



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: May 15, 2024

TO: Hearing Officer

SUBJECT: Minor Variance #11962

LOCATION: 630 North Pasadena Avenue

APPLICANT: Juan Reyes

ZONING DESIGNATION: RS-6 (Single-Family Residential, 0-6 dwelling units per acre)

GENERAL PLAN DESIGNATION: Low Density Residential

CASE PLANNER: Alison Walker

STAFF RECOMMENDATION: Adopt the Environmental Determination and Specific Findings in Attachment A to **approve** Minor Variance #11962 with the conditions in Attachment B.

PROJECT PROPOSAL: The following are requested to accommodate the construction of a 1,466 square-foot, two-story residence and 400 square-foot attached two-car garage:

- 1) Minor Variance: To allow for a 20-foot front yard setback, where 25 feet is required;
- 2) Minor Variance: To allow for a five-foot rear yard setback, where 25 feet is required; and
- 3) Tree Removal Permit: To remove one protected tree (Coast Live Oak) on private property.

ENVIRONMENTAL DETERMINATION: This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15303(b), 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 specifically

exempts the construction of one single-family residence in a residential zone. The project consists of the construction of one single-family residence in the RS-6 zoning district; therefore, the proposal is exempt from environmental review.

BACKGROUND:

Site Characteristics: The site is a 4,861 square-foot, triangular-shaped lot bounded by the 210 Freeway to the east, a single-family residence to the north, a landscaped sound wall to the south, and Pasadena Avenue to the west. The relatively flat site is currently vacant with natural vegetation and one protected Coast Live Oak tree.

Adjacent Uses: North – Single-Family Residential
South – 210 Freeway
East – 210 Freeway
West – Single-Family Residential

Adjacent Zoning: North – RS-6 (Single-Family Residential, 0-6 dwelling units per acre)
South – PS (Public Semi-Public)
East – PS (Public Semi-Public)
West – RS-6 (Single-Family Residential, 0-6 dwelling units per acre)

Previous Zoning Cases on this Property: None.

PROJECT DESCRIPTION:

The applicant, Juan Reyes, has submitted two Minor Variance applications and one Private Tree Removal application to facilitate the construction of a 1,466 square-foot, two-story single-family residence with a 400 square-foot attached garage. Specifically, the applicant requests a 20-foot front setback where the minimum required is 25 feet, and a five-foot rear setback where the minimum required is 25 feet. Minor Variances are required to adjust the required front and rear setback. The site is located within the RS-6 (Single-Family Residential, 0-6 dwelling units per acre) zoning district.

To accommodate the proposed driveway for the residence, the applicant included a request to remove one protected *Quercus agrifolia* (Coast Live Oak) tree with a diameter at breast height of 8.83 inches. A Private Tree Removal Permit is required to remove a protected tree.

ANALYSIS:

Construction of a new dwelling in the RS-6 zoning district is subject to the development standards provided in Zoning Code Section 17.22.040 (RS and RM-12 Residential Districts General Development Standards) and Section 17.22.050 (RS and RM-12 District Additional Development Standards). A summary of the development standards is provided in Table 1.

Table 1 – Residential RS-6 Development Standards

Development Standard		Required	Proposed	Analysis
Minimum Setbacks	Front	25'	20'	<i>Minor Variance</i>
	Side (north)	9'-10"	10'	Complies
	Side (south)	9'-10"	15'	Complies
	Rear	25'	5'	<i>Minor Variance</i>
Encroachment Plane		30 degrees at 6' high	30 degrees at 6' high	Complies
Maximum Site Coverage		No maximum	1,046 sf or 21.5%	Complies
Maximum Gross Floor Area		30% + 500 sf or 1,956 sf	1,866 sf	Complies
Maximum Floor Area of House (Neighborhood Compatibility)		2,011 sf	1,466 sf	Complies
Maximum Height		32'	23'-3"	Complies
Maximum Top Plate Height	First Story	10'	10'	Complies
	Second Story	20'	20'	Complies
Minimum Parking		Two Covered Parking Spaces	Two-Car Attached Garage	Complies

Minor Variance: To allow a 20-foot front setback, where 25 feet is required.

Pursuant to Table 6-4 of Zoning Code Section 17.61.080 (Variances), adjustments of required setbacks are allowed subject to approval of a Minor Variance. A Minor Variance is a form of Variance intended for adjustments that are determined to have lesser (minor) potential impacts. 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 required front yard setback for the subject property is 25 feet. The proposed project provides a 20-foot setback from Pasadena Avenue. A Minor Variance is required to adjust the required front yard setback.

Staff finds that there are conditions applicable to the subject site that do not apply generally to sites in the same RS zoning district. The lot is triangular, where a typical lot in the RS zone is rectangular. The depth of the lot varies from 61'-1" at the north property line and gradually decreases to 20'-2" at the south. Based on the existing conditions, the blockface average results in a front setback requirement that equates to nearly half the lot depth at its widest point and exceeds the depth of the lot at its narrowest point. Strict compliance with the required setbacks would limit the buildable area to a triangular area with a maximum depth of 10 feet and width of

20 feet, decreasing in depth towards its southern-most point. Under these circumstances, this buildable area would allow a footprint of approximately 25 square feet, which is not an adequate size to develop a single-family dwelling unit. A front setback requirement that severely restricts the location of development and the size of a dwelling does not generally apply to sites in the RS zoning district. Furthermore, the subject site's lot area of approximately 4,861 square feet is substandard when compared to the minimum required 12,000 square-foot lot size for a property in the RS-6 zoning district.

Due to the front setback requirement, development opportunities for the site are constrained. The granting of the Minor Variance would facilitate a reasonable enjoyment of real property because it would allow the construction of a single-family residence. The total size of the residence proposed is 1,866 square feet and within the maximum size permitted by the development standards as it relates to gross floor area.

In conjunction with the rear setback application, granting the front yard setback Minor Variance application would allow the construction of a reasonably sized, single-family residence. The 20-foot front yard setback would accommodate a driveway leading to the attached two-car garage. The driveway is of an adequate length to accommodate two uncovered parking spaces and sufficient back-up area, typical of a single-family residence. If the Minor Variance requests are not approved, the site may not be able to accommodate a dwelling of sufficient size or may require additional discretionary applications to accommodate development. As such, the granting of the Minor Variance request would allow the preservation and enjoyment of a substantial property right of the applicant.

Lastly, granting the Minor Variance for the front setback would not be detrimental or injurious to property or improvements in the vicinity of the development site, and to the public health, safety, and general welfare. Without the granting of the Minor Variance request, construction of a single-family residence may not be feasible due to the irregular shape and depth of the lot. In addition, the proposed dwelling would provide a compliant side setback to the neighboring dwelling to the north. The proposed project, with the approval of the Minor Variances, would comply with all other applicable development standards for the zone and would be required to obtain building permits ensuring that the construction will comply with Building and Fire Codes. Conditions of approval would ensure that the project remains compatible with the surrounding area. The proposed land use, a single-family residence, is a permitted use in the RS-6 Zoning District and is consistent with neighboring properties that are developed with single-family uses.

Minor Variance: To allow a five-foot rear setback, where 25 feet is required.

Pursuant to Zoning Code Section 17.22.040, Table 2-3, the minimum rear yard setback is 25 feet. The proposed project would provide a five-foot rear yard setback. As such, a Minor Variance is required to adjust the required rear yard setback. 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.

Staff finds that there are conditions applicable to the subject site that do not apply generally to sites in the same RS zoning district. The lot is triangular, where a typical lot in the RS zone is rectangular. The depth of the lot varies from 61'-1" at the north property line and gradually decreases to 20'-2" at the south. Based on the existing conditions, the rear setback requirement equates to nearly half the lot depth at its widest point and exceeds the depth of the lot at its narrowest point. Strict compliance with the required setbacks would limit the buildable area to a triangular area with a maximum depth of 10 feet and width of 20 feet, decreasing in depth

towards its southern-most point. Under this circumstance, this buildable area would allow a footprint of approximately 25 square feet, which is not an adequate size to develop a single-family dwelling unit. Additionally, since setbacks are measured perpendicular to property lines, the angled orientation of the rear property line and corresponding rear setback create design challenges for the shape of a dwelling if held to the 25-foot requirement. These conditions do not generally apply to sites in the RS zoning district. Furthermore, the subject site's lot area of approximately 4,861 square feet is substandard when compared to the minimum required 12,000 square-foot lot size for a property in the RS-6 zoning district.

The applicant has also proposed a five-foot rear setback to minimize the adjustment of the front setback and maintain greater consistency with lots on the block at the street. Though the residence would be closer to the rear property line, there would be no impact on neighboring properties or pedestrians, as the massing would be located at the center of the lot, away from the sidewalk and the adjacent residence to the north. The rear property line is adjacent to the 210 Freeway; therefore, there are no permanent occupants or members of the public that may be affected by increased massing near the rear property line.

Granting the rear setback Minor Variance application would allow the construction of a reasonably sized, single-family residence with less impact on the adjacent residence and users of the public right-of-way. It also allows for the construction of a dwelling with sufficient depth. If the Minor Variance requests are not approved, the site may not be able to accommodate a dwelling or may require additional discretionary applications to accommodate development. As such, the preservation and enjoyment of the property will be maintained as a result of granting the Minor Variance.

Granting the Minor Variance for the rear setback would not be detrimental or injurious to property or improvements in the vicinity of the development site, and to the public health, safety, and general welfare. Though the rear yard setback would be five feet, the rear property line abuts the 210 freeway. Therefore, the impact of the decreased setback would not negatively affect existing or future neighboring dwellings. In addition, the proposed residence would provide a compliant side setback to the neighboring dwelling to the north. The proposed project, with the approval of the Minor Variances, would comply with all other applicable development standards for the zone and will be required to obtain building permits ensuring that the construction will comply with Building and Fire Codes. Conditions of approval will ensure that the project remains compatible with the surrounding area. The proposed land use, a single-family residential use, is a permitted use in the RS-6 Zoning District and is consistent with neighboring properties that are developed with single-family uses.

Tree Removal Permit: To allow the removal of one protected tree (Coast Live Oak).

The tree inventory prepared for the project by Javier Cabral Consulting Arborists identifies nine trees, five of which are on private property, with the remaining four in the public right-of-way. Of the private trees, one protected native *Quercus agrifolia* (Coast Live Oak) tree is proposed for removal.

Pursuant to Municipal Code Section 8.52.085 (Prohibited acts) of the City's Tree Protection Ordinance, applicants are prohibited from removing native, specimen, or mature trees (as defined in the Ordinance) without a permit. The Hearing Officer may approve a private tree removal permit if one of six findings can be made, pursuant to Municipal Code Section 8.52.075 (Private property tree removal and landmark tree pruning permits, Issuance). The applicant has proposed removal of the protected tree to facilitate the construction of the proposed driveway for

the residence. The driveway would provide access from Pasadena Avenue to the attached two-car garage. Due to the constrained site conditions, the most feasible location for a two-car garage of adequate size is on the northern portion of the site. The 20-foot driveway leading to the two-car garage would be located partially where the existing Coast Live Oak tree is situated. As a result, the applicant proposes to remove the tree. The tree is described in Table 2.

Table 2 – Tree Removal

No. in Arborist Report	Tree Species (Common Name)	Type	Diameter at Breast Height	Height	Canopy Spread	Location
7	Quercus agrifolia (Coast Live Oak)	Native Tree	8.83 inches (multi-trunk)	24 feet	18 feet	Seven feet from Front Property Line

In accordance with P.M.C. Section 8.52.075.A, the applicant requests to remove the protected tree using Finding #6:

Finding #6 – The project, as defined in Section 17.12.020, includes a landscape design plan that emphasizes a tree canopy that is sustainable over the long term by adhering to the replacement matrix prepared by the city manager and included in the associated administrative guidelines (as shown in Table 3 below):

Table 3 – Replacement Matrix

Diameter at Breast Height of Removed Tree	Number and Size of Replacement Trees
8 - 12 inches	4 – 15 gallon, or 2 – 24 inch box

Protected native trees must be replaced with native trees on the list of protected native and specimen trees in accordance with the adopted replacement matrix. Landscape plans associated with the proposed development identify the location of three 24 inch box trees that would be planted in order to satisfy the required replacement matrix. The applicant proposes to plant the three required native trees near the property line to the south of the proposed dwelling.

As conditioned, prior to Building Permit issuance, the applicant will provide a landscape plan which demonstrates compliance with the adopted tree replacement matrix and P.M.C. Section 8.52.075 (Private property tree removal and landmark tree pruning permits—Issuance). Staff finds that with this condition, the project would provide a landscape plan that emphasizes a tree canopy that is sustainable over the long term by adhering to the adopted replacement matrix.

GENERAL PLAN CONSISTENCY:

The subject site is designated as Low Density Residential in the General Plan Land Use Element. The vacant site would become a single-family residential use; therefore, the character of the neighborhood, consisting of single-family residences would be maintained and enhanced.

General Plan Land Use Policy 4.11 (Development that is Compatible) requires that development demonstrates a contextual relationship with neighboring structures and sites addressing such

elements as building scale, massing, orientation, setbacks, visibility, privacy, and aesthetics. The proposed project consists of one new single-family residential dwelling unit that complies with all but two of the applicable development standards for the underlying zoning district. Therefore, the proposed project is compatible with existing development.

General Plan Land Use Policy 22.1 (Appropriate Scale and Massing) discourages mansionization by requiring building scale and massing that is compatible with existing development in single-family neighborhoods. As proposed, the new dwelling would meet the floor area requirements, height requirements, including top plate heights, and all development standards other than the Minor Variances to adjust the front and rear setbacks. With the Minor Variance requests, the proposed design would center the massing on the lot and be an appropriate scale and massing with the neighborhood.

ENVIRONMENTAL REVIEW:

This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15303(b), 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 specifically exempts the construction of one single-family residence in a residential zone. The project consists of the construction of one single-family residence in the RS-6 zoning district; therefore, the proposal is exempt from environmental review.

COMMENTS FROM OTHER DEPARTMENTS:

The proposed project was reviewed by the Departments of Fire, Housing, Public Works, Transportation, and Water and Power, the Building and Safety Division, and the Design and Historic Preservation Section. The Building and Safety Division, Public Works Department, and Water Division have provided conditions, which are included in Attachment B. In addition to recommend conditions of approval, all departments would review the project for compliance during the building permit plan review process.

CONCLUSION:

Staff concludes that the findings necessary for approving both Minor Variances and the Tree Removal Permit can be made. The proposed project meets applicable development standards required by the Zoning Code, with the exceptions of the front and rear setback. The approval of the Minor Variance requests would allow the property owner to develop the site with a single-family use and enjoyment of the residence without impacting the surrounding residential neighborhood. Replacement of the protected tree would occur in accordance with the tree replacement matrix. Therefore, staff recommends approval of the Minor Variance and Tree Removal Permit, subject to the findings in Attachment A and recommended conditions of approval in Attachment B.

ATTACHMENTS:

- Attachment A: Specific Findings for Minor Variance and Tree Removal Permit
- Attachment B: Conditions of Approval for Minor Variance and Tree Removal Permit
- Attachment C: Neighborhood Compatibility Analysis – Properties Within 500 Feet

ATTACHMENT A
SPECIFIC FINDINGS FOR MINOR VARIANCE #11962

Minor Variance: To allow a 20-foot front setback, where 25 feet is required.

1. *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.* The lot is triangular, where a typical lot in the RS zone is rectangular. The depth of the lot varies from 61'-1" at the north property line and gradually decreases to 20'-2" at the south. Based on the existing conditions, the blockface average results in a front setback requirement that equates to nearly half the lot depth at its widest point and exceeds the depth of the lot at its narrowest point. Strict compliance with the required setbacks would limit the buildable area to a triangular area with a maximum depth of 10 feet and width of 20 feet, decreasing in depth towards its southern-most point. Under these circumstances, this buildable area would allow a footprint of approximately 25 square feet, which is not an adequate size to develop a single-family dwelling unit. A front setback requirement that severely restricts the location of development and the size of a dwelling does not generally apply to sites in the RS zoning district. Furthermore, the subject site's lot area of approximately 4,861 square feet is substandard when compared to the minimum required 12,000 square-foot lot size for a property in the RS-6 zoning district.
2. *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.* Due to the front yard setback requirement, development opportunities for the site are constrained. The granting of the Minor Variance would facilitate a reasonable enjoyment of real property because it would allow the construction of a single-family residence, whereas a code compliant project would allow a footprint of approximately 25 square feet for the residence. The total size of the residence will be 1,866 square-feet and within the maximum size permitted by the development standards as it relates to gross floor area and would meet the required side yard setbacks. If the Minor Variance request is not approved, the site may not be able to accommodate a dwelling or may require additional discretionary applications to accommodate development. As such, the granting of the Minor Variance request will allow the preservation and enjoyment of a substantial property right of the applicant.
3. *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 granting of the Minor Variance request to facilitate the construction of a single-family dwelling will not be detrimental to property or improvements in the vicinity. The proposed dwelling will include a two-car garage towards the front of the residence, consistent with the majority of properties on the block. The driveway location and curb cut will be reviewed by the Public Works Department to ensure compliance with the Public Works Standard Plan for driveways. The structure will comply with required side yard setbacks and provide adequate space for light and air to the residence to the north and comply with all other applicable development standards for the zoning district. The proposed project will comply with applicable development standards for the zone and will be required to obtain building permits ensuring that the construction will comply with Building and Fire Codes. Conditions of approval will ensure that the project remains compatible with the surrounding area. Therefore, granting the application will not be detrimental or injurious to property or improvements in the vicinity.

4. *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 vacant site will become a single-family residential use; therefore, the character of the neighborhood, consisting of single-family residences will be maintained and enhanced by the provision of a new single-family residence on a vacant lot. General Plan Land Use Policy 4.11 (Development that is Compatible) requires that development demonstrates a contextual relationship with neighboring structures and sites addressing such elements as building scale, massing, orientation, setbacks, visibility, privacy, and aesthetics. The proposed project consists of one new single-family residential dwelling unit that complies with all but two of the applicable development standards for the underlying zoning district. Therefore, the proposed project is compatible with existing development. General Plan Land Use Policy 22.1 (Appropriate Scale and Massing) discourages mansionization by requiring building scale and massing that is compatible with existing development in single-family neighborhoods. As proposed, the new dwelling will meet the floor area requirements, height requirements, including top plate heights, and all development standards other than where encroachments into the front and rear yard setbacks are requested. With the Minor Variance requests, the proposed design will center the massing on the lot and be an appropriate scale and massing with the neighborhood.
5. *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 of complying with the City's development standards has not been considered throughout the review of this application.

Minor Variance: To allow a five-foot rear setback, where 25 feet is required.

6. *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.* The lot is triangular in shape, where a typical lot in the RS zone is rectangular. The depth of the lot varies from 61'-1" at the north property line and gradually decreases to 20'-2" at the south. Based on the existing conditions, the rear setback requirement equates to nearly half the lot depth at its widest point and exceeds the depth of the lot at its narrowest point. Strict compliance with the required setbacks would limit the buildable area to a triangular area with a maximum depth of 10 feet and width of 20 feet, decreasing in depth towards its southernmost point. Under this circumstance, this buildable area would allow a footprint of approximately 25 square feet, which is not an adequate size to develop a single-family dwelling unit. Additionally, since setbacks are measured perpendicular to property lines, the angled orientation of the rear property line and corresponding rear setback create design challenges for the shape of a dwelling if held to the 25-foot requirement. These conditions do not generally apply to sites in the RS zoning district. Furthermore, the subject site's lot area of approximately 4,861 square feet is substandard when compared to the minimum required 12,000 square-foot lot size for a property in the RS-6 zoning district.
7. *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.* Due to the rear yard setback requirement, development opportunities for the site are constrained. The granting of the Minor Variance would facilitate a reasonable enjoyment of real property because it would allow the construction of a single-family residence; whereas a code compliant project would allow a footprint of approximately 25 square feet for the residence. The total size of the residence will be 1,866 square-feet and within the

maximum size permitted by the development standards as it relates to gross floor area and would meet the required side yard setbacks. If the Minor Variance request is not approved, the site may not be able to accommodate a dwelling or may require additional discretionary applications to accommodate development. As such, the granting of the Minor Variance request will allow the preservation and enjoyment of a substantial property right of the applicant.

8. *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 granting of the Minor Variance request to facilitate the construction of a single-family dwelling will not be detrimental to property or improvements in the vicinity. The proposed dwelling will include a two-car garage towards the front of the residence, consistent with the majority of properties on the block. The driveway location and curb cut will be reviewed by the Public Works Department to ensure compliance with the Public Works Standard Plan for driveways. The structure will comply with required side yard setbacks and provide adequate space for light and air to the residence to the north and comply with all other applicable development standards for the zoning district. The proposed project will comply with applicable development standards for the zone and will be required to obtain building permits ensuring that the construction will comply with Building and Fire Codes. Conditions of approval will ensure that the project remains compatible with the surrounding area. Therefore, granting the application will not be detrimental or injurious to property or improvements in the vicinity.
9. *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 vacant site will become a single-family residential use; therefore, the character of the neighborhood, consisting of single-family residences will be maintained and enhanced by the provision of a new single-family residence on a vacant lot. General Plan Land Use Policy 4.11 (Development that is Compatible) requires that development demonstrates a contextual relationship with neighboring structures and sites addressing such elements as building scale, massing, orientation, setbacks, visibility, privacy, and aesthetics. The proposed project consists of one new single-family residential dwelling unit that complies with all but two of the applicable development standards for the underlying zoning district. Therefore, the proposed project is compatible with existing development. General Plan Land Use Policy 22.1 (Appropriate Scale and Massing) discourages mansionization by requiring building scale and massing that is compatible with existing development in single-family neighborhoods. As proposed, the new dwelling will meet the floor area requirements, height requirements, including top plate heights, and all development standards other than where encroachments into the front and rear yard setbacks are requested. With the Minor Variance requests, the proposed design will center the massing on the lot and be an appropriate scale and massing with the neighborhood.
10. *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 of complying with the City's development standards has not been considered throughout the review of this application.

Tree Removal Permit: To allow the removal of one protected tree (Coast Live Oak)

11. *The project includes a landscape design plan that emphasizes a tree canopy that is sustainable over the long term by adhering to the adopted replacement matrix. One protected tree will be removed to facilitate construction of the new single-family residence and specifically, a paved driveway leading to an attached two-car garage. Replacement of the protected tree is proposed in compliance with the adopted replacement matrix. As conditioned, the applicant will provide a final landscape plan in accordance with the adopted tree replacement matrix and P.M.C. Section 8.52.075. The landscape plan will identify a mix of trees, shrubs, and hedges as designed by a landscape architect to ensure that the landscaping and proposed replacement trees is sustainable over the long term.*

ATTACHMENT B
CONDITIONS OF APPROVAL FOR MINOR VARIANCE #11962

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, May 15, 2024," 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 a minimum front yard setback of 20 feet and a minimum rear yard setback of five feet, in conjunction with the construction of a single-family residential dwelling.
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 **ZENT2023-00031** 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 Alison Walker, Current Planning Section, at (626) 744-6742 or awalker@cityofpasadena.net to schedule an inspection appointment time.

Planning Division

7. Prior to Building Permit issuance, the applicant shall provide a final landscape plan which demonstrates compliance with the adopted tree replacement matrix and P.M.C. Section 8.52.075 (Private property tree removal and landmark tree pruning permits—Issuance).
8. The applicant shall comply with all other requirements of the Zoning Code, including the applicable development standards provided in Chapter 17.22 (Residential Zoning Districts).
9. 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.
10. 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).

11. This project meets the threshold for state-mandated water-efficient landscaping. Accordingly, the final landscape plans (inclusive of planting and hardscape plans, the planting pallet, drainage plan, and irrigation system plan(s) and specifications), shall be reviewed by Planning and Community Development Department staff for conformance with the standards and requirements specified within the 2015 California Model Water Efficient Landscape Ordinance (MWELo) prior to the issuance of a building permit. No certificate of occupancy shall be issued until such plans have been deemed compliant with the MWELo and the landscaping has been installed per such approved MWELo-compliant plans to the satisfaction of the Director of Planning and Community Development or his/her designee.
12. At no time shall construction activities, including, but not limited to, construction materials, vehicles and equipment, obstruct access to vehicular driveways of adjacent properties.

Building and Safety Division

13. Governing Codes: Comply with the Current Edition of California Building Code, California Electrical Code, California Plumbing Code, California Mechanical Code, California Energy Code, *California Green Building Standard Code* and the City of Pasadena Municipal Code. The governing edition is based on the date in which the project is submitted to the City of Pasadena for review.
14. Building Code Analysis: Provide a Building Code Analysis on the title sheet. Include the code(s) information for each building proposed: Descriptive scope of work, occupancy, assessor's parcel number, number of stories, type of construction, fire sprinklers, floor area, height, and allowable floor area.
15. Best Management Practices: Photocopy to plans and complete the BEST MANAGEMENT PRACTICE Page 1 (form must be signed). Photocopy any other applicable pages and cross reference the location at the site plan, i.e. the material storage, the concrete waste management, etc.
These forms can be found at <https://www.cityofpasadena.net/planning/building-and-safety/bs-applications-forms/#informational-handouts>
16. Green Code: Photocopy to plans and complete the 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE WITH CITY OF PASADENA AMENDMENTS FORMS. These forms are being provided attach and can be found at <https://www.cityofpasadena.net/planning/building-and-safety/bs-applications-forms/#informational-handouts>.
17. Means Of Egress (Exiting): Provide and specify at least one operable exterior opening in basements, habitable attics, and every sleeping room with the minimum clear opening requirements for an emergency escape and rescue opening on the plans or schedule. Provide a minimum of 8 percent for natural lighting and 4 percent for natural ventilation of the floor area of all habitable rooms/areas.
18. Energy: Submit the current, applicable residential energy documentation using either the "Prescriptive Standard" or the "Performance Standard". Photocopy form to plans, include the mandatory measures.

19. Property Line Survey Required: Per City of Pasadena Policy property line survey is required for:
 - a. New construction.
 - b. Auxiliary buildings and additions where setback is less than 5'-0" to property line.
 - c. All buildings where specific Zoning Division Variance is issued for approved setbacks & whether newly constructed or altered.
20. A soils engineer report is required for:
 - a. All new constructed single and multi-family residential, commercial, and industrial buildings.
 - b. An addition to a commercial or industrial building.
 - c. Second (2nd) story addition to existing one-story building.
 - d. Hillside construction, i.e. decks, retaining walls, and swimming pools.
21. 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.

Public Works Department

22. The proposed development shall connect to the public sewer with one 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.
23. The proposed removal of a public street tree is acceptable. Based on the City's evaluation, the tree is in poor condition (poor planting/establishment; buried root flare and development of root girdling; pest (aphid or mealybug) present throughout foliage developing sooty mold. As such, the tree will be removed by the City. The new driveway within the public right-of-way shall be constructed per Public Works Standard Plan S-403. S-403-Driveway-Dustpan-Type
24. To protect existing City trees during construction, the applicant shall fully conform to the Tree Protection Guidelines signed by the City Manager. The full guidelines are available at the following link: <https://www.cityofpasadena.net/public-works/engineering-and-construction/engineering/>
25. 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.

26. 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.
27. The applicant shall at minimum provide the following within a designated TPZ: mulching, irrigation, and protective fencing.
28. 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.
29. 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.
30. In order to ensure that the developers maintain a clean and safe site during the construction phase of development, the applicant shall place a \$2,000 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.
31. 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.

32. 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. Construction vehicles shall not be driven over any private street or private driveways. Parking of construction vehicles and construction worker vehicles shall be within the project site private property.
33. 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.
34. 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

Water and Power Department

32. PWP records reflect that there is one 1-inch domestic service serving this property, the service was installed in 1982 (#46943). If the applicant or the Fire Department requests an upgrade, please reach out to Utility Services Planning at (626) 744-4495.

**ATTACHMENT C
NEIGHBORHOOD COMPATIBILITY – PROPERTIES WITHIN 500 FEET**

Number	Parcel No.	Address	Zoning	Lot Area (SF)	Building Area (SF)
1	5711-011-001	625 N PASADENA AVE	RS6	7006	905
2	5711-011-002	545 ROSEWOOD LN	RS6	6839	1043
3	5711-011-003	535 ROSEWOOD LN	RS6	6859	1371
4	5711-011-004	525 ROSEWOOD LN	RS6	6386	1035
5	5711-011-006	560 RIDGEWOOD LN	RS6	6973	1562
6	5711-011-007	550 RIDGEWOOD LN	RS6	6852	2272
7	5711-011-008	540 RIDGEWOOD LN	RS6	6833	1248
8	5711-011-009	530 RIDGEWOOD LN	RS6	6361	1145
9	5711-011-018	565 N PASADENA AVE	RS6	5850	1872
10	5711-011-019	535 LONGWOOD LN	RS6	6795	1342
11	5711-011-020	525 LONGWOOD LN	RS6	6383	1390
12	5711-011-022	550 ROSEWOOD LN	RS6	11320	1576
13	5711-011-023	540 ROSEWOOD LN	RS6	6827	1764
14	5711-011-024	530 ROSEWOOD LN	RS6	6412	1115
15	5711-011-027	520 LONGWOOD LN	RS6	14157	1830
16	5711-011-028	515 LONGWOOD LN	RS6	12226	1205
17	5711-011-029	520 ROSEWOOD LN	RS6	12322	1467
18	5711-011-030	515 ROSEWOOD LN	RS6	12407	1479
19	5711-011-031	520 RIDGEWOOD LN	RS6	12511	1512
20	5711-011-032	530 LONGWOOD LN	RS6	11938	1576
21	5711-012-001	555 RIDGEWOOD LN	RS6	6987	936
22	5711-012-002	545 RIDGEWOOD LN	RS6	6855	1500
23	5711-012-003	535 RIDGEWOOD LN	RS6	6834	2040
24	5711-012-004	525 RIDGEWOOD LN	RS6	6385	1204
25	5711-012-006	560 HICKORY LN	RS6	6986	1251
26	5711-012-007	550 HICKORY LN	RS6	6822	909
27	5711-012-008	540 HICKORY LN	RS6	6848	1300
28	5711-012-009	530 HICKORY LN	RS6	6366	2185
29	5711-012-013	555 HICKORY LN	RS6	6987	1068
30	5711-012-032	515 RIDGEWOOD LN	RS6	12611	2549
31	5711-012-033	520 HICKORY LN	RS6	12719	1353
32	5711-015-033	1 MAYVIEW LN	RS6	25480	4604
33	5711-015-035	6 MAYVIEW LN	RS6	13945	2025
34	5711-015-036	8 MAYVIEW LN	RS6	5995	1588
35	5711-015-037	10 MAYVIEW LN	RS6	6347	1000
36	5711-015-038	650 N PASADENA AVE	RS6	8497	1531
37	5711-015-039	634 N PASADENA AVE	RS6	6237	1575
38	5711-015-042	5 MAYVIEW LN	RS6	11519	1597
39	5711-015-043	3 MAYVIEW LN	RS6	5527	2517
40	5711-015-044	710 N PASADENA AVE	RS6	16006	1979
				Median	1490
				Median + 35%	2011