



## PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

### STAFF REPORT

**DATE:** June 7, 2023

**TO:** Hearing Officer

**SUBJECT:** Hillside Development Permit #7072

**LOCATION:** 1839 N. Arroyo Boulevard

**APPLICANT:** Sophia Takal

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

**GENERAL PLAN DESIGNATION:** Low Density Residential

**CASE PLANNER:** Joseph Weaver

**STAFF RECOMMENDATION:** Adopt the Environmental Determination and Specific Findings in Attachment A to **approve** Hillside Development Permit #7072 with the conditions in Attachment B

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**PROJECT PROPOSAL:** Hillside Development Permit: To allow construction of a pool, spa, pool equipment, hardscape, decking with handrail, and garden wall within 20 feet of the top edge of the Arroyo Seco slope bank.

**ENVIRONMENTAL DETERMINATION:** The 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, Class 3, New Construction or Conversion of Small Structures) and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Section 15303 consists of construction and location of limited numbers of new, small facilities or structures including accessory (appurtenant) structures. The proposed improvements are accessory or appurtenant to an existing single-family dwelling, consistent with Class 3. Therefore, the proposal is exempt from environmental review.

**BACKGROUND:**

**Site Characteristics:** The 12,138 square-foot lot adjoins a private driveway to the south which is accessed by N. Arroyo Boulevard to the east. Existing improvements include a one-story single-family dwelling with attached two-car garage that is currently being converted into an Accessory Dwelling Unit. The topography is generally flat through the southerly half of the 180-foot-deep lot due to the existing building pad. This flat pad area backs up to an existing wood deck and concrete retaining wall to the north. Beyond the retaining wall, the topography slopes downward, dropping approximately 45 feet in elevation down to the rear property line at the north. The Arroyo Seco is located beyond to the northwest across Rosemont Avenue. Several trees among other vegetation fill the hillside. According to survey information, 1,497 square feet of the site slopes greater than 50 percent. After removing areas of the site equal to or greater than 50 percent slope, the average slope of the remaining site is 25.6 percent.

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

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

**Previous Zoning Cases:** None

**PROJECT DESCRIPTION:**

The applicant, Sophia Takal, has submitted a Hillside Development Permit application to allow backyard improvements to encroach within 20 feet of the top edge of the Arroyo Seco slope bank. Proposed structures consist of a pool, spa, pool equipment, hardscaping, decking with handrail, and a garden wall. Pursuant to Zoning Code Section 17.29.050.D (Development Standards, Encroachment into the Arroyo Seco), a Hillside Development Permit is required for the development of any structure within 20 feet of the top edge of the Arroyo.

The top edge is the point on the property where the natural terrain descends steeply downward at a slope greater than 50 percent. This occurs toward the middle of the lot where the property transitions from a flat pad to a down sloping hillside to the north. An existing five-foot-tall concrete retaining wall stabilizes an existing attached wood deck at the rear of the residence. The location of the top edge lies just to the north of this existing retaining wall. The usable portion of the backyard is located between the rear of the dwelling and the top edge. This area currently consists

of a raised wood deck connected to the rear of the existing residence, a concrete retaining wall, at-grade pavers, steps which descend to the sloped area of the lot, a gravel path, and landscaping. The existing deck is supported by a concrete retaining wall which are proposed to remain. Land to the north beyond the top edge is undeveloped hillside that descends for 66 feet to the rear property line. This undeveloped area is populated with vegetation and trees.

Just beyond the existing retaining wall to the north, the applicant proposes a two-foot-tall garden wall, an at-grade deck with handrail, at-grade hardscape pavers, a pool with spa that would be a maximum of 5-feet above lowest adjacent existing grade, and related pool equipment. All these improvements are proposed within 20 feet of the top edge however, no structures would be located beyond the top edge. A new, 2-foot-tall wooden deck is also proposed attached to the rear of the residence; however, this deck is located greater than 20 feet away from the top edge. Other areas of the rear yard would be enhanced with new landscaping including a variety of shrubs. No expansion to the existing dwelling or the removal of protected trees is proposed as part of this application.

## **ANALYSIS:**

### Hillside Development Permit

The subject property is located in the RS-4-HD (Single-Family Residential, 0-4 units per acre, Hillside Development Overlay District) zoning district and is identified within the boundaries of the Arroyo Seco Slope Bank Map. Pursuant to Zoning Code Section 17.29.050.D (Development Standards, Encroachment into the Arroyo Seco), no structure shall extend over or below the top edge. The top edge of the Arroyo is the highest existing grade elevation at the point where the natural gradient inclines downward at a slope greater than 50 percent in the mapped area. On a site with multiple slope banks, the top edge shall be considered the point farthest from the floor of the Arroyo Seco. A Hillside Development Permit shall be required for the development of any structure within 20 feet of the top edge. The intent of the provisions is to protect the open space and natural appearance of the Arroyo.

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 topographic map provided with the application delineates the location of the top edge, located approximately 25 feet from the existing dwelling at the narrowest point and approximately 66 feet from the rear property line at the north. The top edge is non-linear and traverses the width of the lot, approximately 90 linear feet. The proposed improvements would make use of a moderately sloped area of the site between the dwelling and the top edge. Based on the submitted slope analysis, the proposed improvements would be located on areas between 15 and 40 percent slope. The improvements would not extend over the top edge, thereby preserving the natural hillside and existing vegetation located beyond, consistent with the purpose of the Hillside Overlay District.

Pools, spas, pool equipment, hardscaping, decking, and garden walls are typical components of outdoor designs appurtenant or accessory to single-family uses. The proposed structures would

comply with all development standards in the Zoning Code including setbacks and height. The proposed pool and spa would be located on a moderately sloped portion of the lot adjacent to the top edge. The proposed pool and spa would be located five feet from the west side property line and greater than 25 feet from the east side property line. The proposed rear setback of the pool and spa would be approximately 66 feet. The pool measures 28 feet in width by 13 feet in depth and the supporting pool wall would be a maximum of five feet tall above the lowest adjacent existing grade. The spa measures six feet in width by five feet in depth. The spa would be connected to the pool and separated by a coping which would be approximately two feet tall above existing grade. Mechanical equipment for the pool and spa would be located at-grade on the northwest corner of the pool wall and would remain beyond the required 5-foot setback. The applicant proposes to screen this mechanical equipment with landscaping and decorative boulders so that it would not be visible from a right-of-way. The proposed hardscaping and wood deck would be located at-grade directly to the south of the proposed pool. The wood deck would consist of steps bounded by a 34" to 38" tall handrail which would step down 2'-4" to the hardscape area below. Lastly, the proposed garden wall would be situated adjacent to the existing concrete retaining wall and would span approximately 33 linear feet. The garden wall would be a maximum of 2 feet above existing grade.

The subject property does not directly abut Rosemont Avenue and is separated from the right-of-way by residential properties to the north and west. As a result, the proposed pool and related improvements would be approximately 150 feet away from Rosemont Avenue below, resulting in limited visibility of the proposed project from the right-of-way and the Arroyo floor. View of the proposed project from Rosemont Avenue would be further screened by existing vegetation and trees on the subject property as well as the abutting residential properties to the north and west. In addition, the applicant is proposing a variety of shrub plantings which would further assist in screening the project from public view and blending the structure into the natural hillside. The proposed improvements step downward toward the north to conform with the natural slope of the hillside and to minimize heights of the structure. The proposed paving and deck would not be visible from Rosemont Avenue due to their negligible heights above existing grade and their location behind the proposed pool. The proposed garden wall is not anticipated to be visible as it is located behind of the pool and would not exceed two feet in height above existing grade. As a result, the project would not result in detriment to the health, safety, or general welfare of persons residing or working in the neighborhood.

#### *View Protection and Visibility*

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. 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. A visual analysis is also required to assist the review authority and interested citizens in understanding how a proposed structure and its accompanying grading and other site development would appear in the context of the surrounding hillsides, properties, and development.

In this case, the proposed structures subject to this Hillside Development Permit would be located within usable portions of the backyard and extend no more than five feet above existing grade. Further, the areas surrounding the proposed improvements consist of dense vegetation and trees

which would help to screen the project from the view of adjacent properties. Due to the heights proposed and existing site conditions, there would be no view impact to neighboring properties.

The applicant provided content to help visualize the improvements as viewed from downslope areas along Rosemont Avenue. This included a digital rendering, architectural elevations and sections, and photos of the site after the installation of a temporary silhouette. The temporary silhouette made use of metal posts connected by orange rope to demarcate the height and location of the proposed pool and spa. Based on the information provided, and site visits conducted by staff, it is anticipated that there would be very limited visibility of the proposed improvements from Rosemont Avenue. The distance of the proposed pool from Rosemont Avenue, and existing and proposed vegetation would assist in screening the improvements from public view. Further, a condition of approval has been added requiring the proposed pool wall be finished with darker earth tone colors to assist the structure in blending with the natural terrain. As a result, it is anticipated that the proposal would result in minimal visual changes and would not result in detriment to the health, safety, or general welfare of persons residing or working in the neighborhood.

The proposed structures comply 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.

#### *Landscaping*

The applicant has included a landscape plan which proposes plantings and decorative boulders throughout the site. Numerous California-native shrubs would be planted including *Heteromeles Arbutifolia* (Toyon), *Berberis Aquifolium Repens* (Creeping Oregon Grape), *Salvia x 'Bee's Bliss'* (Bee's Bliss Sage), and *Penstemon Heterophyllus* (Margarita BOP Penstemon). These shrubs would be planted throughout the sloped portions of the lot between the pool and rear property line which would assist in screening the pool from public view below. Shrubs and decorative boulders would also be placed directly abutting the base of the pool wall which would soften its appearance and blend it into the natural hillside vegetation. The landscape improvements would also extend to other portions of the lot along the side and front yard. A condition of approval has been included requiring that the applicant submit full landscape and irrigation plans demonstrating compliance with the California Model Water Efficiency Landscape Ordinance (MWELo) at the time of building permit plan check.

#### *Geotechnical Report*

Earth Systems Pacific conducted a preliminary geotechnical report of the site as required by the Zoning Code. The report includes a site description and research findings based on results of field exploration and laboratory testing. The geotechnical investigation is required for projects subject to a Hillside Development Permit. The purpose of the report is to identify any soils or geological problems that may affect site stability or structural integrity. Based on the investigation, the report concluded that the site is suitable from a soils and engineering geologic standpoint for construction of the proposed pool, provided recommendations are followed and integrated into the final foundation, building and grading plans. Other improvements proposed would be constructed on flat areas of the site and require limited grading.

#### *Tree Protection Ordinance*

The applicant provided a tree inventory that identified 18 trees on private property (14 on-site, 4 off-site) within the vicinity of the proposed improvements. Of the trees identified, 11 are protected by the City's Tree Protection Ordinance based on the species, size, and location. The protected trees are located within the front, side, and rear yard setback areas of the subject property, as well as the side and rear setback areas of the neighboring property to the west. No protected trees are located within the vicinity of the proposed improvements and no trees are proposed to be removed as part of this project. The applicant has included a tree protection plan for all protected trees which will be implemented at the time of building permit plan check.

#### **GENERAL PLAN CONSISTENCY:**

The subject property is designated Low Density Residential in the Land Use Element of the General Plan. This designation corresponds to lots that are characterized by a variety of single-family dwellings, ample open space, extensive landscaping, and separations between single-family dwellings and/or accessory buildings. The proposed improvements are accessory to the single-family dwelling and would maintain consistency with General Plan Land Use Policies 10.9 (Natural Open Space), 10.11 (Eaton Canyon Corridor and the Arroyo Seco), 21.5 (Housing Character and Design), and 22.2 (Garages and Accessory Structures). Policies 10.9 and 10.11 are natural environment policies. Policy 10.9 requires protection of natural open spaces, hillsides, watersheds, and critical habitats to safeguard the health, safety, and beauty of the City for the benefit of present and future generations. Policy 10.11 calls for preserving and maintaining the natural character of the Eaton Canyon Corridor and the Arroyo Seco as self-sustaining healthy ecosystems of plants and animals, in balance with the integration of recreational facilities and flood control improvements. Policy 21.5 encourages the renovation of existing housing stock in single-family neighborhoods while providing landscaped setbacks as part of projects. Policy 22.2 requires that projects locate and design garages and accessory structures so that they do not dominate the appearance of the dwelling from the street. Specifically, the proposed improvements would be located within areas that would protect natural open spaces, the hillside, and the natural character of the Arroyo Seco slope bank, consistent with Policies 10.9 and 10.11. The project would include the improvement of a single-family residence, which would be consistent with the neighborhood character and provide landscaped setbacks consistent with Policy 21.5. Proposed structures would be located in areas that would not dominate the appearance of the dwelling from the street, consistent with Policy 22.2. In addition, the primary single-family use of the property would not change, but rather remain consistent with the applicable Low Density Residential land use designation.

#### **ENVIRONMENTAL REVIEW:**

The 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, Class 3, New Construction or Conversion of Small Structures) and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Section 15303 consists of construction and location of limited numbers of new, small facilities or structures including accessory (appurtenant) structures. The proposed improvements are accessory or appurtenant to an existing single-family dwelling, consistent with Class 3. Therefore, the proposal is exempt from environmental review.

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

The Department of Transportation, Department of Water and Power, Public Works Department, Housing Department, Fire Department, Building and Safety Division, and the Design and Historic Preservation Section reviewed the proposal. The Water Division, Department of Public Works, and Building and Safety Division provided comments and recommended conditions of approval that have been included in Attachment B of this staff report. No other comments or concerns were provided.

## **CONCLUSION:**

It is Staff's assessment that the findings necessary for approving the Hillside Development Permit can be made (Attachment A). The proposed improvements within 20 feet of the top edge of the Arroyo Seco slope bank meet all applicable development standards required by the Zoning Code and are consistent with the General Plan Land Use Element. The project would make use of the rear portion of the property while preserving the natural topography and existing vegetation consistent with the purpose of the Hillside Development Overlay. The distance of the improvements from the Arroyo Seco, dense vegetation, and step-down design of the improvements would contribute to reducing the visibility within the context of the surrounding hillside. As a result, it is anticipated that the proposed project would not be detrimental or injurious to surrounding properties or improvements. No protected views would be impacted, and no trees are proposed for removal. Therefore, staff recommends approval of the application based on the findings in Attachment A and the conditions in Attachment B.

## **ATTACHMENTS:**

Attachment A: Specific Findings of Approval

Attachment B: Recommended Conditions of Approval

**ATTACHMENT A**  
**SPECIFIC FINDINGS FOR HILLSIDE DEVELOPMENT PERMIT #7072**

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.* Accessory and appurtenant improvements such as pools, spas, pool equipment, hardscaping, decks with handrails, and garden walls are permitted with the RS-4-HD zoning district. Construction within 20 feet of the top edge of the Arroyo Seco slope bank is permitted subject to the approval of a Hillside Development Permit. The proposed improvements will comply with applicable development standards including but not limited to those relevant to walls and accessory structures.
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 and proposed single-family use of the property is located in a neighborhood that is developed with single-family uses. The proposed improvements include a pool, spa, pool equipment, hardscaping, decking with handrail, and a garden wall which are common and appropriate accessory uses to a residential use. The project includes a landscape plan which proposes a variety of California-native shrubs which will enhance the native vegetation. Further, the project will preserve existing resources as no trees are proposed to be removed. The improvements will be located in the rear yard and will not extend over the top edge, thereby preserving the natural hillside consistent with the purpose of the Hillside Overlay District. In addition, the proposed location of the improvements, between the top edge and the dwelling, would prevent an increase in fire, flood, landslide or injury to the habitability, stability and value of properties in the community because there would be no change to the steepest portions of the site.
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 property is designated Low Density Residential in the Land Use Element of the General Plan. This designation corresponds to lots that are characterized by a variety of single-family dwellings, ample open space, extensive landscaping, and separations between single-family dwellings and/or accessory buildings. The proposed improvements are accessory to the single-family dwelling and would maintain consistency with General Plan Land Use Policies 10.9 (Natural Open Space), 10.11 (Eaton Canyon Corridor and the Arroyo Seco), 21.5 (Housing Character and Design), and 22.2 (Garages and Accessory Structures). Policies 10.9 and 10.11 are natural environment policies. Policy 10.9 requires protection of natural open spaces, hillsides, watersheds, and critical habitats to safeguard the health, safety, and beauty of the City for the benefit of present and future generations. Policy 10.11 calls for preserving and maintaining the natural character of the Eaton Canyon Corridor and the Arroyo Seco as self-sustaining healthy ecosystems of plants and animals, in balance with the integration of recreational facilities and flood control improvements. Policy 21.5 encourages the renovation of existing housing stock in single-family neighborhoods while providing landscaped setbacks as part of projects. Policy 22.2 requires that projects locate and design garages and accessory structures so that they do not dominate the appearance of the dwelling from the street. Specifically, the proposed improvements will be located in lesser sloped, and most vacant portions of the rear yard, areas that will protect natural open spaces, the steep hillside below, and the natural character of the Arroyo Seco slope bank, consistent with Policies 10.9 and



10.11. The project will include the improvement of a single-family residence, which will be consistent with the neighborhood character and provide landscaped setbacks consistent with Policy 21.5. Proposed structures will be located in areas that will not dominate the appearance of the dwelling from the street, consistent with Policy 22.2. In addition, the primary single-family use of the property will not change, but rather remain consistent with the applicable Low Density Residential land use designation.

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 improvements are common and appropriate accessory uses to a residential use. The proposal will not result in a change to the existing single-family use of the property. The improvements will be constructed in an area that is considered a stable portion of the site, consistent with the general site standards of the Hillside Development Overlay. All improvements will be constructed in compliance with applicable Building and Zoning standards and will not impact protected trees on the property. Further, it's expected that the proposed improvements will not result in detriment to the health, safety, or general welfare of persons residing or working in the neighborhood. Conditions of approval will ensure that the establishment, maintenance, and operation of the use will be compatible with 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 proposed improvements will not change the existing single-family use of the property. A preliminary geotechnical report prepared by Earth Systems Pacific found that the site is suitable from a soils and engineering geologic standpoint for construction of the proposed pool and related improvements, provided recommendations are followed and integrated into the final foundation, building and grading plans. This will prevent detriment or injury to property or improvements downslope. In addition, the applicant is required to design all improvements in compliance with current Building and Fire codes. Through the building permit plan review process, the City will verify project conformance with this Hillside Development Permit, all applicable standards, and compliance with required conditions of approval. Therefore, it is anticipated that the proposal will not be detrimental to the neighborhood or 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.* The proposal involves the construction of accessory and appurtenant structures in the backyard of a single-family use. Pools, spas, pool equipment, hardscaping, decks with handrails, and garden walls are typical components of outdoor designs accessory to single-family uses. Placement in the backyard is compatible with single-family uses in the vicinity that have similar types of improvements in their backyards. The proposed structures would comply with development standards in the Zoning Code including setbacks and height. The structures will be screened by existing vegetation and trees on the subject property as well as the abutting residential properties to the north and west, resulting in limited visibility from Rosemont Avenue. Additional landscaping will be added throughout the rear yard and around the pool to further assist with screening from Rosemont Avenue and adjacent properties. The improvements step down with the natural slope to better conform to the natural hillside and limit height. In addition, the proposed improvements would maintain a sufficient distance, and be located at an elevation significantly above Rosemont Avenue, preventing any detriment to the natural appearance of the hillside.

7. *The design, location, and size of the 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 of this ordinance and in terms of aesthetics, character, scale, and view protection.* Pools, spas, pool equipment, hardscaping, decks with handrails, and garden walls are typical components of outdoor designs associated with single-family uses. The proposed structures are compatible with existing development on adjacent lots and will remain compatible with future development of the single-family residential neighborhood. The proposed structures would comply with development standards in the Zoning Code including setbacks and height, thus maintaining consistency with existing development. Similar to other developments identified within the Arroyo Seco Slope Bank Map, the proposed improvements will not extend over or beyond the top edge.
  
8. *The placement of the proposed additions 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 proposed structures will be located to avoid the most steeply sloping portions of the site and will not extend beyond the top edge. Grading will be limited to excavation for the proposed pool and no other portions of the site, including the natural hillside beyond the top edge shall be disturbed. All existing trees are proposed to remain, and a landscape plan includes new plantings of various California-native shrubs and groundcovers which will help stabilize the hillside, preventing future failure or alteration to downslope drainage and/or vegetation. Proposed grading shall comply with the City's Grading and Building Codes.

**ATTACHMENT B**  
**CONDITIONS OF APPROVAL FOR HILLSIDE DEVELOPMENT PERMIT #7072**

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

General

1. The site plan, floor plan, elevations, and sections submitted for building permits and/or zoning permits shall substantially conform to plans stamped "Approved at Hearing, June 7, 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 (Time Limits and Extensions – Extensions of Time).
3. This approval allows construction of a pool, spa, pool equipment, hardscaping, decking with handrail, and a garden wall within 20 feet of the top edge of the Arroyo Seco slope bank.
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 ZENT2022-00155 is subject to a Final Zoning inspection. Contact the Planning Case Manager, Joseph Weaver at (626) 744-3813 to schedule an inspection appointment time.

Planning

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. The applicant or successor in interest shall use darker tones, including earth tones that blend with the natural terrain for the exterior portions of the pool wall. Color and material samples shall be reviewed and approved by the Zoning Administrator prior to the issuance of any building permits.
10. 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 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 Permit prior to the issuance of building permits.

11. Where new landscaping is proposed, the applicant or successor in interest shall submit landscape and irrigation plans as part of any building, grading or zoning permits. Where proposing more than 2,500 square feet of new landscaping, the project shall meet 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. Proposed mechanical equipment, including pool equipment, shall comply with Section 17.40.150 (Screening) of the Zoning Code.
13. All proposed fencing and/or walls shall comply with Section 17.40.180 (Walls and Fences) of the Zoning Code.

#### Building and Safety

#### 14. 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.

#### 15. 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.

#### 16. 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>

#### 17. GREEN CODE:

- Photocopy to plans and complete the 2019 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>

#### 18. SOILS REPORT REQUIRED.

- 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 (2<sup>nd</sup>) story addition to existing one-story building.
- d. Hillside construction, i.e., decks, retaining walls, and swimming pools.

19. RETAINING WALLS:

- The cumulative height of retaining walls (existing, new, replacement or combination) built because of cuts or fills pursuant to this chapter shall not exceed 8 feet in height as viewed in the vertical plane. The height of freeboard shall be included in measuring the height of retaining walls.
- The maximum height of retaining walls for pools, hot tubs, and similar accessory structures built because of cuts or fills pursuant to this chapter shall not exceed 8 feet in height as viewed in the vertical plane. The height of freeboard shall be included in measuring the height of retaining walls. City of Pasadena Municipal Code section 14.05.250.

20. RESIDENTIAL SWIMMING POOL:

- Photocopy to plans and complete the RESIDENTIAL SWIMMING POOL CONSTRUCTION REQUIREMENTS. These forms are being provided attach and can be found at <https://www.cityofpasadena.net/planning/building-and-safety/bs-applications-forms/#informational-handouts>
- Fencing is required to isolate the pool/spa or any other bodies of water over 18-in deep from neighboring properties and public ways per Municipal Code Section 14.04.400. The barrier shall be a minimum 5-ft in height measured outside of the barrier. Chain link fences are prohibited to be used as a barrier
- Clearly show on plans at least two drowning prevention safety features.

21. STAIRWAY CONSTRUCTION.

- Provide the following construction details:
  - i. Width shall not be less than 36 inches.
  - ii. Detail or note the maximum riser height of 7-1/2 inches and minimum run of 10 inches.
  - iii. Provide a minimum 36" long landing at the top and bottom of stairs.
- Guards (Guardrails)
  - iv. Guards shall be provided for those portions of open-sided walking surfaces, including stairs, ramps and landings, that are located more than 30 inches measured vertically to the floor or grade below at any point within 36 inches horizontally to the edge of the open side.
  - v. Shall be detailed in accordance with CBC Sec. 1607.8 to support a 50 plf or 200-pound point load.
  - vi. Specify the minimum height of 42 inches and a spacing not to exceed 4 inches (4-3/8 inches at stairs).
- Handrails.
  - vii. Handrails shall be provided on not less than one side of each flight of stairs with four or more risers.

- viii. Height. Handrail height, measured vertically from the sloped plane adjoining the tread nosing, or finish surface of ramp slope, shall be not less than 34 inches and not more than 38 inches.

22. STORM DRAINAGE:

- Storm water shall not be drained into sewer intended for sanitary drainage; provide a roof cover for any exterior showers and sinks or provide an alternative system so that it does not connect to the sewer.

23. REQUIRED PLANS AND PERMIT(S) (NO DEFERRED SUBMITTALS):

- In addition to architectural plans, provide Structural, Shoring, Plumbing, Mechanical, Electrical plans, and grading plans as required. **No deferred submittal.**
- Separate permits are required for the following: Mechanical, Electrical, Plumbing, Fire Sprinkler, Demolition, Block walls, others.

Department of Public Works

24. There is an existing 3-ft wide public utility easement along the westerly property line. No construction shall encroach into the said easement, and it shall be shown on all construction drawings.

25. 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.

26. 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.

27. 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.

All costs associated with these conditions shall be the applicant's responsibility. Unless otherwise noted in this memo, all costs are based on the General Fee Schedule that is in effect at the time these conditions are met.

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

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

### Water

28. The existing 1-inch water service should be sufficient for the project. If the applicant or the Fire Department requests an upgrade, please reach out to Utility Services Planning at (626) 744-4495. Cross Connection Control Requirements: The owner/developer is responsible for internal cross connection requirements for irrigation system, swimming pool and/or spa, boiler / chilled water / cooling tower (using chemical additives), domestic water line at makeup to carbonation system, sewage ejector, decorative water fountain, and makeup water to reverse osmosis filtration equipment.