



## PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

### STAFF REPORT

**DATE:** May 5, 2021

**TO:** Hearing Officer

**SUBJECT:** Conditional Use Permit #6577

**LOCATION:** 1410 Wierfield Drive (generally west/northwest of Wierfield Drive; APN: 5707-016-912, and portions of up to 27 parcels)

**APPLICANT:** City of Pasadena  
Public Works Department

**ZONING DESIGNATION:** OS (Open Space), RS-2-HD (Residential, Single-Family, 0-2 dwelling units per acre, Hillside Overlay district)

**GENERAL PLAN DESIGNATION:** Open Space, Low Density Residential

**CASE PLANNER:** David Sinclair

**STAFF RECOMMENDATION:** Adopt the Environmental Determination and the Specific Findings in Attachment A to **approve** Conditional Use Permit #6577 with the conditions in Attachment B.

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**PROJECT PROPOSAL:** Conditional Use Permit: Conditional Use Permit: To allow the establishment of a 'Park and Recreation Facility' use in order to facilitate pedestrian access to Annandale Canyon.

**ENVIRONMENTAL DETERMINATION:** An Initial Study was prepared for the project and concluded that there will be less than significant impacts on the environment with the incorporation of mitigation measures; a Mitigated Negative Declaration has therefore been prepared. Possible impacts on Biological Resources, Cultural Resources, Geology and Soils, Recreation, and Tribal Cultural Resources were identified in the Initial Environmental Study.

**BACKGROUND:**

**Site characteristics:** The project site is currently undeveloped, lying at an average elevation of 1,200 feet (lowest 1,090 feet, highest 1,315 feet), and encompasses

approximately 23 acres. A ridge runs through the western half of the property, and the eastern portions accommodate an intermittent stream and associated drainage, which flows southerly towards the Arroyo Seco. Slopes range from nearly level to almost vertical. Fill and other debris, have been deposited on northern portions of the property downslope from Glen Oaks Boulevard, as well as in the southeastern portion near the current physical termination of Wierfield Drive.

An abandoned un-paved graded access road extends to the north from the western terminus of Wierfield Drive. The graded contour of the former roadway winds its way westward through the project site to the ridge line in the north-central portion of the site. Other than approximately the first 700 feet from the access point, the roadway has been reclaimed by adjacent chaparral vegetation and is now only functioning as a trail, with evidence of light usage, although overgrown in many areas. On-site vegetation includes a mix of mostly native communities, such as chaparral, scrub, oak woodland, and sycamore riparian woodland.

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

**Adjacent Zoning:** North: RS-2-HD (Residential, Single-Family, 0-2 dwelling units per acre, Hillside Overlay district)  
South: RS-2-HD (Residential, Single-Family, 0-2 dwelling units per acre, Hillside Overlay district)  
East: RS-2-HD (Residential, Single-Family, 0-2 dwelling units per acre, Hillside Overlay district)  
West: City of Glendale

**Previous cases on this property:** None

**PROJECT DESCRIPTION:**

The applicant, City of Pasadena Department of Public Works, has submitted a Conditional Use Permit application to allow the establishment of a 'Park and Recreation Facility' land use in order to facilitate pedestrian access to Annandale Canyon ('Annandale Canyon Open Space Trail Access Improvement Project'), which is currently undeveloped. A Conditional Use Permit is required for a 'Park and Recreation Facility' in the OS (Open Space) and RS-2 (Residential, Single-Family) zoning districts.

The project includes a parking area for six cars at the end of Wierfield Drive, a trailhead, a trail, and an observation point. The parking lot would be paved with crushed aggregate, except for the one Americans with Disabilities Act space which would be concrete. The trailhead would include informational signage, a bench, a combination trash/recycling receptacle, a series of boulders along both sides of the parking lot, and a security gate to prevent vehicle access after-hours; the

security gate would open at sunrise and be closed at sunset by City staff. The trail and observation point would be for pedestrian use only.

The proposed trail would be approximately 2,350 feet in length and three to five feet in width depending on any given point along the trail and the terrain and vegetation constraints. The proposed trail would incorporate the existing abandoned unpaved graded access road, with the exception of the proposed creek crossing, where the trail would utilize a portion of the existing trail. Although the trail alignment traverses a few drainages, no trail improvements would occur within these features. The construction of a wooden pedestrian bridge at one drainage crossing would completely span the drainage. The proposed observation point would be located atop the San Rafael Hills and would include installation of a bench, interpretive signs, perimeter railing, and boulders.

Upon completion of the project, maintenance of the trail, trailhead, and observation point, would occur on an annual basis. Such maintenance would include the removal of trash and debris, trimming of vegetation that may infringe on the accessibility of the trail, and minor trail repairs and improvements for the trail's overall maintenance.

#### Background:

The project site was previously a part of a proposed development of 24 single-family homes and a Draft Environmental Impact Report (EIR) was prepared in 2006; however, the EIR was not certified. Subsequently, the City and the developer entered into an acquisition agreement in 2007 with the intention of acquiring the property for publicly accessible open space and trails. In February 2009, the City of Pasadena's City Council approved the purchase of the property, comprised of 38 separate parcels, totaling approximately 21 acres. In 2014, the City acquired three additional parcels, which expanded the footprint of the open space area to approximately 23 acres. In 2016, the City of Pasadena's Public Works Department began the design process and developed an initial concept plan for proposed project, formerly referred to as the Annandale Canyon Open Space Access Project. The proposed project was included in the City's FY 2019-2023 Capital Improvement Program for Parks and Landscaping – Park Project.

#### **ANALYSIS:**

##### Conditional Use Permit – To establish a Parks and Recreational Facility Land Use

The City's Zoning Code defines a Parks and Recreation Facility as a noncommercial park, playground, or other recreation facility, and/or open space officially designated as a public park or recreation facility. The proposed project includes recreational improvements, such as a pedestrian hiking trail and observation point, to a currently open space area that is inaccessible to the public. With the proposed improvements, the site would serve as a recreation facility to the general public.

The majority of the site is located within the OS (Open Space) zoning district, with the exception of one parcel, approximately where the proposed parking lot would be located, which is located within the RS-2-HD (Residential, Single-family, two lots per acre, Hillside District Overlay) zoning district. A Parks and Recreation Facility subject to the approval of a Conditional Use Permit within both zoning districts.

The Conditional Use Permit process allows the City to review the project to determine if the proposed improvements will be compatible with the surrounding uses and require that the

proposal adhere to specific conditions related to construction, operation, appearance, etc. In order to approve the Conditional Use Permit, six specific findings (Attachment A) must be made in the affirmative. These findings relate to the project meeting the intent and purpose of its Zoning District and the Zoning Code.

As described earlier in the report, the site is located at the western boundary of Pasadena with the City of Glendale, where it was the subject of development interest in the early 2000's. As the City acquired the site over time, it was with the understanding that the area would be made available for use by the general public, and not just the immediate neighbors. However, the use of the area has been designed to be limited to passive recreation, in the form of an improved hiking trail, an observation point, and a modest-size parking lot, in order to limit impacts that could occur if the site was designed to facilitate active recreation and/or a larger parking lot. As such, the improvement of the hiking trail, and the other components of the project would not generate excessive noise that would be inconsistent with the noise level of the surrounding neighborhood.

#### *Hours of Operation*

The Park and Recreation Facility is proposed to be open from sunrise to sunset. The proposed vehicular gates would be closed and locked between sunset and sunrise, and pedestrian access to the Park and Recreation Facility would also be limited sunrise to sunset.

The proposed hours of operation are consistent with hours of operation for all City parks. Additionally, the hours of operation would be consistent with the neighboring single-family residences along Wierfield Drive by limiting activity to day-time hours only.

#### *Parking*

The City's Zoning Code parking requirement for a Park and Recreation Facility is 2.5 parking spaces for every 1,000 square feet of a structure's gross floor area. Since the proposed Park and Recreation Facility does not include the construction of any enclosed structure, no parking is required for the proposed project. However, in order to facilitate some vehicular access to the project, a new six-vehicle parking lot is proposed, including one space that would comply with the applicable regulations in the Americans with Disabilities Act.

#### **TREE PROTECTION ORDINANCE:**

The City's Tree Protection Ordinance (Section 8.52 of the City's Municipal Code) provides for the preservation of mature trees and has a list of protected tree species. However, "public trees", which includes those located in a place or area under ownership or control of the city including but without limitation streets, parkways, open space, parkland and including city owned property under the operational control of another entity by virtue of a lease, license, operating or other agreement, are protected regardless of size or species. As the project site is City-owned, all trees on the site are therefore governed by the Tree Protection Ordinance. Any request to remove a public tree must be reviewed by the Urban Forestry Division in the Public Works Department.

Although no trees are proposed for removal, there are two Coast Live Oak trees near the trail head/parking area that could be impacted as their root systems and/or canopies may fall within the temporary or permanent impact area for the project. One additional tree, a San Gabriel Mountains leather oak, may be disturbed due to moderate foot traffic under its canopy and light trimming of a few small branches for improved trail access. To alleviate such impacts, two

mitigation measures (BIO-2 and BIO-3) are proposed in the Initial Study and are summarized in the Environmental Review section below.

**GENERAL PLAN CONSISTENCY:**

As proposed, the Park and Recreation Facility is consistent with General Plan Land Use Element Policy 2.13 (Parks), which encourages the development of new parks and recreational facilities within walking distance of residents, supporting healthy lifestyles. The proposed park is also consistent with General Plan Land Use Element Policy 10.10 (Expanded Natural Areas) through the improvement and maintenance of a natural open space.

The project would also be consistent with the goals of the City’s Green Space, Recreation and Parks Element of the General Plan. This Element promotes the City’s vision of expanding additional parks and open spaces to meet the community’s needs and desires for open space, parks, and recreation. Specifically, the project would address Policy 4.2: Degraded Open Spaces, “Seek opportunities to reclaim and restore degraded natural open spaces”, by adding a passive recreation feature, and related maintenance, to the Annandale Canyon area, an area that has not historically been maintained.

**ENVIRONMENTAL REVIEW:**

On behalf of the City, Psomas was hired to conduct the environmental review of the Project in compliance with the California Environmental Quality Act (CEQA). This analysis resulted in a Draft Initial Study / Mitigated Negative Declaration. As required by CEQA, the following environmental topics were analyzed:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

All impacts identified in the Initial Study were found to be less than significant, or less than significant with implementation of mitigation measures. The Initial Study identified potentially significant effects related to the following topics: Biological Resources, Cultural Resources, Geology and Soils, Recreation, and Tribal Cultural Resources. However, with incorporation of mitigation measures, it was determined in the Initial Study that all potentially significant effects would be reduced to a less-than-significant level.

Summarized below are the topics where it was determined that mitigation measures were necessary, as well as summaries of the relevant mitigation measures. The full analysis of these topics, as well as those found to have a less-than-significant impacts can be found in the Draft Initial Study / Mitigated Negative Declaration (IS/MND).

### Biological Resources (Less than Significant with Mitigation)

The Biological Resources analysis in the Draft IS/MND found that although the Project would not have a substantial adverse impact on wildlife, there is suitable habitat for ground-nesting birds throughout the project site, and suitable habitat for tree and shrub-nesting species is present on-site and within a 500-foot radius. Therefore, Mitigation Measure BIO-1 will require that migratory birds and their nests are protected pursuant to the Migratory Bird Treaty Act and California Department of Fish and Wildlife regulations.

The Draft IS/MND also identified potential impacts to protected trees on-site, including two Coast live oaks and one San Gabriel Mountain leather oak. The potential impacts are due to light trimming, foot traffic under canopies, and potential root or canopy damage during construction activities in close proximity. As such, Mitigation Measures BIO-2 will require the installation of protective fencing around the identified protected trees, and Mitigation Measure BIO-3 will require approval from the City Manager prior to tree disturbance.

With the inclusion of Mitigation Measures BIO-1, BIO-2, and BIO-3, potential impacts to Biological Resources were found to be less than significant.

### Cultural Resources (Less than Significant with Mitigation)

The Cultural Resources analysis in the Draft IS/MND found that although the Project would not have a substantial adverse change in the significance of a known historical resource or disturb human remains, there is the potential to unearth previously unknown archaeological resources during construction, which would cause a potentially substantial adverse change in the significance of an archaeological resource. Therefore, Mitigation Measures CUL-1 will require instructions for construction personnel regarding historic resources and require all ground-disturbing activities within the localized area to be stopped if resources are discovered. Mitigation Measure CUL-2 will require an evaluation of any such find by a qualified archaeologist, and if the evaluation yields positive for a significant impact, the archaeologist would develop an appropriate treatment plan for the resource.

Therefore, with the inclusion of Mitigation Measures CUL-1 and CUL-2, potential impacts to Cultural Resources were found to be less than significant.

### Geology and Soils (Less than Significant with Mitigation)

The Geology and Soils analysis in the Draft IS/MND found that because the Project would be located within the seismically active Southern California region, it could be subjected to secondary seismic hazards such as landslides, collapse, ground lurching, shallow ground rupture, and liquefaction. As part of the study of the area, a geotechnical analysis of the site, 'Limited Geotechnical Investigation, the Annandale Canyon Open Space Trail Access Improvements' technical report was prepared by Geocon West, Inc. This report is included as Appendix D to the IS/MND. To address potential seismic impacts, Mitigation Measure GEO-1 will require that prior to issuance of a grading permit for the project, the recommendations from the 'Limited Geotechnical Investigation' report be included in the site preparation and construction specifications. With the inclusion of Mitigation Measure GEO-1, potential impacts to Geology and Soils were found to be less than significant.

### Recreation (Less than Significant with Mitigation)

The Recreation analysis in the Draft IS/MND found that although the Project would not, "...directly or indirectly create a need for construction or expansion of recreational facilities...", the Project would include construction of a trailhead, trail, and observation point to provide public access to the Annandale Canyon Open Space Access area. Although these elements themselves could not have an environmental impact, the construction of the project itself could have an impact. Therefore, with the inclusion of the relevant mitigation measures discussed previously and subsequent to this discussion, specifically Mitigation Measures BIO-1-3, CUL-1-2, GEO-1, and TCR-1, the Project would have a less than significant impact on the Recreation topic area.

### Tribal Cultural Resources (Less than Significant with Mitigation)

The Tribal Cultural Resources analysis in the Draft IS/MND found that there is no known evidence of tribal resources at the Project site, and therefore the impacts would be less than significant. However, Mitigation Measure TCR-1 has been included to recognize the possibility of uncovering tribal resources. This mitigation measure will require the City to notify the Gabrieleño Band of Mission Indians – Kizh Nation of the commencement of earthwork activities, and to allow them reasonable access to the site. If any tribal resources are identified, the City's consulting Project Archaeologist will collaborate with the tribal representative and determine the appropriate actions (i.e. design and plan) for explorations and/or recovery.

### **REVIEW BY OTHER CITY DEPARTMENTS:**

The proposal was reviewed by the Department of Transportation, Public Works Department, Building and Safety Division, Fire Department, and Police Department. No comments or conditions were received.

### **CONCLUSION:**

It is staff's assessment that the findings necessary for approval of the Conditional Use Permit to allow the establishment of a Parks and Recreation Facility land use to facilitate pedestrian access to Annandale Canyon can be made. The proposed project would provide for passive recreation and facilitate the use of an undeveloped area of the city by the general public and would be consistent with both the Land Use Element and Green Space, Recreation and Parks Element of the General Plan. Further, the environmental review conducted for the proposed project found that all potentially significant impacts to Biological Resources, Cultural Resources, Geology and Soils, Recreation, and Tribal Cultural Resources would be mitigated to a less than significant level with the inclusion of Mitigation Measures.

Therefore, staff recommends that the Hearing Officer adopt the environmental determination and approve the application with the findings in Attachment A and the Conditions of Approval in Attachment B.

### **ATTACHMENTS:**

Attachment A: Specific Findings of Approval  
Attachment B: Conditions of Approval

**ATTACHMENT A**  
**SPECIFIC FINDINGS FOR CONDITIONAL USE PERMIT #6577**

Conditional Use Permit – To establish of a Parks and Recreation Facilities land use

1. *The proposed use is allowed with a Conditional Use Permit within the applicable zoning district and complies with all applicable provisions of this Zoning Code.* The proposed Park and Recreation Facility use is allowed subject to the review and approval of a Conditional Use Permit in the OS (Open Space) and RS-2-HD (Residential, Single-family, two lots per acre, Hillside District Overlay) zoning districts. The proposal is to allow improvements, such as the trailhead and trail, which are complimentary to the surrounding residential community and that will not conflict with the provisions of the Zoning Code, such as hours of operation and parking. As such the proposal will comply with all applicable provisions of the Zoning Code.
2. *The location of the proposed use complies with the special purposes of this Zoning Code and the purposes of the applicable zoning district.* The subject site is located in the OS (Open Space) and RS-2-HD (Residential, Single-family, two lots per acre, Hillside District Overlay) zoning districts. The OS district is applied to sites with open space, parks, and recreational facilities of a landscaped, open character having a minimum contiguous site area of two acres, while one of the purposes of the RS district is to provide a physical environment that contributes to and enhances the quality of life. In this case, the new Parks and Recreation Facility consist of a contiguous open area of approximately 23 acres, and will contribute to the physical environment, and enhance the quality of life of the adjacent residential neighborhood. As such, the Parks and Recreation Facility land use is consistent with the intent of the OS and RS-2-HD zoning districts.
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.* As proposed, the proposed Park and Recreation Facility is consistent with General Plan Land Use Element Policy 2.13 (Parks), which encourages the development of new parks and recreational facilities within walking distance of residents, supporting healthy lifestyles. The proposed Park and Recreation Facility is also consistent with General Plan Land Use Element Policy 10.10 (Expanded Natural Areas) through the improvement and maintenance of a natural open space.

The project would also be consistent with the goals of the City's Green Space, Recreation and Parks Element of the General Plan. This Element promotes the City's vision of expanding additional parks and open spaces to meet the community's needs and desires for open space, parks, and recreation. Specifically, the project would address Policy 4.2: Degraded Open Spaces, "Seek opportunities to reclaim and restore degraded natural open spaces", by adding a passive recreation feature, and related maintenance, to the Annandale Canyon area, an area that has not historically been maintained.

4. *The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.* The project would facilitate passive recreation by providing an improved hiking trail and related amenities, such as signage and an observation point. Passive recreation would be less impactful to surrounding residents than active recreation elements such as sports fields or courts. As such, the activities in the Park and Recreation Facility will not generate excessive noise inconsistent with the noise level of the surrounding single-family residential uses. The proposed hours for

the park are dawn to dusk, which are the standard operating hours for a City park and are consistent with the surrounding single-family residential uses.

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 features of the proposed Park and Recreation Facility, such as the improved hiking trail and an observation point lend themselves to passive park activities, which are consistent with the nearby single-family residential uses. The park will provide a recreational opportunity within walking distance of the nearby residents. Therefore, the use will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.
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 in that the proposal does not convey an overdeveloped appearance in this area.* The improvements to upgrade the walking trail and create the observation point, and parking lot will occur in a limited area within the overall site, and therefore the general appearance of the site will minimally change. No structures, other than the vehicular gate and signage posts, are proposed, thereby not create any significant visual impact to the site or surrounding area. The new Park and Recreation Facility will provide for passive recreation, such as hiking, which will be compatible with the adjacent single-family neighborhood and open space areas.

**ATTACHMENT B**  
**CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT #6577**

The applicant or successor in interest shall meet the following conditions:

1. The proposed project shall substantially conform to the site plan submitted with this application and dated "Approved at Hearing May 5, 2021", except as modified herein.
2. The approval of this application authorizes the establishment of a Park and Recreation Facility land use. This approval authorizes the City of Pasadena Public Works Department to develop a public Park and Recreation Facility at the subject site.
3. In accordance with Section 17.64.040 of the Pasadena Municipal Code, the exercise of the right granted under this application must be commenced within three years of the effective date of the approval. This approval is eligible for two one-year extensions. Each one year extension is required to be reviewed and approved by the Hearing Officer at a noticed public hearing. In order for a project to be eligible for a time extension, the applicant is required to submit the required fee and time extension application to the Permit Center prior to the expiration date of the land use entitlement.
4. The Zoning Administrator, at any time, can call for a review of the approved conditions at a duly noticed public hearing. These conditions may be modified or new conditions added to reduce any impacts of the use. The Hearing Officer may revoke the Conditional Use Permit if sufficient cause is given.
5. Any change to these conditions of approval or expansion of the use shall require the modification of this Conditional Use Permit or a new Conditional Use Permit.
6. The applicant or successor in interest shall meet the applicable code requirements of all other City Departments.

Planning Division

7. A sign shall be installed, to the satisfaction of the Zoning Administrator, on or near the entry gates that displays, at a minimum, the hours of access to the facility, and a contact phone number and/or email address to report concerns.