



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: October 4, 2023

TO: Hearing Officer

SUBJECT: Hillside Development Permit #7025

LOCATION: 3890 Cartwright Street

APPLICANT: Luz Reyna

ZONING DESIGNATION: RS-6-HD-1 (Single-Family Residential, 0-6 units per acre, Hillside Development Overlay District, Upper Hastings Ranch Area)

GENERAL PLAN DESIGNATION: Low Density Residential (0-6 dwelling units per acre)

CASE PLANNER: Ivan Galeazzi

STAFF RECOMMENDATION: Adopt the Environmental Determination and Specific Findings in Attachment A to **approve** Hillside Development Permit #7025 with the conditions in Attachment B.

PROJECT PROPOSAL: Hillside Development Permit: To allow a 180 square-foot addition to the first story and a 338 square-foot second-story addition to an existing 1,754 square-foot, two-story, single-family dwelling with a 360 square-foot detached two-car garage.

Minor Variance: To allow a 15'-7½" rear setback, where 25 feet is required. A Minor Variance is required to adjust the required rear yard setback.

ENVIRONMENTAL DETERMINATION: This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15301, Class 1, (Existing Facilities), and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances.

Section 15301 exempts additions to existing structures, provided the addition will not result in an increase of more than 10,000 square feet when the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan, and the area in which the project is located is not environmentally sensitive.

BACKGROUND:

Site characteristics:

The subject property is located on the south side of Cartwright Street between Valley View Avenue to the west and Michillinda Avenue to the east. The 7,282 square-foot irregularly shaped lot is currently developed with an existing 1,754 square-foot, two-story, single-family dwelling with a detached 360 square-foot two-car garage. The site topography is relatively flat with a slight slope upwards towards the street property line. The flat building pad is approximately three to five feet below Cartwright Street. The average slope across the site (excluding areas that slope 50 percent or greater) is approximately 3.2 percent and approximately five square feet of the lot has a slope of 50 percent or greater. There is a five-foot utility easement to the rear. There are no existing trees on the property.

Adjacent Uses:

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

Adjacent Zoning:

North – RS-6-HD-1 (Single-Family Residential, 0-6 units per acre, Hillside Development Overlay District, Upper Hastings Ranch Area)
South – RS-6-HD-1 (Single-Family Residential, 0-6 units per acre, Hillside Development Overlay District, Upper Hastings Ranch Area)
East – RS-6-HD-1 (Single-Family Residential, 0-6 units per acre, Hillside Development Overlay District, Upper Hastings Ranch Area)
West – RS-6-HD-1 (Single-Family Residential, 0-6 units per acre, Hillside Development Overlay District, Upper Hastings Ranch Area)

Previous Zoning Cases on this Property:

Variance #7547: To permit an eight-foot rear yard setback in lieu of the required rear yard setback. Denied on February 3, 1966.

PROJECT DESCRIPTION:

The applicant Luz Reyna, on behalf of the property owner, has submitted a Hillside Development Permit application to allow the construction of a 180 square-foot addition to the first floor and a 338 square-foot addition to the second floor of an existing two-story, 1,754 square-foot single-family dwelling with a detached 360 square-foot, two-car garage. The property is located within the RS-6-HD-1 (Single-Family Residential, 0-6 units per acre, Hillside Development Overlay

District, Upper Hastings Ranch Area) zoning district. A Hillside Development Permit is required to authorize a second-floor addition to an existing dwelling in the Upper Hastings Ranch Area. In addition, the applicant is requesting a Minor Variance to allow a first-floor addition to provide a 21'-6" rear setback and a second-floor addition to provide a 15'-7½" rear setback, where 25 feet is required.

On the first floor, the proposal would demolish approximately 20 square feet and include a 93 square-foot addition by enclosing the existing covered front porch. There would also be an 87 square-foot addition to the rear of the existing first floor. The proposed 338 square-foot second-story addition would expand the existing second-floor to the northeast. The resulting gross floor area of the dwelling including the 360 square-foot detached garage would be 2,632 square feet. The existing driveway and vehicular access from Cartwright Street would remain unchanged. There are no trees on the subject property.

ANALYSIS:

Hillside Development Permit

The subject property is located within the RS-6-HD-1 (Single-Family Residential, 0-6 units per acre, Hillside Development Overlay District, Upper Hastings Ranch Area) zoning district. Properties located in the Hillside Development Overlay and Upper Hastings Ranch Area are required to comply with the standards of the applicable base zoning district (RS-6), except as modified by Zoning Code Section 17.29.090 (Upper Hastings Ranch Area).

The reviewing authority (Hearing Officer) may approve a Hillside Development Permit in the Upper Hastings Ranch Area for a second-floor addition only after making eight findings pursuant to Zoning Code Section 17.61.050 (Conditional Use Permits and Master Plans) and 17.29.080.F.2 (Hillside Development Permit). The general purpose of the Hillside Development Permit is to preserve and protect views to and from hillside areas, to maintain the visual quality of the City, to protect environmental resources, to avoid hazards to development, and to minimize infrastructure costs.

Floor Area

In the RS-6 HD-1 zoning district, floor area is limited to the maximum permitted by the underlying RS-6 zoning district. As such pursuant to Table 2-3 (RS and RM-12 Residential District Development Standards), Zoning Code Section 17.22.040, the maximum gross floor area allowed for the 7,282 square-foot site is equal to 30 percent of the lot size plus 500 square feet. Gross floor area includes the floor area between the floor and roof above it, as measured from the outside edge of the exterior walls of the main structure and all accessory structures, including required parking (either garage or carport).

The plans provided by the applicant identify a lot area of 7,282 square feet. The resulting calculation allows for a maximum floor area of 2,685 square feet. The project results in a total of 2,632 square feet of gross floor area, which complies. This figure accounts for the existing single-family dwelling with detached garage and the proposed first and second story additions.

In addition, within the Upper Hastings Ranch Area, the second story is limited to a maximum floor area of 50% of the first floor. The proposed modifications and additions to the first-floor result in a 1,577 square-foot first floor; therefore, the maximum second floor area cannot exceed 788.50

square feet. The proposed second floor total area is 695 square feet and complies with this requirement.

Lot Coverage

In the Upper Hastings Ranch area, the maximum allowed lot coverage is equal to 35 percent of the lot area. Lot coverage is the percentage of the site covered by roofs, soffits or overhangs extending more than three feet from a wall, and by decks more than four feet in height. The proposed project has a lot coverage of 1,959 square feet or 27 percent, which complies. This calculation includes the existing building footprint, existing garage, proposed first floor additions, and new covered front porch.

Setbacks

The minimum required front yard setback for a property in the RS-6 HD-1 zoning district is the average of the front yard setbacks of the developed lots on the blockface in the same zoning district, but not less than 25 feet, pursuant to Zoning Code Section 17.22.050.A.1 (Front-yard Setback Measurement). In calculating the blockface average, measurement shall be from the front property line to the primary structure. Building projections and unenclosed porches shall not be used as the reference point for this measurement. In this case, the blockface average of the nine properties (including the subject site) is 25 feet. As a result, the minimum required front setback for the property is 25 feet.

The existing structure has a 25-foot front yard setback on the first floor. As proposed, the application includes a request to infill the existing 93 square-foot front porch that has an existing 30'-3 1/2" front yard setback, and therefore complies with the minimum 25-foot front yard setback requirement. Additionally, within the Upper Hastings Ranch Area, the second story front yard setback shall be an additional five feet beyond the required setback of the first floor, as required by Zoning Code Section 17.29.090(D)(1)(b), and thus a 30-foot front yard setback at the second story is required. The proposed second story addition is setback approximately 40 feet from the front property line and therefore, complies with this requirement.

The minimum side setback for the first floor is equal to 10 percent of the lot width, with a minimum requirement of five feet and a maximum requirement of 10 feet. Lot width is measured across the lot at the rear of the required 25-foot front setback. The lot is 74.73 feet wide at the front setback, resulting in a minimum required first floor side yard setback of 7'-6". The existing dwelling is setback approximately 5'-9 1/2" from the easterly side property line and is nonconforming, while the westerly side yard setback is 25'-6 1/2". The proposed additions on the first floor are located in the middle of the building footprint rear and no change to existing side yard setbacks are proposed and therefore, complies with this requirement. In addition, as required by Zoning Code Section 17.29.090(D)(1)(b), the second story shall be set back an additional five feet from the required side setback, which results in a 12'-6" required side yard second floor setback. The proposed second story setback is 13'-9 1/2" to the east and 25'-6 1/2" to the west and therefore complies with this requirement.

The minimum rear setback for the main structure in the RS-6 HD-1 zoning district is 25 feet. At the closest point, the existing first floor rear yard setback is 8'-5 1/2". The rear addition at the first floor has a proposed 21'-6" rear setback at the closet portion to the rear property line. The proposed second story is located directly above the existing first floor but is offset from the rearmost portion and is setback from the rear property line 15'-7 1/2" feet, thus requiring a minor variance to the rear yard setback.

The existing site has a slanted rear property line, resulting in an irregular shaped lot where the site has a lot depth of 75 feet along the eastern side property line and 120 feet along the west property line. This lot shape is inconsistent with the surrounding properties as properties along the southside of Cartwright Street are typically rectangular and have a depth of 120 feet. In addition, the existing residence that was constructed in 1953 has a rear setback of 8'-5 ½", which is nonconforming. In 1963 a second story addition was constructed in its current location with a 25-foot rear setback. As a result, because of the irregular shaped lot as well as the configuration of the existing residence limits the developable area of the site.

Encroachment Plane

Main structures may not be located within an encroachment plane that slopes upward and inward at a 30-degree angle, commencing at a point six feet above existing grade along the side property lines. The intent of the encroachment plane standard is to moderate the mass and scale of structures and maintain desired neighborhood character. Plans provided by the applicant depict the encroachment plane and demonstrate the proposed additions comply with the requirement.

In addition, properties within the HD-1 overlay district) are required to indicate compliance with the front yard encroachment plane. Per Zoning Code Section 17.29.090.D.1.a., in addition to meeting the minimum front setback requirements, the main structure shall not be located within a front setback encroachment plane sloping inwards at a 40-degree angle from the horizontal, commencing at the front property line. The proposed plans provided by the applicant depict the front yard encroachment plane and demonstrates that the proposed additions comply with this requirement.

Height

Primary residences in the HD-1 overlay district are required to comply with the maximum height requirement of 25 feet or two stories. According to the plan, the height of the two-story addition from the lowest and adjacent existing grade is 22'-1", which complies with the 25-foot requirement.

Parking

Single-family dwellings are required to provide two covered parking spaces. The property has an existing detached two-car garage and therefore, complies with the parking requirement for single-family dwellings.

Table A – Residential RS-6 and HD-1 Development Standards

Development Standard		Requirement	Proposed Project	Analysis
Setbacks (Minimum)	Front 1 st story	25'	25'	Complies
	Front 2 nd Story	30'	40'	Complies
	Side (east)	7'-6"	5'-9 ½"	Existing Nonconforming
	Side (east) 2 nd Story	12'-6"	13'-9 ½"	Complies
	Side (west)	7'-6"	25'-6 ½"	Complies
	Side (west) 2 nd Story	12'-6"	25'-6 ½"	Complies
	Rear 1 st story	25'	21'-6" and 8'-5 ½"	Minor Variance Request and Existing Nonconforming
	Rear 2 nd Story	25'	15'-7 ½"	Minor Variance Request
Height (Maximum)		25'	22'-1"	Complies
Top Plate Height (first story maximum)		10'	8'-8"	Complies
Top Plate Height (second story maximum)		23'	17'-4"	Complies
Site Coverage (Maximum)		35% or 2,549 sq. ft.	27% or 1,959 sq. ft.	Complies
Floor Area (Maximum)		30% +500 sq. ft. or 2,685 sq. ft.	2,632 sq. ft.	Complies
Roof Slope		Minimum 6 Percent (0.75/12)	4/12 roof pitch exceeds minimum 6 Percent (0.75/12)	Complies

Temporary Silhouette and Notice of Application

In July 2023, a temporary silhouette (i.e., 'story poles') was installed on the subject property. Staff conducted a visual inspection, photographing the project site in relation to abutting properties. A Notice of Application, providing a minimum 14-day notification period, was also mailed in accordance with the requirements of the Zoning Code. Based on the site visit, it is staff's position that the proposed improvements would not impact any protected views from adjacent properties. Although portions of the silhouette would be visible from the property adjacent to the surrounding properties, there is no protected view obstruction. Therefore, staff has determined the project minimizes view impacts and is consistent with the view protection standards of the Zoning Code.

Preliminary Geotechnical Report

Byer Geotechnical Inc. conducted a preliminary geotechnical investigation of the site and prepared a report. The report includes a description of site conditions, results of field exploration, and laboratory testing. The geotechnical investigation is required for projects subject to a Hillside Development Permit. The purpose of the exploration was to evaluate the nature, distribution, engineering properties, and geologic structure of the earth materials underlying the property with respect to the proposed addition. The report identified that the proposed construction is feasible from a geotechnical standpoint, provided the recommendations contained in the report are incorporated in the design and construction. Therefore, the proposed development would not

have an adverse effect on the geologic stability of the property outside the building site provided that the Building Code and the geotechnical engineer's recommendations are followed during construction.

Minor Variance: To allow a 15'-7 ½" rear yard setback, where a 25-foot rear yard setback 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 minimum rear setback for the main structure in the RS-6 HD-1 zoning district is 25 feet. At the closest point, the existing first floor rear yard setback is 8'-5 ½". The rear addition at the first floor has a proposed 21'-6" rear setback at the closet portion to the rear property line. The proposed second story is located directly above the existing first floor but is offset from the rearmost portion and is setback from the rear property line 15'-7 ½" feet, thus requiring a minor variance to the rear yard setback.

In this case, there are conditions that do not generally apply to sites in the same zoning district. The existing site has a slanted rear property line, resulting in an irregular shaped lot where the site has a lot depth of 75 feet along the eastern side property line and 120 feet along the west property line. This lot shape is inconsistent with the surrounding properties as properties along the southside of Cartwright Street are typically rectangular and have a depth of 120 feet. In addition, the existing residence that was constructed in 1953 has a rear setback of 8'-5 ½", which is nonconforming. In 1963 a second story addition was constructed in its current location with a 25-foot rear setback. As a result, because of the irregular shaped lot as well as the configuration of the existing residence limits the developable area of the site.

As proposed, the application includes a request to add 338 square feet to the second story. Most of the addition is outside of the required 25-foot rear setback, with a small portion encroaching into the required rear setback by no more than 9'-4 ½", in order to provide accommodate stairwell access to the remodeled second floor and new addition.

The granting of the Minor Variance would facilitate a reasonable enjoyment of real property because the addition would provide for a slightly larger residence and a more functional first-floor space for the property owner to enjoy. The project would result in minimal visual impact from the street because it would be sited at least 40 feet from the front property line and would not include an addition that widens the existing width of the house. This allows the property and project to maintain the character of the streetscape along Cartwright Street.

In addition, there are existing two-story residences within the community, including the subject property. Compliance with applicable requirements for encroachment plane, side setback,

maximums for floor area, and lot coverage moderate the mass and would ensure the adjustment to the setback does not create any detriment to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use. As such, the Minor Variance request would facilitate a reasonable enjoyment of real property and would not grant a special privilege. As a result, staff can make all the findings necessary to recommend approval of the Minor Variance.

Tree Protection Ordinance

The applicant's survey, plans, as well as site visits, and aerial images indicate that there are no existing trees on the property. One tree exists on the southwest corner of the adjoining property. Therefore, no trees are impacted or proposed to be removed with this project.

GENERAL PLAN CONSISTENCY:

The subject site is designated as Low Density Residential in the General Plan Land Use Element. General Plan Land Use Element Policy 21.5 (Housing Character and Design) encourages the renovation of existing housing stock in single-family and multi-family neighborhoods. When additions or replacement housing is proposed, these should reflect the unique neighborhood character and qualities, including lot sizes, building form, scale, massing, and relationship to street frontages, architectural design, and landscaped setbacks. The proposed project would add on to the existing first and second story and the design of the house is architecturally compatible with the existing character of the structure and neighborhood, particularly regarding building form and massing. The use of the site would remain a single-family residence; therefore, the character of the single-family neighborhood would be maintained.

General Plan Land Use Policy 21.9 (Hillside Housing) requires residences to maintain appropriate scale, massing and access to residential structures located in hillside areas. The proposed first and second story additions to the existing residence complies with applicable development standards in the Zoning Code, except for the requested reduced rear setback. The proposed siding, stucco finish, would be an off white and roof shingles would be muted and earth toned colors (dark grey and brown) and the roof would have the same pitch as the existing residence. The residence proposes colors and materials that are consistent with existing colors within the Hillside Development Overlay, Upper Hastings Ranch Area. Additionally, the scale and massing of the proposed additions are consistent with the scale and setting of the surrounding residences. Therefore, staff finds that the project would be consistent with General Plan objectives and policies.

ENVIRONMENTAL REVIEW:

This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15301, Class 1, Existing Facilities) and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Section 15301 exempts additions to existing structures, provided the additions will not result in an increase of more than 10,000 square feet when the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan, and the area in which the project is located is not environmentally sensitive. The proposed addition does not exceed the threshold, the project is in an area where all public services and facilities are available to allow for maximum development permissible in

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

REVIEW BY OTHER CITY DEPARTMENTS:

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

CONCLUSION:

It is staff's assessment that the findings necessary for approving the Hillside Development Permit to allow the construction of a 180 square-foot first story addition and a 338 square-foot second story addition to an existing, 1,754 square-foot two-story dwelling, with a detached 360 square-foot garage two-car garage and the Minor Variance to allow a 15'-7 1/2" rear setback where 25-foot is required can be made (Attachment A). The proposed project meets applicable development standards required by the Zoning Code for the RS-6 HD-1 zoning district, except for the rear setback. The proposed first and second-story additions to the existing two-story dwelling would not create a view impact and would maintain the existing character of the neighborhood. In addition, the project would be required to comply with all Building and Fire Code requirements, and therefore, would not be detrimental or injurious to surrounding properties or improvements. Therefore, staff recommends approval of the Hillside Development Permit and Minor Variance subject to the findings in Attachment A and recommended conditions of approval in Attachment B.

ATTACHMENTS:

Attachment A: Hillside Development Permit and Minor Variance Findings
Attachment B: Recommended Conditions of Approval

ATTACHMENT A
SPECIFIC FINDINGS FOR HILLSIDE DEVELOPMENT PERMIT #7025

Hillside Development Permit

1. *The proposed use is allowed with a Hillside Development Permit within the applicable zoning district and complies with all applicable provisions of this Zoning Code.* The subject property is located in the RS-6 HD-1 (Single-Family Residential, 0-6 dwelling units per acre of site area, Hillside Development Overlay District, Upper Hastings Ranch Area) zoning district, which permits single-family residential uses by-right. The proposed first and second story additions to the existing two-story dwelling will comply with applicable development standards, including maximum allowable floor area, lot coverage, setbacks, building heights, and off-street parking requirements.
2. *The location of the proposed use complies with the special purposes of this Zoning Code and the purposes of the applicable zoning district.* The purpose of the RS-6 HD-1 district is to provide areas for single-family residential neighborhoods that are consistent with and implement the Single-Family Residential land use designation of the General Plan, and that are consistent with the standards of public health and safety established by this Zoning Code. The Hillside Development Overlay is intended to preserve and maintain hillside areas. The existing single-family residential use of the property is located in a neighborhood that is developed with single-family residential uses. The location of the proposed additions will preserve and protect views, preserve existing topographic features and existing natural resources, consistent with the purpose of the Zoning Code and applicable zoning district. The additions will generally be located in geologically stable portions of the site. The improvements will be located in areas that will have minimal impact to drainage patterns.
3. *The proposed use is in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan.* The subject site is designated as Low Density Residential in the General Plan Land Use Element. General Plan Land Use Element Policy 21.5 (Housing Character and Design) encourages the renovation of existing housing stock in single- and multi-family neighborhoods. When additions or replacement housing is proposed, these should reflect the unique neighborhood character and qualities, including lot sizes, building form, scale, massing, and relationship to street frontages, architectural design, and landscaped setbacks. The proposed project will add on to the existing first and second story and the design of the house is architecturally compatible with the existing character of the structure and neighborhood, particularly in regard to building form and massing. The use of the site will remain a single-family residence; therefore, the character of the single-family neighborhood will be maintained.

General Plan Land Use Element Policy 21.9 (Hillside Housing) requires residences to maintain appropriate scale, massing and access to residential structures located in hillside areas. The proposed first and second story additions to the existing residence complies with applicable development standards in the Zoning Code. The proposed siding to match existing and roof shingles will be muted and earth toned colors (dark grey and brown) and the roof will have the same pitch as the existing residence. The residence proposes colors and materials that comply with the existing colors within the neighborhood and within the Hillside Development Overlay District, Upper Hastings Ranch Area. Additionally, the scale and massing of the proposed additions are consistent with the scale and setting of the surrounding residences. Therefore, staff finds that the project will be consistent with General Plan Land Use Element objectives and policies.

4. *The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.* The proposed additions will not change the existing single-family residential use of the property that has functioned adequately on-site. The additions will be located in a geologically stable portion of the site, will maintain the existing height, maintain safe means of ingress and egress, and remain low profile in scale, consistent with the general site standards of the Hillside Development Overlay. The proposed additions will be located on the flat portion of the lot in the center of the property, thereby limiting effects on neighboring properties. These conditions will prevent detriment to the health, safety, or general welfare of those residing or working in the neighborhood. Conditions of approval and applicable development standards will ensure the proposal minimizes impacts to surrounding property owners. In addition, conditions of approval will ensure that the establishment, maintenance, and operation of the use will be compatible with the surrounding neighborhood. Therefore, the proposed project will not be detrimental to the public health, safety, or welfare of persons or properties within the surrounding neighborhood.
5. *The use, as described and conditionally approved, would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.* The proposal will not change the existing single-family residential use of the property. Byer Geotechnical, Inc. conducted a preliminary geotechnical investigation of the site and prepared a report. The geotechnical investigation is required for projects subject to a Hillside Development Permit. Byer Geotechnical, Inc. concluded that the proposed construction is feasible from a geotechnical standpoint, provided the recommendations contained in the report are incorporated in the design and construction. Therefore, the proposed development will not have an adverse effect on the geologic stability of the property outside the building site provided that the Building Code and the geotechnical engineer's recommendations are followed during construction.

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

6. *The design, location, operating characteristics, and size of the proposed use would be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, scale, and view protection.* The first story addition of 93 square feet to the residence will enclose the existing front porch to expand the existing kitchen and will be visible from the public right-of-way. The proposed enclosure will match existing materials including stack stone veneer, horizontal siding, and wood trims to match the existing façade. In addition, the first-floor addition to the rear of the structure will also incorporate similar materials, stylistic elements, and colors. The proposed second story addition is visible on the primary frontage of the residence and will maintain the same stylistic elements of the existing residence. The second story addition of 338 square feet located above the existing first story and adjacent to the existing second story will have an asphalt shingle roof consistent with the 4:12 pitch of the existing side-gable roof. Proposed windows on the second story will be sliding windows, consistent with the existing windows at residence. The design elements, intended to match the existing condition, are in keeping with architectural elements in the neighborhood, and will not alter the existing character.

While the proposed addition will be visible from the public right-of-way, it is the staff position that the proposed size, design, materials, and color palette are consistent with the applicable design criteria (architectural features) of the RS-6 HD-1 (Single-Family Residential, 0-6 units per acre, Hillside Development Overlay District, Upper Hastings Ranch Area), and with properties in the neighborhood and therefore will not alter the existing character.

7. *The placement of proposed structures avoids the most steeply sloping portions of the site to the maximum extent feasible and minimizes alteration of hillside topography, drainage patterns, and vegetation.* The site is flat where the existing single-family dwelling is sited, with slopes between the building pad and the street, and behind the unit towards the rear of the lot; the average slope across the site is approximately 3.2 percent. The proposed first and second story additions do not require substantial changes to grading, drainage, and landscaping. Any grading that will occur will comply with the City's Grading and Building Codes. The project shall meet all applicable SUSMP (Standard Urban Water Mitigation Plan) requirements of the Building Division and will be reviewed as part of the building permit plan review process.

Minor Variance: To allow a 15'-7 1/2" rear yard setback, where a 25-foot rear yard setback is required

8. *There are exceptional or extraordinary circumstances or conditions applicable to the development site that do not apply generally to sites in the same zoning district.* There are conditions that do not generally apply to sites in the same zoning district in that the existing site has a slanted rear property line, resulting in an irregular shaped lot where the site has a lot depth of 75 feet along the eastern side property line and lot depth of 120 feet along the western property line, which is inconsistent with the surrounding properties. Properties along the southside of Cartwright Street are typically rectangular and have a depth of 120 feet. In addition, the existing residence has a first floor nonconforming rear setback of 8'-5 1/2". This irregular shaped lot as well as the configuration of the existing residence limits the developable area of the site. As proposed, the application includes a request to add 338 square feet to the second story and an 87 square-foot addition to the rear of the house with a 21'-6" rear setback. Most of the addition is outside of the required 25-foot rear setback, with a small portion encroaching into the required rear setback, in order to accommodate a new stairwell access to the second floor and new addition. Therefore, granting the Minor Variance will allow the applicant to develop a project which will otherwise be allowed on typical residential rectangular lot.
9. *Granting the application is necessary for the preservation and enjoyment of a substantial property right of the applicant, and to prevent unreasonable property loss or unnecessary hardship.* Because of the location of the existing residence within the 25-foot rear setback, development opportunities to the rear of the residence are constrained. The granting of the Minor Variance will facilitate a reasonable enjoyment of real property because the addition will provide for a slightly larger residence and a more functional space for the property owner to enjoy. The project will result in minimal visual impact from the street because it will be sited 40 feet from the front property line and there is no change to the ground floor horizontal massing of the existing residence. This allows the property and project to maintain the character of the streetscape along Cartwright Street. In addition, there are existing two-story residences within the community, including the subject property, and this will not set a precedent in the neighborhood. Compliance with applicable requirements for encroachment plane, side setback, maximums for floor area, and lot coverage moderate the mass and will ensure the adjustment to the setback do not create any detriment. Therefore, the granting of this application will not constitute a special privilege.

10. *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 proposed two-story addition to an existing single-family residential use is permitted with approval of a Hillside Development Permit in the RS-6 HD-1 Zoning District. The proposed changes are consistent with neighboring properties and will result in minimal visual impact from the street. In addition, the proposed addition will meet all other Zoning Code requirements. Furthermore, the project was reviewed by the Building and Safety Division, who posed no concerns regarding the proposed reduced rear yard setback. The project is also required to comply with all applicable Fire Department and Building and Safety Division standards through the City's plan check process.
11. *Granting the application is consistent with the General Plan and the purposes of Title 17 of the Municipal Code and will not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and in the same zone district.* The subject site is designated as Low Density Residential in the General Plan Land Use Element. The use of the site will remain a single-family residence; therefore, the character of the neighborhood will be maintained. General Plan Land Use Element, Goal 21, Desirable Neighborhoods, Policy 21.5 (Housing Character and Design) encourages the renovation of existing housing stock in single and multi-family neighborhoods. When additions or replacement housing is proposed, these should reflect the unique neighborhood character and qualities, including lot sizes; building form, scale, massing, and relationship to street frontage; architectural design, and landscaped setbacks. The proposed addition will be consistent with the existing character of the neighborhood as it involves a 180 square foot addition to the first floor and a 338 square foot addition to the second floor. The total addition of 518 will be within the neighborhood scale in regard to existing sizes of homes. Additionally, the proposed addition will match the existing architectural style, materials, and design of the residence, thus maintaining the character of the streetscape and same visual appearance as the existing home along Cartwright Street.
12. *Cost to the applicant of strict compliance with a regulation is not the primary reason for the granting of the Variance.* The cost to the applicant to comply with the City's development standards has not been considered a factor throughout the review of this application.

ATTACHMENT B
CONDITIONS OF APPROVAL FOR HILLSIDE DEVELOPMENT PERMIT #7025

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, October 4, 2023,” except as modified herein.
2. The right granted under this application must be enacted within 24 months from the effective date of approval. It shall expire and become void unless an extension of time is approved in compliance with Zoning Code Section 17.64.040.C (Time Limits and Extensions – Extensions of Time).
3. This approval allows for the following entitlements, as depicted in the plans submitted with this application, stamped “Approved at Hearing, October 4, 2023”:
 - a. Hillside Development Permit #7025: To allow for a first story addition of 180 square feet and a second story addition of 338 square feet to an existing 1,754 square-foot single-family residence with a detached 360 square-foot two-car garage, resulting in a 2,632 square-foot, two-story residence; and,
 - b. Minor Variance: To allow a 15'-7½" rear setback, where 25 feet is required.
4. The applicant or successor in interest shall meet the applicable code requirements of all City Departments and the Pasadena Municipal Code.
5. The final decision letter and conditions of approval shall be incorporated in the submitted building plans as part of the building plan check process.
6. The proposed project, Activity Number **ZENT2022-00085** is subject to the Inspection Program by the City. A Final Zoning Inspection is required for your project prior to the issuance of a Certificate of Occupancy or approval of the Final Building Inspection. Contact Ivan Galeazzi, Current Planning Section, at (626) 744-7124 or igaleazzi@cityofpasadena.net to schedule an inspection appointment time.

Planning Division

7. The applicant shall comply with all requirements of Zoning Code Chapters 17.22 (Residential Zoning Districts) and 17.29 (Hillside Overlay District) that relate to residential development in the Hillside Development Overlay District.
8. The applicant or successor in interest shall comply with all requirements of Municipal Code Chapter 9.36 (Noise Restrictions). Specifically, all construction activities shall adhere to Municipal Code Section 9.36.070 (Construction Projects) and Section 9.36.080 (Construction Equipment).
9. No demolition or grading permit shall be issued until the building permit for the residential project is ready to be issued.

10. The project shall comply with the Municipal Code Chapter 8.52 (City Trees and Tree Protection Ordinance). A tree protection and retention plan shall be submitted to the Zoning Administrator for approval prior to the issuance of any building or grading permits. Any proposal to remove a protected tree requires approval of a Tree Removal Application prior to the issuance of building permits.
11. A construction staging and traffic management plan shall be submitted to and approved by the Zoning Administrator, Department of Public Works, and Department of Transportation prior to issuance of any permits. The plan shall include information on the removal of demolished materials as well as the on-site storage of new construction materials. A copy of the approved construction parking and staging plan shall be furnished to the Current Planning Division for inclusion into the case file on this project. The plan shall be available for review by surrounding property owners.
12. 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.
13. Any new construction shall meet all applicable SUSMP (Standard Urban Water Mitigation Plan) requirements as determined by the Building and Safety Division.
14. All construction vehicles or trucks including trailers with length over 30 feet or widths over 102 inches shall require a lead pilot vehicle and flag person to enter the streets within the Hillside District. The flag person will stop opposing traffic as necessary when trucks are negotiating tight curves. Operation of construction vehicles or trucks with lengths over 35 feet shall require approval from the Department of Transportation and Department of Public Works, subject to demonstration that such vehicles can maneuver around specific tight curves in the Hillside District. Operation of construction trucks with lengths over 30 feet shall be prohibited before 9:00 a.m. and after 3:00 p.m., Monday through Friday and all-day during weekends and holidays. On refuse collection days, the operation of construction trucks with lengths over 30 feet shall be prohibited before 10:00 a.m. and after 3:00 p.m.
15. 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

16. 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.
17. 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.
18. 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>

19. 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>.
20. Soils Report Required: A soils engineer report is require 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. 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.
22. 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.
23. 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.
 - b. Separate permits are required for the following: Mechanical, Electrical, Plumbing, Fire Sprinkler, Demolition, Block walls, others.

Public Works Department

24. 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.
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. Prior to the start of construction or the issuance of any permits, the applicant shall submit a Construction Staging and Traffic Management Plan to the Department of Public Works for review and approval. The template for the Construction Staging and Traffic Management Plan can be obtained from the Department of Public Works webpage at: <https://www.cityofpasadena.net/public-works/engineering-and-construction/engineering/> . A non-refundable flat fee, based on the current General Fee Schedule, is required for plan review and on-going monitoring during construction. This plan shall show the impact of the various construction stages on the public right-of-way (and the private street) including all street occupations, lane closures, detours, staging areas, and routes of construction vehicles entering and exiting the construction site. An occupancy permit shall be obtained from the department for the occupation of any traffic lane, parking lane, parkway, or any other public right-of-way. All lane closures shall be done in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) and California Supplement. If the public right-of-way occupation requires a diagram that is not a part of the MUTCD or California Supplement, a separate traffic control plan must be submitted as part of the Construction Staging and Traffic Management Plan to the department for review and approval. No construction truck idling or staging, material storage, or construction trailer are allowed in the public right-of-way. No construction truck idling or staging, material storage, or construction trailer are allowed in the public right-of-way. Construction vehicles should only maneuver/turn-around within the project site private property. Parking of construction vehicles and construction worker vehicles shall be within the project site private property.
27. All costs associated with these conditions shall be the applicant's responsibility. Unless otherwise noted in this memo, all costs are based on the General Fee Schedule that is in effect at the time these conditions are met.
28. In addition to the above conditions, the requirements of all applicable Pasadena Municipal Code (PMC) will apply and be implemented during the corresponding plan review and permitting. They may include but not limited to:
 - a. Sidewalk Ordinance - Chapter 12.04
 - b. Sewer Facility Charge – Chapter 4.53
 - c. Residential Impact Fee – Chapter 4.17
 - d. City Trees and Tree Protection Ordinance - Chapter 8.52
 - e. Construction and Demolition Waste Ordinance - Chapter 8.62
 - f. Holiday Moratorium of activities within public right-of-way – Chapter 12.24.100

Department of Water and Power

29. Water Mains:

6-inch ductile iron water main in Oswego Street, installed under Work Order 02510 in 2006. This water main is located approximately 21.5 feet north of the south property line of Oswego Street.

30. Moratoriums:

Verify with Public Works Department (PWD) regarding any street construction moratorium affecting this project.

31. Water Pressure:

The approximate water pressure at this site is 50 psi.

32. Water Service:

PWP records reflect a ¾-inch water service (#40056) serving the property. Any change in water service will be reviewed when the building plans are submitted. Any change in service will be installed at actual cost and paid for by the owner/developer. Additionally, if it is determined that a water main must be upgraded due to size, age, pressure deficiencies, and/or the integrity of the existing water main; the upgrade will be paid for by the owner/developer. A deposit will be requested for the water main design and a cost estimate will be provided to the owner/developer for the new water service installations, main design, and main construction. The owner/developer must be aware that the design of a new water main will take 3 to 4 months after the initial deposit is made by the owner/developer. Also, an additional 4 to 6 months will be needed for the construction of the water main after the balance of the estimate is paid in full by the owner/developer. The design and construction estimated time depends on the size and length of the water main and other mains in the queue. For this reason, it is imperative that the initial deposit be submitted promptly.

33. Water Division Requirements:

- Water lines are not permitted to cross lot lines to serve adjoining lots without a utility easement; the Pasadena Water Division shall approve all proposed easements.
- The Water Division will install the service tap, lateral, water meter and designate the distribution main and service tap.
- All services not in use must be abandoned at the distribution main at the applicable rate.
- For subdivided lots with one unit behind the existing, show easement documentation and assessor parcel map showing the subdivision.
- Pursuant to the PWP Water Regulation Section XI 'A water service and meter may be evaluated for its continuing integrity. Should PWP find a service, meter, vault, or other appurtenance to be substandard and no longer suitable for continued use, replacement and/or construction of new facilities may be required. PWP may require that a portion or all of the costs of such replacement and/or construction be paid or contracted for by the Applicant or Customer prior to construction.' The property owner is responsible for the replacement cost. All service pipes shall be of suitable capacity as determined by applicable plumbing and fire codes. The minimum sized service installed by PWP is 1-inch and any services 50 years and older require abandonment.

34. Cross Connection Requirements for Domestic Services:

- All city cross-connection prevention policies must be adhered to. The developer is required to provide back-flow protection at all connections whereby the plan arrangement or configuration could potentially contaminate the domestic water system.
- There shall be no taps between the meter and the backflow assembly.
- The owner/developer shall provide and install an approved double check valve backflow prevention assembly at each water service if more than one water service serves property. The location of the back-flow prevention assembly shall be above ground within 20-feet of the property line.

- The property owner is responsible for the back-flow prevention assembly. The assembly will be registered and require an annual test certification. All manufacturer warranties shall be transferred upon installation and certification to the property owner.
- The owner/developer is responsible for certifying and testing the assembly after installation by a person that possesses a current and valid license and must be certified by the County of Los Angeles Department of Health Services.
- The owner/developer shall submit the results of the test to the Water Utility Service Section for approval. Upon approval, the City will maintain domestic water to the property and will automatically register the assembly.
- All water services shall be protected from cross connections by means of approved backflow prevention techniques and assemblies.
- An administrative fee of \$180.94 will be charged for each backflow prevention assembly installed.

35. Cross Connection Requirements for Fire Service (if required):

- The fire service requires a detector meter and back-flow prevention assembly.
- The assembly shall be located in a readily accessible location for meter reading, test, and maintenance.
- All fire sprinkler systems require installation of an approved double check valve backflow prevention assembly at the sprinkler lateral off the domestic system.
- Contract service other than PWP, providing the backflow prevention assembly shall contact the Water Utility Services Section to verify assembly approval or contact the University of Southern California foundation for Cross Connection Control and Hydraulic Research for an approve list of assemblies.
- All manufacturer warranties shall be transferred upon installation and certification to the property owner. The property owner shall assume ownership of the back-flow prevention assembly. The assembly will be registered and require an annual test certification.
- If PWP is to provide DCDA for fire service, PWP will install Wilkins, model 450 DA.
- Choose from one of the below listed options and incorporate into the fire sprinkler plans.

Option 1:

Detector meter located on double check detector check assembly (DCDA) outside the structure on private property.

- The Water Division will install the service tap, lateral, DCDA (optional Wilkins, models 350 DA or 450 DA) and designate the distribution main and service tap.
- The location of the back-flow prevention assembly shall be a minimum of 12-inches above grade within 10-feet of the property line, on private property. Reference Water Division Plan Check for certification and registration.

Option 2:

Detector meter located in a vault within the public right of way with a double check valve backflow prevention assembly (DCA) provided and installed inside or outside the building by the owner/developer.

- The Water Division will install the service tap, lateral, detector water meter and designate the distribution main and service tap.
- The location of the back-flow prevention assembly shall be a minimum of 12-inches above grade within 20-feet of the property line on private property. Reference Water Division Plan Check for certification and registration.

36. All Other Cross Connection Requirements:

The owner/developer is also responsible for additional 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.

37. Fire Flow and Fire Hydrants:

The Pasadena Fire Department (PFD) has jurisdiction and establishes the requirements for fire protection within the City of Pasadena. PFD must be consulted in this regard. Any cost incidental to providing adequate fire protection for the project must be paid for by the owner/developer.

There is one fire hydrant in close proximity to the project. Fire hydrant number 1413-13 is located on the northwest corner of Cartwright Street and Michillinda Avenue. If you would like to request for a fire flow test, please contact Linette Vasquez at (626) 744-7064.

Fire Hydrants Details:

