



## PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

### STAFF REPORT

**DATE:** December 6, 2023

**TO:** Hearing Officer

**SUBJECT:** Hillside Development Permit #7007

**LOCATION:** 1260 Wellington Avenue

**APPLICANT:** R. Skyler Kogachi

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

**GENERAL PLAN DESIGNATION:** Low Density Residential (0-4 dwelling units per acre)

**CASE PLANNER:** Ivan Galeazzi

**STAFF RECOMMENDATION:** Adopt the Environmental Determination and Specific Findings in Attachment A to **approve** Hillside Development Permit #7007 with the conditions in Attachment B.

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**PROJECT PROPOSAL:** Hillside Development Permit: To allow the construction of a 775 square-foot second-story addition with a 109 square-foot balcony and a roof top deck to an existing 1,509 square-foot, single-story, single-family dwelling with an attached 448 square-foot two-car carport.

Minor Variance: To allow the second-story deck with a 2'-9" rear setback where 25 feet is required. The second-story deck is proposed above the existing first floor. A Minor Variance is required to adjust the required rear yard setback.

**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 additions to existing structures, provided the addition would not result in an increase of more than 10,000 square feet when the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan. The proposed additions total 884 square feet, and the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and the project location is not environmentally sensitive. Therefore, the proposal is exempt from environmental review.

**BACKGROUND:**

**Site characteristics:**

The subject property is located on the east side of Wellington Avenue between Brant Street to the north and Afton Street to the south. The 8,166 square-foot irregularly shaped lot is currently developed with an existing 1,509 square-foot, single-story, single-family dwelling with an attached 448 square-foot two-car carport. The site topography is generally flat at the location of the existing improvements. The average slope across the site is 18.28 percent. There is an existing two-foot-wide drainage easement that bisects the property west to east along the southern portion of the lot.

**Adjacent Uses:**

North – Single-Family Residential  
South – Single-Family Residential  
East – School  
West – Single-Family Residential

**Adjacent Zoning:**

North – RS-4-HD (Single-Family Residential, 0-4 dwelling units per acre, Hillside Development Overlay District)  
South – RS-4-HD (Single-Family Residential, 0-4 dwelling units per acre, Hillside Development Overlay District)  
East – PS (Public and Semi-Public District)  
West – RS-4-HD (Single-Family Residential, 0-4 dwelling units per acre, Hillside Development Overlay District)

**Previous Zoning Cases on this Property:**

ZC #3533 – Permission granted to erect a single-family dwelling on a portion of a recorded lot which has width of 65 ft and an area of approx. 9,000 sq.ft. Approved on June 26, 1952.

ZC#4449 – Granted permission to erect a single-family dwelling on portion of recorded lot, having a width of 65 ft. at front property line and an area of over 8,000 sq.ft. Setback 15 ft. from the rear property line. Approved on November 18, 1954.

ZC#4833 – Granted permission to erect wooden structure which is to be used as bridge leading to carport. Bridge to extend to within 8.6” of front property line. Approved on December 15, 1955.

ZC #6148 – Granted permission to erect single-family dwelling on a property which contains approximately 8,190 sq.ft. and has a width of 65 feet at front building line, structure to come to within 5 ft. of rear property line and double attached carport to be located in front of dwelling. Approved on December 1, 1960.

ZC #6195 – Granted permission to construct a dwelling on property to come to within 3 feet of rear property line. Approved on February 16, 1961.

## **PROJECT DESCRIPTION:**

The applicant R. Skyler Kogachi, on behalf of the property owner, has submitted a Hillside Development Permit application to allow the construction of a 775 square-foot second-story addition to an existing 1,509 square-foot, single-story, single-family dwelling with an attached 448 square-foot two-car carport. A 109 square-foot second-story balcony is proposed to the front of the new second floor, and a rooftop deck is proposed to the rear of the second floor. A Minor Variance application is being requested to allow the second-story deck to be set back a 2'-9" from the rear property line, where a 25-foot setback is required. The second-story deck is proposed above the existing first floor. The property is zoned RS-4 HD (Single-Family Residential, 0–4 dwelling units per acre, Hillside Development Overlay District). A Hillside Development Permit is required for any addition above the first floor in the Hillside Overlay District. There are no protected trees proposed for removal as part of this project.

## **ANALYSIS:**

### Hillside Development Permit

The subject property is located within the RS-4 HD (Single-Family Residential, 0-4 dwelling units per acre, Hillside Development Overlay District) zoning district. Properties located in the Hillside Development Overlay are required to comply with additional standards beyond those applicable to the base single-family residential zoning district (RS). 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.

The reviewing authority (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). The general purpose of the Hillside Development Permit is to ensure that the proposed project minimizes its visual and environmental impact. 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 proposal's compliance with development standards of the Hillside Development Overlay. To supplement the discussion, a summary is provided in Table 1.

### *Floor Area*

In the RS-4-HD zoning district, the maximum allowable gross floor area is 30 percent of the lot size plus 500 square feet. Gross floor area includes all covered parking (e.g., detached garage

and/or carport), habitable attic space, and accessory structures, among other enclosed space. Regardless of lot area, the maximum FAR for a lot with an average slope exceeding 15 percent shall be further reduced using a formula specified in Zoning Code Section 17.29.060.A.4

Based on the slope analysis provided by the applicant, the lot area measures 8,166 square feet and has an average slope of approximately 18.28 percent. Using the calculation applicable to the RS-4-HD zoning district, the maximum allowed floor area is 2,901 square feet. The project proposes a 2,393 square-foot residence with an attached 448 square-foot carport resulting in a total gross floor area of 2,841 square feet, therefore in compliance with the maximum allowable floor area.

### *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 by decks more than four feet in height. This standard generally evaluates the percentage of land area covered by development. In this case, 35 percent of the 8,166 square-foot lot is 2,858 square feet. The proposed lot coverage is approximately 24 percent, or 1,957 square feet, which complies. This calculation includes the existing building footprint, the proposed additions, new deck, and carport.

### *Setbacks*

The minimum front setback requirement for the main structure in the Hillside Overlay District is 25 feet, measured from the front property line. The proposed second-story balcony would be set back 40'-10" from the front property line, while the second story addition would be located behind the balcony and set back 46'-3" from the front property line, therefore in compliance with the front yard setback requirement.

The required interior side setback is equal to 10 percent of the lot width, with a minimum requirement of five feet and a maximum requirement of ten feet. The lot width measures 65'-0" resulting in a minimum side setback of 6'-5". The proposed setback along the north property line for the addition and balcony is 9'-6", and for the proposed setback for the roof deck is 6'-6", which complies with the minimum side setback requirement. The proposed setback along the south property line for the addition and balcony is 34'-4". As such, the proposed improvements comply with the minimum side setback requirement.

The minimum rear setback for the main structure in the RS-4-HD zoning district is 25 feet. The proposed second-story addition would be set back 25'-0" at the closet portion to the rear property line and therefore complies with this requirement. The existing first floor is set back 2'-9" from the rear property line and is nonconforming. The proposal does not include an addition to the first floor of the residence; however, the proposal includes a second-story roof deck above the portion of the existing first floor that is set back 2'-9". The proposed setback for the roof top deck is 2'-9" and thus requires a Minor Variance.

### *Encroachment Plane*

Main structures may not be located within an encroachment plane that slopes upward and inward at a 30-degree angle, commencing at a point six feet above existing grade along the side property lines. The intent of the encroachment plane standard is to moderate the mass and scale of

structures and maintain desired neighborhood character. Plans provided by the applicant depict the encroachment plane and demonstrate the proposed additions comply with the 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. In this case, the applicant has proposed a new second-story addition to an existing one-story residence. According to the plan, the maximum height of the proposed two-story addition from the adjacent existing grade at any point is 27'-9", which complies with the 28-foot requirement. The height from the lowest point to the highest ridgeline is 31'-11", therefore, the proposed additions also comply with the maximum 35-foot from lowest grade requirement.

*Parking*

Single-family dwellings are required to provide two covered parking spaces in the Hillside Development Overlay. Additionally, properties within the Hillside Overlay District are required to provide a minimum of four guest parking spaces on a site fronting a street where parking is prohibited on both sides of the street at the site, or 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, in side-by-side and/or tandem configurations.

The existing dwelling provides two covered spaces within an existing attached carport. Along Wellington Avenue street parking is allowed, therefore two guest parking spaces are required for the project. The submitted plan indicate that two guest parking spaces can be accommodated on the existing driveway. Therefore, the project complies with the parking requirement.

*Neighborhood Compatibility*

Projects subject to a Hillside Development Permit are to consider the character and scale of existing development in the neighborhood. The neighborhood is generally comprised of lots located within a 500-foot radius of the site. The Zoning Code specifies that the allowable floor area of a proposed dwelling (excluding garages, accessory structures, basements, etc.) may not exceed the median floor area of existing dwellings 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 a 500-foot radius, there are 55 parcels within the City of Pasadena jurisdiction. Two of these are vacant. Of the remaining 53 developed parcels, the median floor area is 2,148 square feet. Thirty-five percent above the median is 2,899 square feet. The proposal includes a dwelling with 2,393 square feet of floor area (excluding the carport) and complies with the Neighborhood Compatibility requirement.

**Table 1 - RS-4 HD and Hillside Overlay Development Standards**

<b>Development Standard</b>	<b>Required</b>	<b>Proposed</b>	<b>Analysis</b>
<b>Maximum Floor Area</b>	2,901 square feet	2,841 square feet	Complies
<b>Maximum Site Coverage</b>	35% of lot size (2,858 square feet)	24% (1,957 square feet)	Complies

<b>Setbacks</b>			
Front 1 <sup>st</sup> story	25'	60'	Complies
Front 2 <sup>nd</sup> Story	25'	40'	Complies
Side (north)	6'-5"	5'-0"	Existing Nonconforming
Side (north) 2 <sup>nd</sup> Story	6'-5"	9'-6"	Complies
Side (north) 2 <sup>nd</sup> Story Deck	6'-5"	6'-6"	Complies
Side (south)	6'-5"	37'-4"	Complies
Side (south) 2 <sup>nd</sup> Story	6'-5"	34'-4"	Complies
Side (south) 2 <sup>nd</sup> Story Deck	6'-5"	37'-4"	Complies
Rear 1 <sup>st</sup> story	25'	2'-9"	Existing Nonconforming
Rear 2 <sup>nd</sup> Story	25'	25	Complies
Rear 2 <sup>nd</sup> Story Deck	25'	2'-9"	Minor Variance Request
<b>Encroachment Plane</b>	30 degrees at 6' high	30 degrees at 6' high	Complies
<b>Maximum Allowable Height</b>	28' and 35'	27'-9" and 31'-10.5"	Complies
<b>Minimum parking</b>	2 covered spaces	2-car Carport	Complies
<b>Guest Parking</b>	2 on-site	2 on-site	Complies
<b>Neighborhood Compatibility</b>	2,899 sf	2,393 sf	Complies

### *Architecture and Setting*

The neighborhood generally includes single-family residential properties along Wellington Avenue, Chamberlain Road, and Wicks Road. Within this residential area, existing single-family residential structures consists of varying architectural styles that include mid-century modern, Mediterranean, ranch, craftsman, cape cod, and contemporary architecture. In addition to the range of architectural styles, there is also a variety in massing throughout the neighborhood such as single-story and two-story homes, and a mix of u-shaped, L-shaped, and rectangular building footprints. Roof pitches and façade materials are also mixed throughout the neighborhood. Existing architectural elements do not appear to reflect one strict style, form, massing, or material palette. The existing residence was constructed in 1961. The current dwelling consists of a Modern Ranch style and consists of a modest design and simplified representation of this architectural style. Therefore, the City's Design and Historic Preservation Division, determined that this property does not meet the criteria for designation as a landmark.

The applicant has designed the proposed exterior renovation and addition in the modern architectural style with more angular forms, massing, and materials. The project intends to incorporate elements of contemporary and mid-century modern design with a mixture of sloped flat roofs and hip-roofed areas, large glass openings for natural daylight and ventilation, stucco and wood finishes, a clerestory window at the west facade, and simple trim and detailing. Similar architectural characteristics are featured in homes within the neighborhood.

The proposed property's scale and massing is within the scale and setting of the surrounding neighborhood. From the street, the proposed residence is two-stories, with the existing lower-floor terracing down the slope toward the rear yard.

The project would add a new 775 square-foot second-story on top of the existing carport and first-floor located towards the front portion of the existing residence. The addition will consist of

materials and features found in the neighborhood consisting of various shades of earth tone stucco, with wood trim in a dark brown tone, black aluminum window and door trim, earth tone color asphalt shingles to match the existing residence, and black metal railing for the deck railing. While the balcony and addition would be visible from the street, they are set back further from the street and designed in a manner that visibility from off the property would be limited. Furthermore, the proposed roof deck would be located behind the addition toward the rear of the property, therefore not visible from the street. Therefore, it is the staff position that the proposed size, design, materials, and color palette are consistent with the applicable design criteria (architectural features) of the Hillside Development Overlay and with properties in the neighborhood.

Pursuant to Section 17.29.060.D.2. windows, balconies, and outdoor living areas shall generally be located to protect the privacy of adjacent homes and yards. The proposal includes two small clerestory windows on the north elevation; one large bedroom window, one large bathroom window, two small bedroom windows, and one stairwell window would face towards the south. The deck proposes 3'-6" tall and 50 percent open railing to the south and east with a solid 3'-6" wall to the north. The project has been designed to minimize privacy impact with two clearstory windows facing north. The proposed windows on the south elevation would have minimal impacts to privacy of the adjacent property because the addition is set back more than 50 feet away from the adjacent residence and there is dense vegetation obstructing views. The proposed second story deck would be bounded to the north and south with dense vegetation that would limit the privacy impacts of adjacent homes. To the east, the deck would face an existing park, with no visibility towards existing homes or yards. In summation, consistent with the privacy requirements of the Hillside Development Overlay district, the proposed addition and deck would not include features that would impact the privacy of adjacent homes and yards.

#### *View Protection, Story Poles, Notice of Application Requirements*

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. Views shall be considered from windows of any room in the primary structure. 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 subject site is an irregular shaped lot that is surrounded by existing single-family residential lots to the north, south, and west, and by a park to the east. The San Gabriel Mountains are located to the northeast, and views in this neighborhood are generally oriented towards the east. The site is improved with a relatively flat building pad, with minor steeping slopes descending from Wellington Avenue and with a centralized depression swale beginning from the west property line and continuing along the south property line. The existing dwelling is split-level with the carport at a higher elevation than the first floor living space. The new second-story addition would be adjacent to the north property line and will be located above the carport and the portion of the existing first floor behind the carport.

The property to the north is located at 1264 Wellington Avenue and is developed with an existing two-story single-family dwelling. The property is at slightly higher elevation as both properties' elevations descend from the street to the respective flat building pads. The view corridor for this

property is to the northeast and east and not through subject site, therefore the proposed addition and deck do not impact the view corridor.

The property to the south is located at 1250 Wellington Avenue and is developed with a single-story residence. The residence is approximately 50 feet away from the proposed second-story addition and is separated by dense vegetation. The residence at 1250 Wellington Ave is located at slightly higher elevation than the project site. The view corridor for this property is to the northeast and east and not through the project site, as such the addition and deck do not impact the view corridor as proposed.

In summary, the proposed improvements, while potentially visible from adjacent properties, would not impede protected views from any of the adjacent properties nor be centered directly in the view of any room of a primary structure on a neighboring parcel.

In August of 2023, a temporary silhouette (story poles) was installed on the subject property. Staff conducted a site inspection, photographing the project site in relation to abutting properties. A notice of application providing a minimum 14-day notification period was also mailed in accordance with the requirements of the Zoning Code. Based on the site visit, it is the staff's position that the proposed improvements would not reasonably impact any protected views from adjacent properties. Although portions of the silhouette are visible from various vantage points, there is no protected view obstruction. In addition, portions of the addition that are visible, are not reasonably centered directly in the view of the abutting properties, consistent with the intent of the Zoning Code. Therefore, staff has determined the project is consistent with the view protection standards of the Zoning Code.

#### *Ridgeline Protection*

The proposed addition complies with the ridgeline protection standards of the Zoning Code. There are no ridgelines near to the subject property. Therefore, no part of the proposal would appear silhouetted against the sky above a ridge when viewed from a public street or park.

#### *Arroyo Seco Slope Bank*

No structure shall extend over or below the top edge of the Arroyo Seco slope bank on a lot identified on the Arroyo Seco Slope Bank Map, dated May 11, 2004. The top edge is considered the highest existing grade elevation at the point where the natural gradient inclines downward at a slope greater than 50 percent. The property is not located within the designated area of the Arroyo Seco slope bank and therefore, is not subject to this requirement.

#### *Preliminary Geotechnical Report*

GeoSystems, Inc. conducted a preliminary geotechnical investigation of the site and prepared a report. The report includes a description of site conditions, results of field exploration, and laboratory testing. The geotechnical investigation is required for projects subject to a Hillside Development Permit. The purpose of the exploration was to evaluate the nature, distribution, engineering properties, and geologic structure of the earth materials underlying the property with respect to the proposed additions. GeoSystems, Inc. explored the subsurface conditions by excavating three test pits, then conducting laboratory testing to establish engineering characteristics of the on-site soil. GeoSystems, Inc. concludes that the proposed construction is feasible from a geotechnical standpoint, provided the recommendations contained in the report are incorporated in the design and construction. Therefore, the proposed grading and



development would not have an adverse effect on the geologic stability of the property outside the building site provided that the Building Code and the geotechnical engineer's recommendations are followed during construction.

Minor Variance: To allow a 2'-9" rear yard setback, where a 25-foot rear yard setback is required.

The Hearing Officer may approve a Minor Variance to adjust a required setback only after making five findings in the affirmative, pursuant to Zoning Code Section 17.61.080.G (Findings and Decision). The general purpose of review is to identify compliance with the Zoning Code and General Plan, whether exceptional or extraordinary circumstances exist, whether the application is necessary for the preservation and enjoyment of property rights, and to ensure no detriment or injury to surrounding properties. In addition, a Minor Variance shall not be granted that would have the effect of granting a special privilege not shared by other property owners in the vicinity and under identical zoning districts. Lastly, cost to the applicant of strict compliance with a regulation shall not be the primary reason for granting the Minor Variance.

The minimum rear setback for the main structure in the RS-4 HD zoning district is 25 feet. The existing first floor is set back 2'-9" from the rear property line and is nonconforming. As proposed, the application includes a request to allow a new 775 square-foot second story addition, with a 109 square-foot balcony to the front of the new second floor, and a rooftop deck to the rear of the second floor. The new second story addition has a proposed 25'-0" rear yard setback which complies with the required 25-foot rear setback. The proposed second story rooftop deck and its associated railing would be located directly above the existing first floor, and would maintain the nonconforming 2'-9" rear setback, thus requiring a Minor Variance to reduce the required rear yard setback.

In this case, there are conditions that do not generally apply to sites in the same zoning district. The existing site is irregular shaped with an angled rear property line, resulting in lot depth varying from 102.50 feet along the northern side property line to 148.75 feet along the southern property line. The site contains a two-foot-wide easement for drainage purposes south of the existing residence. The easement limits the buildable location of the existing residence and limits outward expansions. As a result, because of the irregular shaped lot as well as the configuration of the existing residence limits the developable area of the site.

The granting of the Minor Variance would facilitate a reasonable enjoyment of real property because the rooftop deck would provide outdoor recreational space similar to a rear yard that other properties enjoy. Due to the limitations of the property with regard to placement of the existing residence, the 18.28 percent slope, and the drainage easement, rear yard space is limited. The project would result in minimal visual impact from the street because it would be sited at least 40 feet from the front property line and would not include an addition that widens the existing width of the house. This allows the property and project to maintain the character of the streetscape along Wellington Avenue.

In addition, there are existing two-story residences within the community and compliance with the required rear yard setback for a deck behind a proposed addition would not impact privacy to the north or east. There are existing dense hedges to the northern property line, the location of the deck and its design orient views naturally to the east. There is an existing park to the east that is separated by vegetation. In addition, public spaces are not protected from privacy. Therefore, the adjustment to the setback does not create any detriment to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use. As such, the Minor Variance request would facilitate a reasonable enjoyment of real property and would not grant a

special privilege. As a result, staff can make all the findings necessary to recommend approval of the Minor Variance.

### Tree Protection Ordinance

The applicant provided a tree inventory identifying 15 trees on the subject site. The applicant proposes to retain all trees and is not proposing any removal. The nearest protected tree, a Coast Live Oak located on the west side of the dwelling would be protected and would maintain sufficient distance from the proposed addition. To ensure protected trees are maintained, a condition of approval is recommended requiring a tree protection and retention plan as part of the building permit plan check process.

### **GENERAL PLAN CONSISTENCY:**

The subject site is designated as Low Density Residential in the General Plan Land Use Element. General Plan Land Use Element Policy 21.5 (Housing Character and Design) encourages the renovation of existing housing stock in single-family and multi-family neighborhoods. When additions or replacement housing is proposed, these should reflect the unique neighborhood character and qualities, including lot sizes, building form, scale, massing, and relationship to street frontages, architectural design, and landscaped setbacks. The proposed project would add a new second story to the existing residence. The proposed exterior renovation would be considered a variation of a Mid-Century Modern architectural design, which is architecturally compatible with the existing character of the structure and neighborhood, particularly regarding building form and massing. There are several two-story single-family dwellings along Wellington Avenue and surrounding streets. In addition, there is variation of architectural styles consisting of Ranch, Spanish, Colonial, Mediterranean and Mid-Century Modern. 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 second story addition to the existing residence complies with applicable development standards in the Zoning Code, except for the requested reduced rear setback for the proposed rooftop deck. The proposed siding, stucco finish, would be an earth tone color, and roof shingles would be muted, and earth toned color (browns). The residence proposes colors and materials that are consistent with existing colors within the Hillside Development Overlay. Additionally, the scale and massing of the proposed additions are consistent with the scale and setting of the surrounding residences. 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, §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 additions to existing structures, provided the addition would not result in an increase of more than 10,000 square feet when the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan. The proposed additions total 884 square feet, and the project is in an area where all public services and facilities are available to allow for maximum development

permissible in the General Plan and the project location is not environmentally sensitive. Therefore, the proposal is exempt from environmental review.

**REVIEW BY OTHER CITY DEPARTMENTS:**

The Departments of Public Works, Transportation, and the Design and Historic Preservation Division have reviewed the project. The Public Works Department has provided conditions, which are included in Attachment B. The Design and Historic Preservation Division has determined that the subject property is not historically significant and not subject to additional Design Review. In addition to recommend conditions of approval, all departments would review the project for compliance during the building permit plan review process.

**CONCLUSION:**

It is staff's assessment that the findings necessary for approving the Hillside Development Permit to allow a 775 square-foot second-story addition to an existing 1,509 square-foot, single-story, single-family dwelling, and the Minor Variance to allow a second-story deck to encroach into the required rear setback can be made (Attachment A). The proposed project meets applicable development standards required by the Zoning Code for the RS-4 HD zoning district. The proposed second-story addition to the existing single-story dwelling would not create a view impact and would maintain the existing character of the neighborhood. In addition, the project would be required to comply with all Building and Fire Code requirements, and therefore, would not be detrimental or injurious to surrounding properties or improvements. Therefore, staff recommends approval of the Hillside Development Permit and Minor Variance subject to the findings in Attachment A and recommended conditions of approval in Attachment B.

**ATTACHMENTS:**

- Attachment A: Specific Findings for Hillside Development Permit and Minor Variance
- Attachment B: Recommended Conditions of Approval for Hillside Development Permit
- Attachment C: Neighborhood Compatibility Analysis

**ATTACHMENT A**  
**SPECIFIC FINDINGS FOR HILLSIDE DEVELOPMENT PERMIT #7007**

Hillside Development Permit

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.* The subject property is located in the RS-4 HD (Single-Family Residential, 0-4 dwelling units per acre of site area, Hillside Development Overlay District) zoning district, which permits single-family residential uses by-right. The proposed new second-story addition to the existing single-story dwelling will comply with applicable development standards, including setbacks, lot coverage, parking, floor area, and height requirements.
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 purpose of the RS-4 HD district is to provide areas for single-family residential neighborhoods. The Hillside Development Overlay is intended to preserve and maintain hillside areas. The existing single-family residential use of the property is located in a neighborhood that is developed with single-family residential uses. The location of the proposed addition will preserve and protect views, preserve existing topographic features and existing natural resources, consistent with the purpose of the Zoning Code and applicable zoning district. The addition will generally be located in geologically stable portions of the site. The improvements will be located above the existing residence, and will have minimal impact to drainage patterns.
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. General Plan Land Use Policy 21.5 (Housing Character and Design) encourages the renovation of existing housing stock in single- and multi-family neighborhoods. When additions or replacement housing is proposed, these should reflect the unique neighborhood character and qualities, including lot sizes, building form, scale, massing, and relationship to street frontages, architectural design and landscaped setbacks. The addition will be visible from Wellington Avenue and provides a mid-century modern design that enhances the character of the neighborhood. The neighborhood presently features varied architectural designs, including Mediterranean, cottage, ranch, and mid-century modern styles. The addition will be set back from the street consistent with the existing residence, Zoning district requirement, and is contextually appropriate with the character of the neighborhood, particularly regarding building form, massing, and architectural design. The use of the site will remain a single-family residence; therefore, the character of the single-family neighborhood will be maintained.

General Plan Land Use Element Policy 21.9 (Hillside Housing) requires residences to maintain appropriate scale, massing and access to residential structures located in hillside areas. The proposed second story addition to the existing residence complies with applicable development standards of the Zoning Code. The proposed new stucco and architectural accents will be painted in earth tone colors (dark grey and brown), and the new proposed roof shingles are proposed to match existing roof shingles. The residence proposes colors and materials that comply with the existing colors within the neighborhood and within the Hillside Development Overlay District. Additionally, the scale and massing of the proposed additions are consistent with the scale and setting of the surrounding residences. Therefore, staff finds that the project will be consistent with General Plan Land Use Element 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 proposed addition will not change the existing single-family residential use of the property that has functioned adequately on-site. The addition will be located in a geologically stable portion of the site, within the existing building footprint and will maintain safe means of ingress and egress consistent with the general site standards of the Hillside Development Overlay. The proposed addition will be above the existing residence which is located on a relatively flat portion of the property. These conditions will prevent detriment to the health, safety, or general welfare of those residing or working in the neighborhood. Conditions of approval and applicable development standards will ensure the proposal minimizes impacts to surrounding property owners. In addition, conditions of approval will ensure that the establishment, maintenance, and operation of the use will be compatible with the surrounding neighborhood. 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 proposal will not change the existing single-family residential use of the property. GeoSystems, Inc. conducted a preliminary geotechnical investigation of the site and prepared a report. The geotechnical investigation is required for projects subject to a Hillside Development Permit. GeoSystems, Inc. concluded that the proposed construction is feasible from a geotechnical standpoint, provided the recommendations contained in the report are incorporated in the design and construction. Therefore, the proposed development will not have an adverse effect on the geologic stability of the property outside the building site provided that the Building Code and the geotechnical engineer's recommendations are followed during construction.

The applicant is required to design all improvements in compliance with current Building and Fire codes and standards established in the Zoning Code. Through the plan check process, the City will review plans for substantial conformance with this Hillside Development Permit, all applicable standards, and compliance with required conditions of approval.

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 neighborhood generally includes single-family residential properties along Wellington Avenue, Chamberlain Road, and Wicks Road. Within this residential area, existing single-family residential structures consists of varying architectural styles that include mid-century modern, Mediterranean, ranch, craftsman, cape cod, and contemporary architecture. In addition to the range of architectural styles, there is also a variety in massing throughout the neighborhood such as single-story, two-story, and three-story homes and a mix of u-shaped, L-shaped, and rectangular building footprints. Roof pitches and façade materials are also mixed throughout the neighborhood. Existing architectural elements do not appear to reflect one strict style, form, massing, or material palette. The existing residence was constructed in 1961. The current dwelling consists of a Modern Ranch style and consists of a modest design and simplified representation of this architectural style. Therefore, the City's Design and Historic Preservation Division, determined that this property does not meet the criteria for designation as a landmark.

The applicant has designed the proposed exterior renovation and addition in the modern architectural style with more angular forms, massing, and materials. The project intends to

incorporate elements of contemporary and mid-century modern design with a mixture of sloped flat roofs and hip-roofed areas, large glass openings for natural daylight and ventilation, stucco and wood finishes, a clerestory window at the west facade, and simple trim and detailing. Similar architectural characteristics are featured in homes within the neighborhood.

Furthermore, the proposed exterior renovation and addition will not affect views protected by the Zoning Code. The subject site is improved with a relatively flat building pad, with an average slope of 18.28 percent across the property. Although the height of the existing structure will increase, there are no potential views in this neighborhood of culturally significant structures, the valley floor, prominent ridgelines, or the horizon line due to the location of the neighborhood, existing structures, and minimal slopes in the area. Therefore, the design, location, operating characteristics, and size of the dwelling will 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 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, and in terms of aesthetics, character, scale, and view protection.* With the proposed exterior renovation and new second story addition, the single-family dwelling will comply with the applicable development standards of the Zoning Code, including but not limited to setbacks, lot coverage, Neighborhood Compatibility, gross floor area, and building height, which are applicable to existing and future developments on adjacent lots. The purpose of the Neighborhood Compatibility guidelines is to emphasize designs that consider the character and scale of existing development in the vicinity. Within a 500-foot radius, the median floor area of the homes is 2,148 square feet. Thirty-five percent above the median is 2,899 square feet. The proposal includes a dwelling with 2,393 square feet of floor area (excluding the carport) and complies with the Neighborhood Compatibility Analysis requirement.

The neighborhood generally includes single-family residential properties along Wellington Avenue, Chamberlain Road, and Wicks Road. Within this residential area, existing single-family residential structures consists of varying architectural styles that include mid-century modern, Mediterranean, ranch, craftsman, cape cod, and contemporary architecture. In addition to the range of architectural styles, there is also a variety in massing throughout the neighborhood such as single-story, two-story, and three-story homes and a mix of u-shaped, l-shaped, and rectangular building footprints. Roof pitches and façade materials are also mixed throughout the neighborhood. Existing architectural elements do not appear to reflect one strict style, form, massing, or material palette. The existing residence was constructed in 1961. The current dwelling consists of a Modern Ranch style and consists of a modest design and simplified representation of this architectural style. Therefore, the City's Design and Historic Preservation Division, determined that this property does not meet the criteria for designation as a landmark.

8. *The placement of proposed structures 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 site is relatively flat where the existing single-family dwelling is sited, with slopes between the building pad and the street with the majority of sloping area within the drainage easement. The average slope across the site is approximately 18.28 percent. The proposed second story addition does not require substantial changes to grading, drainage, and landscaping. Any grading that will occur will comply with the City's Grading and

Building Codes. The project shall meet all applicable SUSMP (Standard Urban Water Mitigation Plan) requirements of the Building Division and will be reviewed as part of the building permit plan review process.

Minor Variance: To allow a 2'-9" rear yard setback, where a 25-foot rear yard setback is required.

9. *There are exceptional or extraordinary circumstances or conditions applicable to the development site that do not apply generally to sites in the same zoning district.* There are conditions that do not generally apply to sites in the same zoning district in that the existing site is irregular shaped with an angled rear property line, resulting in lot depth varying from 102.50 feet along the northern side property line to 148.75 feet along the southern property line. The site contains a two-foot-wide easement for drainage purposes south of the existing residence. As a result of the irregular shaped lot, easement, and the configuration of the existing residence, it limits the developable area of the site. In addition, the existing residence that was constructed in 1961 with an approximate 40-foot front setback and a rear setback of 2'-9", which is nonconforming. As proposed, the application involves a request to allow a new 775 square-foot second story addition and 109 square-foot balcony, and rooftop deck, for which the minor variance is being requested. The roof top deck and railing is proposed above the rear portion of the existing residence and encroaches into the required rear setback. The proposed deck does not propose to further reduce the exiting rear yard setback. Therefore, there are exceptional or extraordinary circumstances or conditions applicable to the development site that do not apply generally to sites in the same zoning district.
10. *Granting the application is necessary for the preservation and enjoyment of a substantial property right of the applicant, and to prevent unreasonable property loss or unnecessary hardship.* Because of the location of the existing residence within the 25-foot rear setback, the two-foot-wide drainage easement, development opportunities to residence are constrained. The granting of the Minor Variance would facilitate a reasonable enjoyment of real property because the rooftop deck would provide outdoor recreational space similar to a rear yard that other properties enjoy. Due to the placement of the existing residence, property does not contain a rear yard space behind the residence similar to what is generally found in residential properties. As such, the Minor Variance request would facilitate a reasonable enjoyment of real property and would not grant a special privilege.
11. *Granting the application will not be detrimental or injurious to property or improvements in the vicinity of the project site, or to the public health, safety, or general welfare.* The residence has existed on the subject site with a reduced setback since its construction in 1961. The location of the deck and its design orient views naturally to the east. There is an existing park to the east that is separated by vegetation. No single-family residences are located to the rear of the subject site. Therefore, the adjustment to the rear setback does not create any detriment to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use. Furthermore, the project is also required to comply with all applicable Fire Department and Building and Safety Division standards through the City's plan check process.
12. *Granting the application is consistent with the General Plan and the purposes of Title 17 of the Municipal Code and will not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and in the same zone district.* 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; therefore, the character of the neighborhood will be maintained. General Plan Land Use Element, Goal 21, Desirable Neighborhoods, Policy 21.5

(Housing Character and Design) encourages the renovation of existing housing stock in single and multi-family neighborhoods. When additions or replacement housing is proposed, these should reflect the unique neighborhood character and qualities, including lot sizes; building form, scale, massing, and relationship to street frontage; architectural design, and landscaped setbacks. The proposed second story deck will be consistent with the existing character of the neighborhood as it will be sited behind the new proposed 755 square-foot new second floor addition.

13. *Cost to the applicant of strict compliance with a regulation is not the primary reason for the granting of the Variance.* The cost to the applicant to comply with the City's development standards has not been considered a factor throughout the review of this application.



**ATTACHMENT B**  
**CONDITIONS OF APPROVAL FOR HILLSIDE DEVELOPMENT PERMIT #7007**

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, December 6, 2023,” 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 for the following entitlements, as depicted in the plans submitted with this application, stamped “Approved at Hearing, December 6, 2023”:
  - a. Hillside Development Permit #7007: To allow a 775 square-foot second-story addition, a 109 square-foot balcony, and a roof top deck to an existing 1,509 square-foot, single-story, single-family dwelling with an attached 448 square-foot two-car carport.
  - b. Minor Variance: To allow a 2'-9" rear setback for a roof deck, where 25 feet is required.
4. The applicant or successor in interest shall meet the applicable code requirements of all City Departments and the Pasadena Municipal Code.
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 **ZENT2022-00047** 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 Ivan Galeazzi, Current Planning Section, at (626) 744-7124 or [igaleazzi@cityofpasadena.net](mailto:igaleazzi@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 17.29 (Hillside Overlay District) that relate to residential development in the Hillside Development 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 or grading permit shall be issued until the building permit for the residential project is ready to be issued.
10. The applicant or successor in interest shall use darker tones, including 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.
11. The project shall comply with the Municipal Code Chapter 8.52 (City Trees and Tree Protection Ordinance). A tree protection and retention plan shall be submitted to the Zoning Administrator for approval prior to the issuance of any building or grading permits. Any proposal to remove a protected tree requires approval of a Tree Removal Application prior to the issuance of building permits.
12. 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.
13. 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.
14. Any new construction shall meet all applicable SUSMP (Standard Urban Water Mitigation Plan) requirements as determined by the Building and Safety Division.
15. 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.
16. At no time shall construction activities, including, but not limited to, construction materials, vehicles, and equipment, obstruct access to vehicular driveways of adjacent properties.

#### Public Works Department

17. 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.

18. 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/>.
19. Any existing street tree(s) proposed to be removed are subject to the approval of the Urban Forestry Advisory Committee (UFAC).
20. 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.

21. 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.
22. 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.

23. 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.
24. 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.
25. 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.
26. 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. No construction truck idling or staging, material storage, or construction trailer are allowed in the public right-of-way. Construction vehicles should only maneuver/turn-around within the project site private property. Parking of construction vehicles and construction worker vehicles shall be within the project site private property.
27. 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.

28. 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