



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: July 6, 2022

TO: Hearing Officer

SUBJECT: Minor Conditional Use Permit #7002

LOCATION: 988 and 990 Buckingham Place

APPLICANT: John Vandavelde, on behalf of the owners Euan and Moji Shand

ZONING DESIGNATION: RS-2-HD (Single-Family Residential, 0-2 units per acre, Hillside District Overlay)

GENERAL PLAN DESIGNATION: Low Density Residential

CASE PLANNER: Jennifer Driver

STAFF RECOMMENDATION: Adopt the Environmental Determination and Specific Findings in Attachment A to **approve** Minor Conditional Use Permit # 7002 with the Conditions of Approval in Attachment B.

PROJECT PROPOSAL: Minor Conditional Use Permit: To allow the installation of a new standing seam copper roof on a proposed 800 square-foot accessory dwelling unit (ADU) attached to an existing 5,905 square-foot, two-story residence.

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 1, Existing Facilities) and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Section 15301 exempts repair and maintenance of existing private structures where negligible or no expansion of use beyond that existing on site are proposed. The proposed project involves the installation of a new standing seam metal roof on a proposed ADU attached to an existing single-family residence. The project would not

result in a change of the existing residential use; therefore, the proposal is exempt from environmental review.

BACKGROUND:

Site characteristics: The site is a 40,045 square-foot irregularly shaped lot, located on the south side of the cul-de-sac of Buckingham Place. The site is developed with a 5,905 square-foot, two-story, single-family residence, an attached 494 square-foot two-car garage, and a detached 498 square-foot garage.

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

Adjacent Zoning: North – RS-2-HD (Single-Family Residential, 0-2 units per acre, Hillside District Overlay)
South – RS-2-HD (Single-Family Residential, 0-2 units per acre, Hillside District Overlay)
East – RS-2-HD (Single-Family Residential, 0-2 units per acre, Hillside District Overlay)
West – RS-2-HD (Single-Family Residential, 0-2 units per acre, Hillside District Overlay)

Previous zoning cases on this property: Exception #9216 – To allow an exception to the accessory use and height of fence requirements of the Zoning Ordinance in order to facilitate the construction of a 6,000 square-foot single-family residence. A four-car garage and open motor court and a paddle tennis court were also proposed. Approved October 7, 1977.

PROJECT DESCRIPTION:

The applicant, John Vandeveld, on behalf of the property owners, has submitted a Minor Conditional Use Permit (MCUP) application to allow the installation of a new standing seam copper metal roof for a proposed 800 square-foot accessory dwelling unit (ADU) attached to the second story of an existing 5,905 square-foot, two-story residence. A Minor Conditional Use Permit is required for any metallic finish on the exterior walls and/or roof of any primary structure. The site is located within the RS-2-HD (Single-Family Residential, 0-2 dwelling units per acre, Hillside District Overlay) zoning district.

ANALYSIS:

Minor Conditional Use Permit: To allow the installation of a metal roof on a primary structure.

Pursuant to Section 17.40.110.B (Reflective Surfaces, Metal Finishes), a MCUP is required for the use of a metallic finish (e.g., exposed metal cladding) on the roof or walls of a main structure on a property in the RS and RM-12 zoning district. The intent is to evaluate if the project would create a new source of substantial light or glare which would adversely affect the surrounding area. The Hearing Officer may grant a MCUP only after making six findings identified in the Zoning Code. The general purpose is to evaluate 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 MCUP process allows the City to review a project and its configuration, design, location, and potential impacts of the use in order to evaluate if the project would be compatible with the surrounding uses, and the suitability of the use to the site.

The proposed standing seam copper roofing material atop the ADU would match the existing copper roofing material on the primary residence and would be chemically treated with Jax Green Patina wash to create an aged, matte, patina hue. The applicant has submitted a material sample and specification that shows that the copper roofing material would have a solar reflectance rating of 0.19 after the chemical treatment. A solar reflectance of 1.0 would mean that 100 percent of the solar energy (light) a surface receives is reflected while a solar reflectance of 0.0 would mean that none of the solar energy (light) a surface receives is reflected. For comparison, the chemically treated patina roof will be less reflective than traditional asphalt shingle or concrete tile roof (see Table 1 – Reflection Comparison). This demonstrates that the proposed chemically treated copper standing seam metal roof would have a comparable solar reflectance rate as a common asphalt shingle, and would not create a hazard or detriment to the surrounding neighborhood.

Table 1 – Reflection Comparison:

Material (color)	Solar Reflectance⁽¹⁾	Thermal Emittance⁽²⁾
Untreated Copper	0.76	0.05
<i>Aged Copper (Proposed)</i>	0.19	0.66
Concrete Roof Tile (multi-color)	0.35	0.87
Asphalt Shingle (grey)	0.26	0.92
Clay Roof Tile (black)	0.38	0.85

(1) Solar Reflectance: the fraction of solar energy that is reflected by the surface

(2) Thermal Emittance: the relative ability of the surface to radiate absorbed heat

Furthermore, the applicant selected this material for its durability and eco-friendliness, as well as for its clean aesthetic that complements the existing architecture and materials of the residence. Based on the information provided, the specific material and treatment proposed is favorable and comparable to other nonmetal options thus limiting the potential glare. Staff determined under the circumstance, that the proposed roofing material would not be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.

GENERAL PLAN CONSISTENCY:

The subject site is designated as Low Density Residential in the General Plan Land Use Element. The use of the site will remain a single-family residence, thus the character of the single-family neighborhood will be maintained. The proposed metal roof will be consistent with adopted General Plan policies, including Policy 21.3 (Residential Neighborhoods – Neighborhood Character), which encourages development to maintain elements of residential streets that unify and enhance the character of the neighborhood. The proposed metal roof would not alter the existing character of the neighborhood, as the color and finish is comparable in reflective capability as other common roofing materials in the neighborhood and would be designed to match the existing metal roof.

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 1, (Existing Facilities) and there are no features that distinguish this project from others in the exempt class; therefore, there are no

unusual circumstances. Section 15301 exempts repair and maintenance of existing private structures where negligible or no expansion of use beyond that existing on site. The proposed project involves the installation of a metal roof on a proposed 800 square-foot accessory dwelling unit (ADU) attached to the second story of an existing 5,905 square-foot, two-story residence. The project would not result in a change of the existing residential use; therefore, the proposal is exempt from environmental review.

REVIEW BY OTHER DEPARTMENTS:

The proposed project was reviewed by the Public Works Department, Building and Safety Division, the Fire Department, and the Design and Historic Preservation Section. The Public Works Department and the Building and Safety Division provided conditions of approval that are incorporated in this report under Attachment B, "Recommended Conditions of Approval." All other departments had no conditions at this time.

CONCLUSION:

The use of a metallic finish on the roof of a primary structure in the RS zoning district is permitted through the approval of a Minor Conditional Use Permit application. Staff concludes that the findings necessary for approving the Minor Conditional Use Permit can be made (Attachment A). The proposed project meets all applicable development standards required by the Zoning Code. As designed, the project would not be harmful or detrimental to surrounding properties or to other residences in the immediate neighborhood. Conditions of approval would ensure that the project is compatible with the surrounding neighborhood.

ATTACHMENTS:

Attachment A: Minor Conditional Use Permit Findings
Attachment B: Recommended Conditions of Approval

ATTACHMENT A
FINDINGS FOR MINOR CONDITIONAL USE PERMIT #7002

Minor Conditional Use Permit: To allow the installation of a metal roof on a primary structure.

1. *The proposed use is allowed with a Minor Conditional Use Permit within the applicable zoning district and complies with all applicable provisions of this Zoning Code.* The use of a metallic finish on the roof of a primary 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. In addition, the proposed new metal roof will comply with all applicable development standards and will comply with Section 17.29.060.D, which requires materials and colors to be used to blend structures with the natural appearance of the hillside.
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 use of the site will remain a single-family residence in a Single-Family Residential zone. One of the purposes 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 metal roof is to be treated with a chemical that results in the shiny copper material to appear as a matte, patina hue. The finish and color will have a comparable solar reflectance rating to other roofing materials used in the neighborhood, and will minimize glare and visual impacts on the surrounding properties. Thus, the proposed metal roof will not be considered a substantial source of glare that would be harmful. The project will comply with the purpose and applicable development standards of the RS-2-HD zoning district.
3. *The proposed use is in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan.* The subject site is designated as Low Density Residential in the General Plan Land Use Element. The use of the site will remain a single-family residence, thus the character of the single-family neighborhood will be maintained. The proposed metal roof will be consistent with adopted General Plan policies, including Policy 21.3 (Residential Neighborhoods – Neighborhood Character), which encourages development to maintain elements of residential streets that unify and enhance the character of the neighborhood. The proposed metal roof would not alter the existing character of the neighborhood, as the color and finish is comparable in reflective capability as other common roofing materials in the neighborhood and would be designed to match the existing metal roof.
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 use of the site will remain a single-family residence, consistent with the RS-2-HD zoning district and surrounding neighborhood and uses. The proposed metal roof is to be treated with a chemical that results in the shiny copper material to appear as a matt, patina hue. The color would have a comparable solar reflectance rating to other roofing materials used in the neighborhood, and will minimize glare and visual impacts on the surrounding properties such that it would not be a substantial or harmful source of glare. The project will comply with the purpose and applicable development standards of the RS-2-HD zoning district.

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 proposal is to install a new metal roof on a second-story ADU that matches the material and design of the existing roof for the single-family residence. Approval of the application will not intensify the use of the site as it will remain a single-family residence. Aside from the material, the proposed metal roof will function like any other roof and will not be detrimental or injurious to the adjacent residential neighborhood. The proposed metal roof will be required to meet all applicable fire safety and building codes requirement to be reviewed during the building permit plan check process. The chemically treated, patina color and matte finish of the metal finish of the roof will not result in any significant light and glare impacts to the surrounding residences.

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 a single-family residence; therefore, the character of the single-family neighborhood will be maintained. The proposed metal roof will not change the existing use of the single-family residence and it will continue to be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, scale, and view protection. The proposed metal roof will be in line with the residential character of the neighborhood and is appropriate for the architectural style and is compatible with the single-family residential environment.

**ATTACHMENT B
RECOMMENDED CONDITIONS OF APPROVAL FOR
MINOR CONDITIONAL USE PERMIT #7002**

The applicant or the successor in interest shall comply with the following conditions:

General

1. The site plan, elevations, and building sections submitted for building permits shall substantially conform to plans stamped "Approved at Hearing, July 6, 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. The approval of this application authorizes the installation of a copper standing seam metal roof on the proposed second-story, 800 square-foot Accessory Dwelling Unit (ADU). The original copper material shall be treated with Jax Green Patina (chemical wash) in order to produce a matte, patina hued copper material. The final manufacturer and material sample shall be reviewed and approved by the Zoning Administrator prior to the issuance of any building permits.
4. The applicant or successor in interest shall meet the applicable code requirements of all other 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 **ZENT2022-00034** is subject to a Final Zoning Inspection prior to the issuance of a Certificate of Occupancy or approval of the Final Building Inspection. Contact Jennifer Driver, Zoning Section, at (626) 744-6756 or jdriver@cityofpasadena.net to schedule an inspection appointment time.

Building and Safety Division:

7. Governing Codes:
 - a. 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.
8. Fire Zone Requirements:
 - a. All roof coverings shall have a minimum Class 'A'. (CBC 1505 & CRC R902) • Wood shakes and wood shingles (fire treated or untreated) are not allowed.

- b. If spaces are created between the roof covering (mainly tiles) and the combustible roof decking (sheathing), then the spaces shall be either constructed to prevent the intrusion of flames & embers, firestopped with approved materials, OR provide one layer of No. 72 mineral-surfaced nonperforated cap sheet meeting ASTM D3909.
 - c. Valley flashings shall be not be less than 0.019" (No. 26 galvanized sheet gage) corrosion-resistant metal installed over a 36" wide underlayment consisting of one layer of No. 72 cap sheet running the full length of the valley
9. Required Plans and Permit(s):
- a. In addition to architectural plans, provide Structural, Shoring, Plumbing, Mechanical, Electrical plans, PV systems and grading plans as required. No deferred submittal.
 - b. Separate permits are required for the following: Mechanical, Electrical, Plumbing, Fire Sprinkler, Demolition, Block walls, others.

Department of Public Works

10. A closed circuit television (CCTV) inspection of the house sewer serving the property shall be performed and a CCTV inspection video submitted to the Department of Public Works for review. At the time of the video submittal, a non-refundable flat fee, per the current General Fee Schedule, shall be placed by the applicant to cover the staff cost of video review. The house sewer inspection shall include footage from the private cleanout to the connection at public sewer main, with no or minimum flow in the pipe during the televising. The property address, date of inspection, and a continuous read-out of the camera distance from the starting point shall be constantly displayed on the video. The applicant shall correct any defects revealed by the inspection. Defects may include, excessive tuberculation, offset joints, excessive root intrusion, pipe joints that can allow water infiltration, cracks, and corrosion or deterioration of the pipe or joint material, damaged or cracked connection to the sewer main, or other defects as determined by the City Engineer. The method of correction of the defects shall be subject to the approval of the City Engineer, and may include partial or total replacement of the house sewer, or installation of a structural or non-structural pipe liner. The applicant shall be responsible for all costs required to obtain the CCTV inspection of the existing sewer connection, and if required, to correct the defects.
11. The applicant shall protect all existing public facilities and maintain the right of way in good clean condition during the construction. If any damage is proven to be caused by the subject development, the applicant is responsible for replacing and/or repairing the facilities to the satisfaction of the City, prior to the issuance of Certificate of Occupancy.
12. 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. A maximum of two construction workers' vehicles

can be parked on the street; all others shall be parked on-site only. 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.

13. 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.
14. 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.
15. 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:
 - a. Sidewalk Ordinance - Chapter 12.04
 - b. Sewer Facility Charge – Chapter 4.53
 - c. Residential Impact Fee – Chapter 4.17
 - d. City Trees and Tree Protection Ordinance - Chapter 8.52
 - e. Construction and Demolition Waste Ordinance - Chapter 8.62
 - f. Holiday Moratorium of activities within public right-of-way – Chapter 12.24.100