variation in material, particularly on the street facing front façade breaks up the design. Windows throughout include a casement type, which is an allowed style. The dwelling is also designed to provide ample setbacks.
  
2. *Consistency is determined following a review of existing site conditions, visibility of the site, and the size, scale, materials, and character of existing development within 500 feet of the site. The Hearing Officer must find that the house or other structures are compatible with existing houses and consistent with the prevailing neighborhood character.* The one-story dwelling complies with maximums for floor area and lot coverage and the development conforms to requirements for setbacks, building height (overall and first story top plate height), and encroachment plane. Setbacks, building heights and the encroachment plane are intended to moderate mass and scale (eg. as viewed from off the site) while maximums for floor area and lot coverage provide for distribution of development across a property. The single-story project is consistent with existing dwellings in the 500-foot neighborhood that consist of predominantly one-story dwellings. The use of cladding variation such as stone along the base of the front façade and the use of appropriate wall (stucco/stone), roof materials (asphalt shingles), and window styles (casement) shows consistency with existing development in the neighborhood that have the same materials and window types. The horizontal nature of the dwelling, slope of the roof, and use of ranch architectural features demonstrate compatibility with existing houses. Through compliance with applicable development standards, the proposed dwelling will not be out of character with the prevailing neighborhood.
  
3. *The massing, scale, and building articulation of the proposed house or other structure is reasonably consistent in scale and proportion to existing houses in the neighborhood.* The scale and massing of the proposed project is reasonably consistent with surrounding properties, which consist of one and two-story houses. The proposed one-story dwelling is proportionate with existing houses in the neighborhood with regard to setback, floor area, lot coverage and height requirements. The proposal maintains a single-story residence with ample setbacks that provides consistency with surrounding properties. The proposed architecture uses a series of jogs and variation in material to provide building articulation and provides for a defined, but sheltered front entry.

4. *The house or other structure is designed to reasonably incorporate and avoid natural topographic features.* The site is relatively flat in topography and is designed to comply with all applicable development standards. Minimal grading is proposed and as a result the project will reasonably adhere to the natural topography.

**ATTACHMENT B**  
**CONDITIONS OF APPROVAL FOR NEIGHBORHOOD DEVELOPMENT PERMIT #6912**

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, February 2, 2022," 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. This approval allows the construction of a new 4,050 square-foot one-story single-family dwelling, with detached 400 square-foot two-car garage.
4. The applicant or successor in interest shall meet the applicable code requirements of all City Departments.
5. The final decision letter and conditions of approval shall be incorporated in the submitted building plans as part of the building plan check process.
6. The proposed project, Activity Number **ZENT2021-00098** 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 Jason Van Patten, Current Planning Section, at (626) 744-6760 or [ivanpatten@cityofpasadena.net](mailto:ivanpatten@cityofpasadena.net) to schedule an inspection appointment time.

Planning Division

7. The applicant shall comply with all requirements of Zoning Code Chapters 17.22 (Residential Zoning Districts) and 17.28 (Neighborhood Overlay District) that relate to residential development in the Neighborhood Overlay District.
8. 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).
9. No demolition of grading permit shall be issued until the building permit for the residential project is ready to be issued.
10. The project shall comply with the Municipal Code Chapter 8.52 (City Trees and Tree Protection Ordinance). Where protected trees exist on-site, 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.

11. A final landscape and irrigation plan shall be submitted for review and approval by the Zoning Administrator prior to the issuance of building permits. Where the project meets the threshold for state-mandated water-efficient landscaping 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.
12. 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.

#### Public Works Department

13. The applicant shall demolish existing and construct new concrete drive approach per Standard Plan S-403. All improvements in the public parkway shall comply with Public Works Parkway Landscape policy: <https://www.cityofpasadena.net/public-works/wp-content/uploads/sites/29/Public-Parkway-Landscape-Policy.pdf>
14. The proposed development shall connect to the public sewer with one or more new six-inch diameter house sewers laid at a minimum slope of two percent. In accordance with PMC Chapter 13.24.010, house sewer “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 sewers 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.
15. In order to ensure that the developer maintains a clean and safe site during the construction phase of development, the applicant shall place a \$5,000 refundable deposit with the Department of Public Works prior to the issuance of any permit. This deposit is a guarantee that the applicant will keep the site clean and safe, and will make permanent repairs to the abutting street improvements that are damaged, including striping, slurry seal/ resurfacing, street trees, curb, gutter, and sidewalk, either directly or indirectly, by the construction on this site. This deposit may also be used for charges due to damage to existing street trees and for City personnel to review traffic control plans and maintain traffic control.
16. To protect existing City trees during construction, the applicant shall fully conformed to the Tree Protection Guidelines signed by the City Manager. The full guidelines is available at the following link: <https://www.cityofpasadena.net/public-works/engineering-and-construction/engineering/>.
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 6' 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. 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.
22. 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.

23. 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://www.cityofpasadena.net/public-works/engineering-and-construction/engineering/>. 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.

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.

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.

In addition to the above conditions, the requirements of all applicable Pasadena Municipal Code (PMC) will apply and be implemented during the corresponding plan review and permitting. They may include but not limited to:

- Sidewalk Ordinance - Chapter 12.04
- Sewer Facility Charge – Chapter 4.53
- Residential Impact Fee – Chapter 4.17
- City Trees and Tree Protection Ordinance - Chapter 8.52
- Construction and Demolition Waste Ordinance - Chapter 8.62
- Holiday Moratorium of activities within public right-of-way – Chapter 12.24.100