

Introduced by Councilmember

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 14.05 OF THE MUNICIPAL CODE (EXCAVATION AND GRADING IN HILLSIDE AREAS), CHAPTER 10.52 (TRUCK ROUTES) AND TITLE 17 (ZONING CODE)

The People of the City of Pasadena ordain as follows:

SECTION 1. This ordinance, due to its length and corresponding cost of publication will be published by title and summary as permitted by Section 508 of the Charter. The approved summary of this ordinance is as follows:

“SUMMARY

Ordinance No. _____ amends Chapter 14.05 of the Municipal Code (Excavation and Grading) and the Hillside Overlay provisions of Title 17. The amendments to Chapter 14.05 include a requirement that a request for engineered slopes be submitted to the Director of Planning and Development along with a landscape plan and a requirement that the maximum height of retaining walls for pools, hot tubs and similar accessory structures shall not exceed 8 feet in height. The amendments to the Hillside Overlay District of Title 17 include: a reduction to the allowable floor area ratio (“FAR”) by not considering sloped area of 2 to 1 or greater in the overall allowable FAR and a reduction in the height limit. The amendments also establish compatibility requirements in terms of size and scale to other houses in an adjacent neighborhood. The Minor Conditional Use Permit previously required for development in the hillside districts is replaced with the Hillside Development Permit. Chapter 17.49 outlining the development standards for the HD-1 Hillside Development Overlay District is merged with Chapter 17.48, “Hillside Overlay Districts.” In addition, the San Rafael Hills will now have their own designation, under Chapter 17.48 as “HD-SR-Hillside Development-San Rafael.”

Ordinance No. _____ shall take effect upon its publication by title and summary.”

SECTION 2. Section 14.05.210, of Title 14 of the Pasadena Municipal Code, entitled “**Grading Inspection and Supervision**” shall be amended by adding the following:

“F. Plans for engineered grading and engineered slopes shall be submitted for approval to the director of planning and development and to the City’s building official. Landscaping approved by the director of planning and permitting shall be installed on such graded slopes and provisions shall be made in such grading to accommodate the planting and maintenance of such landscaping.”

SECTION 3. Section 14.05.250, entitled “**Retaining Walls**”, shall be amended by adding the following:

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“D. 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.”

SECTION 4. The official zoning map of the City of Pasadena as established by Section 17.08 of Title 17 of said code is amended by changing the boundaries of specific zoning districts as shown on the map entitled, “Zoning Map Amendment RS-6 HD to RS-6-HD-SR.”

SECTION 5. Chapter 17.48 of Title 17 entitled, “**HD Hillside Development Overlay District**” and chapter 17.49 entitled, “**HD-1 Hillside Development Overlay District**” are hereby repealed in their entirety. A new chapter 17.48 is established to read as follows:

CHAPTER 17.48 - HILLSIDE OVERLAY DISTRICTS

Sections:

- 17.48.010 - Purpose
- 17.48.020 - Applicability
- 17.48.030 - Permit Requirements
- 17.48.040 - Hillside Subdivision Standards
- 17.48.050 - Development Standards
- 17.48.060 - Building Design Standards
- 17.48.070 - Site Development Standards
- 17.48.080 - Hillside Development Permit
- 17.48.090 - HD-1 (Upper Hastings Ranch Area) Standards
- 17.48.100 – HD-SR (San Rafael Area) Standards

17.48.010 - Purposes

The HD, HD-SR, and HD-1 (Hillside Development) overlay zoning districts are intended to:

- A. Preserve and protect views to and from hillside areas to maintain the identity, image and environmental quality of the city;
- B. Maintain an environmental equilibrium consistent with the native vegetation, animal life, geology, slopes and drainage patterns, by preserving and protecting existing natural resources, including native flora and fauna, sensitive wildlife habitats, wildlife corridors, and mature trees to the greatest extent feasible;
- C. Prohibit features that would create or increase fire, flood, landslide or other safety hazards to public health and safety; injure the habitability, stability and value of properties in the affected communities;
- D. Minimize the City's cost of having to install new public infrastructure and the costs to replace and maintain existing public infrastructure;
- E. Preserve significant natural topographic features, including swales, canyons, knolls, ridgelines, and rock outcrops, riparian vegetation, natural streambeds and woodlands to the maximum extent

feasible. While it is recognized that development may necessarily affect natural features, a major design objective shall be to minimize these impacts;

- F. Ensure a safe means of ingress and egress for vehicular (including emergency equipment) and pedestrian traffic to and within the hillside areas, with minimum disturbance to the natural features;
- G. Provide development standards that promote orderly development consistent with the traditional scale and character of the community, and that preserve privacy and views;
- H. For hillside subdivisions, ensure that development sites are concentrated in areas with the greatest environmental carrying capacity, and limited to very low densities in areas with low environmental carrying capacity;
- I. Avoid residential densities that would require extensive grading or would generate extensive traffic;
- J. Preserve and protect existing natural resources, including native flora and fauna, sensitive wildlife habitats, and mature trees.

17.48.020 - Applicability

- A. The requirements and guidelines in this Chapter apply to all subdivisions, other proposed development, or a new land use on a site within the HD (Hillside Development) or the HD-SR (Hillside Development, San Rafael Area) overlay districts, except that proposed development and new land uses on sites within the HD-1 overlay district that apply to Upper Hastings Ranch shall be subject only to Section 17.29.080 (HD-1) Standards.
- B. Proposed development and new land uses within the HD, HD-SR, and HD-1 overlay districts shall comply with all applicable requirements of the base zone, except where this Chapter establishes a different requirement.

17.48.030 - Permit Requirements

- A. **HD and HD-SR overlay.** A proposed subdivision, new structure, or addition to an existing structure within the HD or HD-SR overlay zone shall require Hillside Development Permit approval in compliance with Section 17.48.080 (Hillside Development Permit), in addition to any other permit required by this Zoning Code; except that a Hillside Development Permit is not required for the following types of development:
 - 1. **Additions.** The following additions to existing structures, when the additions otherwise comply with all other applicable requirements of this Chapter and this Zoning Code.
 - a. A single-story addition to a dwelling that increases the floor area by no more than 500 square feet or 20 percent of the existing floor area of the primary dwelling, whichever is greater.
 - b. A second story addition of less than 500 square feet, provided it is in compliance with the guidelines in Section 17.29.060 (View protection).
 - 2. **Accessory structures.** One single-story detached accessory structure that constitutes no more than 20 percent of the floor area of the primary dwelling.

The thresholds listed in Section A1 and A2 above apply either individually or in the aggregate with all other prior additions in the previous three years to the same lot. The above additions and accessory structures shall comply with the permit requirements of the base zone.

B. HD-1 overlay. See Section 17.48.090 (HD-1-Upper Hastings Ranch Area Standards).

17.48.040 - Hillside Subdivision Standards

The standards of this Section apply to the subdivision of an existing lot into two or more lots, in addition to the other applicable requirements of this Zoning Code, the Subdivision Map Act (Government Code Section 66410 et. seq), and the City's Subdivision Ordinance.

A. Minimum lot area and open space. In order to retain natural features of hillsides, the number of lots allowed in a new subdivision shall be reduced as slope increases, in compliance with Table 2-8 below ("Density Reductions").

1. A site proposed for subdivision shall be divided into cells, utilizing the slope ranges listed in Table 2-8.
2. The maximum number of allowed by the base zoning is multiplied by the applicable reduction factor assigned to each cell.
3. Add up the lot reduction for all cells and divide by the total number of cells.
4. The result of this calculation is the maximum allowable number of lots

TABLE 2-8 - DENSITY REDUCTION

Average Slope	Density Reduction Factor
0% to 15%	1.0
More than 15%, up to 20%	0.9
More than 20% to 25%	0.8
More than 25%, up to 30%	0.7
More than 30%, up to 35%	0.6
More than 35%, up to 40%	0.5
More than 40%, up to 50%	0.4
Greater than 50%	See Subsection B.

- B. Maximum number of lots if slope exceeds 50 percent.** If the average slope of the site to be divided exceeds 50 percent, the maximum number of lots shall be determined by assigning a maximum number of lots not exceeding one per five acres to the portion of the property exceeding 50 percent slope, and applying the density reduction requirements of Subsection A of this Section, to the remainder of the site. The total number of allowable lots for the site shall be the sum of the two numbers.
- C. Further reduction in number of allowed lots.** The reviewing authority may reduce further than required by this section the number of lots approved in a new subdivision based upon site-specific problems or constraints identified through the environmental review of the proposed subdivision.
- D. Building site requirements.** Each proposed lot shall be designed and located to provide at least one building site where all proposed structures can comply with all other applicable requirements of this Chapter.
- E. Roads.** Each new road shall follow natural terrain contours to the maximum extent feasible to minimize grading. Proposed driveways shall comply with the requirements of Section 17.48.050 (Development Standards).

17.48.050 – Development Standards

- A. General site planning standards.** Each structure shall be located in the most accessible, least visually prominent, most geologically stable portion or portions of the site, and at the lowest feasible elevation. Structures shall also be aligned with the natural contours of the site. Siting structures in the least prominent locations is especially important on open hillsides where the high visibility of construction should be minimized by placing structures so that they will be screened by existing vegetation, depressions in topography, or other natural features.
- B. Setback requirements.** A proposed structure shall comply with the setback requirements of the base zone, including encroachment plane requirements and limitations on projections into setbacks and encroachment planes, except as follows.
 - 1. Front setback for main structure.** The minimum front yard setback for the main structure, and accessory structures other than garages, shall be 25 feet, except that in the San Rafael hillside neighborhood (HD-SR), the front yard setback shall comply with the requirements in Section 17.48.100 (San Rafael Area Setbacks).
 - 2. Front setback for garage.** The minimum front yard setback for an attached or detached garage on upslope and downslope sites is at the point on the centerline of the front lot line where the elevation is 10 feet above or below the top of the curb, or 25 feet, whichever is less.
 - 3. Side setback from slope.** Where a building site abuts a parcel with an elevation that is three feet or more above or below that of the site, the required side yard shall be measured from the nearest toe or top of slope to the structure, whichever is closer. See Figure 21.

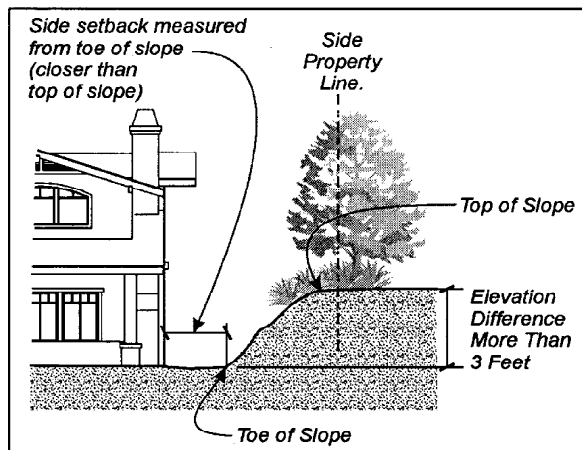


Figure 2-1 – Side Setback Measurement

- C. **Placement of structures, ridgeline protection.** Each proposed structure shall comply with the following standards, to assist in maintaining a natural appearance for hillsides and ridgelines. For purposes of this Chapter, ridgelines shall be defined as the high meeting point of a crest of two slopes that form a hill. Ridgelines can be on top of a range of hills, or can be the spur or backbone of a hillside descending from the top of a mountain or hill.
1. Each structure shall be located as follows; provided that the reviewing authority may modify or waive these standards where it determines that a structure on the only feasible building site of an existing parcel cannot comply.
 - a. No part of a proposed structure shall appear silhouetted against the sky above the nearest ridge when viewed from a public street or park. See Figure 2-2.
 - b. The topmost point of a proposed structure and all site grading shall be at least 30 feet below the top of the nearest ridge or knoll. See Figure 2.3.
 2. Each structure shall be located to take advantage of existing vegetation for screening, and should include the installation of additional native plant materials to augment existing vegetation, where appropriate, as determined by the reviewing authority.

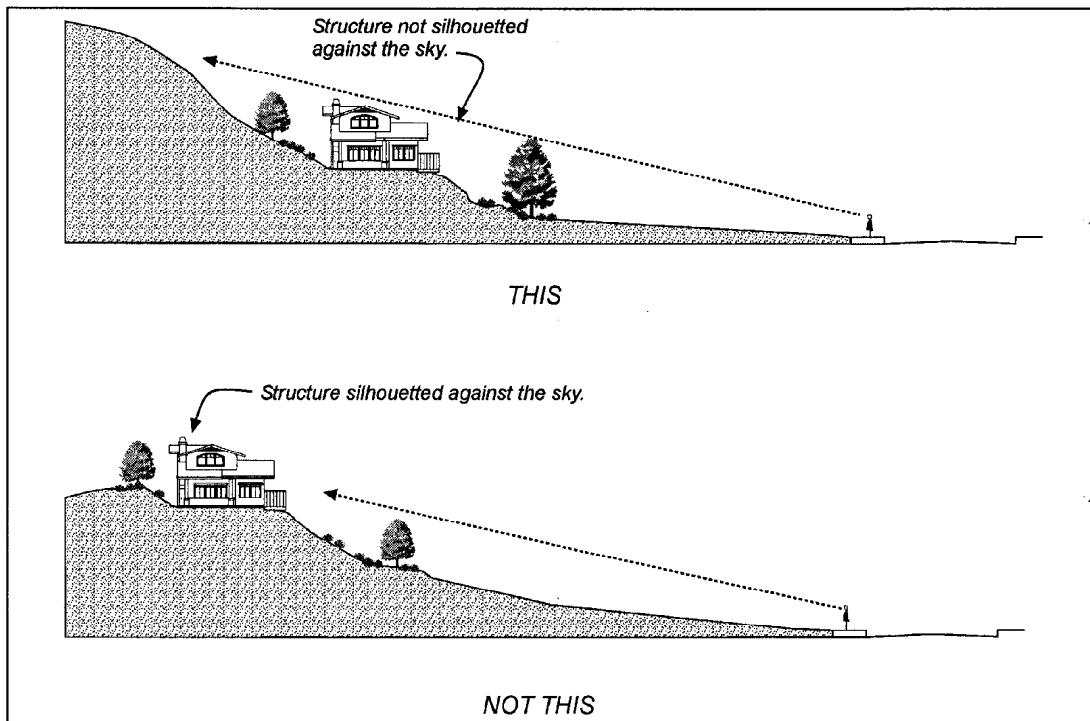


Figure 2-2 – Silhouetted structure

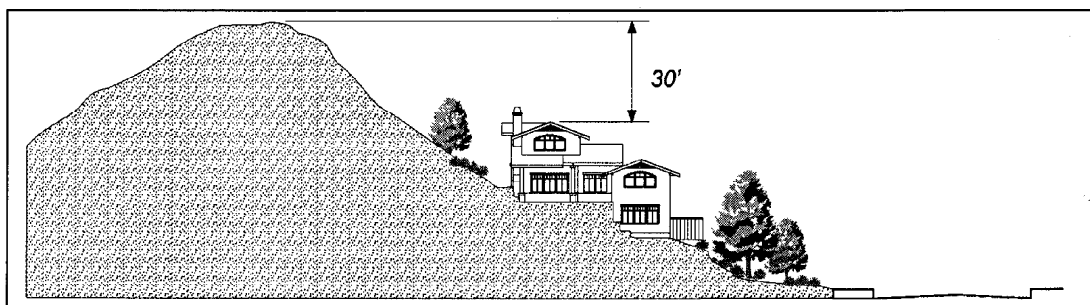


Figure 2-3 – Location of structure below ridgeline

- D. Encroachment into the Arroyo Seco.** No structure shall extend over or below the top edge of the Arroyo Seco slope bank on a parcel identified on the *Arroyo Seco Slope Bank Map*, maintained by the Planning and Development Department.
1. 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 2:1 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. The applicant shall provide a complete topographic map of the site for purposes of locating the "top edge" of the Arroyo for each specific site.
 2. A Hillside Development Permit shall be required for the development of any structure within 20 feet of the top edge.

- E. Lot coverage.** Total lot coverage shall not exceed 35 percent.
- F. Site access, driveways.** Each driveway shall follow natural terrain contours to the maximum extent feasible, to minimize grading, and also shall comply with the following standards.
- 1. Width.** The minimum and maximum graded and paved width of a driveway serving a dwelling unit constructed after the effective date of this provision shall be: 15 feet for one unit; and 20 feet for two or more units. This provision shall not apply to dwelling units located on flag lots legally created prior to June 18, 1980.
 - 2. Maximum grade.** The finished grade of a driveway shall conform to the finished grade of the lot, but in no case shall exceed an average grade of 15 percent, but in no event greater than or 20 percent at any point.
 - 3. Agency review.** The location and design of any driveway shall be referred to the City's Fire Department and the Transportation Department for review and comment as to on- and off-street safety of vehicles, vehicle passengers and pedestrians, and access for emergency vehicles.
- G. Parking requirements.** Off-street parking shall be provided in compliance with Chapter 17.68 (Parking and Loading), except that each dwelling shall provide off-street guest parking as follows.
- 1. Number of spaces required.** A minimum of four guest parking spaces shall be provided on a site fronting on a street where parking is prohibited on both sides of the street at the site. A minimum of two guest parking spaces shall be provided on a site fronting a street where on-street parking is allowed.
 - 2. Location of parking.** A maximum of three guest parking spaces may be located on a driveway in a required front setback; provided that the driveway slope does not exceed 15 percent, and that the maximum width of the parking spaces across the lot frontage does not exceed 50 percent of the total frontage of the building facade facing the street. Tandem guest spaces are allowed.
 - 3. Parking space dimensions.** Each guest parking space shall be 8.5 feet wide by 18 feet long, and shall not extend beyond the property line.
- H. View protection.** See Section 17.48.060.D (View Protection).
- I. Fences.** Fences and gates shall meet the requirements of the base district and shall not be constructed within or across private or public streets or easements that serve more than one property.
- J. Average Slope Formula.** Average slope as used in this chapter shall be determined in accordance with the following formula:

$$S = \frac{0.00229IL}{A}$$

Where:

S is average slope

I is contour interval in feet

L is combined length of contour lines in scale feet within land to be divided

A is gross developable acres, inclusive of any rights of way to be established by a proposed parcel map or tract map. Existing rightsof-way for public streets, private streets, private driveway easements, or other vehicular access ways located within the site are excluded from the gross developable area.

To determine average slope, the existing topography and contours of the site shall be used. If the site was graded and the topography altered on or after June 18, 1980, average slope shall be based on the topography which existed prior to such grading and alteration.

17.48.060 - Building Design Standards

Buildings shall generally utilize varying setbacks and structure heights, split-level foundations, and low retaining walls to blend structures into the terrain.

A. Maximum floor area. The total gross floor area of all structures on a site shall not exceed the area provided by this Subsection. Gross floor area shall be defined and measured the same as in other RS districts, except that gross floor area in the HD and HD-SR overlay districts shall include without limitation: all covered parking, habitable attic space, and basements, including garage and carport areas with any exposed wall (or portion thereof) six feet or more above finished grade, measured from finished grade elevation to the floor above.

1. The maximum gross floor area ratio (FAR) shall be as follows, except as modified by Subsections A.2 through A.6 of this Section, below:

Zoning District	Allowable Base FAR
RS-1-HD	0.20 + 500 sf
RS-2-HD	0.225 + 500 sf
RS-4-HD	0.25 + 500 sf
RS-6-HD	0.275 + 500 sf

2. Notwithstanding Subsection A.1, the maximum FAR for a lot under 10,000 square feet in the RS-1-HD, RS-2-HD or RS-4-HD districts shall be 0.30 + 500 square feet.
3. For lots of 10,000 square feet or over, all portions of the lot with a 2:1 slope or greater shall be deducted from the lot area used for calculating maximum allowable gross floor area.
4. Regardless of the lot area, the maximum FAR for a lot with an average slope exceeding 15 percent shall be further reduced in compliance with the following formula:

$$F = (B) (1 - (C - 0.15) / 2)$$

Where:

F is the maximum allowed gross floor area, reduced based on lot slope;

B is gross floor area calculated in compliance with Subsections A.1, A.2, and A.3; and

C is average slope of the site.

5. The lot area used in calculating the maximum allowable gross floor area in compliance with this Subsection shall not include any access easement.
6. If, after removing the lot area listed in Subsections A.3 and A.4 above, the resulting maximum allowable gross floor area is less than 3,000 square feet, a maximum allowable gross floor area of 3,000 square feet (including all structures on site) shall be permitted.

B. Height limits. Each proposed structure in the HD and HD-SR districts shall comply with the following height limits, instead of the height limit of the applicable base zoning district.

1. **Height measurement.** The maximum allowable height shall be measured as the vertical distance from the existing grade of the site to an imaginary plane located the allowed number of feet above and parallel to the grade (see Figure 2-4), and as provided by Subsection B.2.

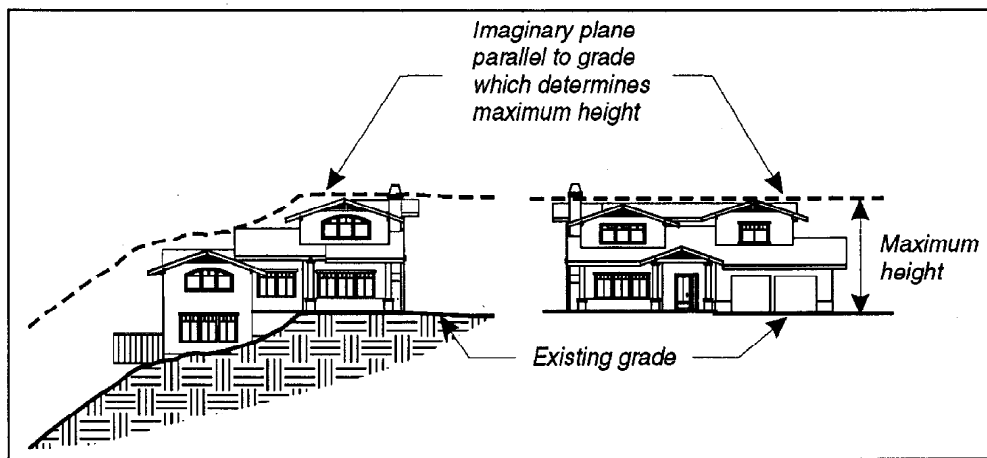


Figure 2-4 – Height Measurement on hillsides

2. **General height limit.** No structure shall exceed a height of 28 feet at any point on the site, measured in compliance with Subsection B.1, and shall not exceed a height of 35 feet, measured from the lowest elevation on the site where the structure touches the grade, to the highest point of the roof. There shall be no maximum height for the top plate of a dwelling unit if the general height limit is met. A Hillside Development Permit shall be required for projects that propose to match an existing building height that exceeds the general height limit if the existing building was constructed prior to adoption of this ordinance (date).

3. **Height of lowest floor level.** The vertical distance between the lowest point where the foundation meets grade and the lowest floor line of the structure shall not exceed six feet (see Figure 2-5).

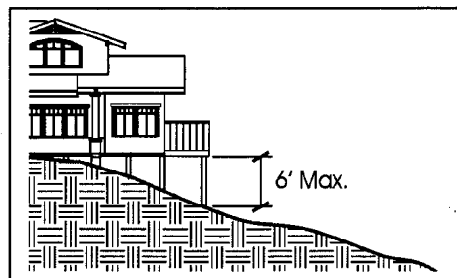


Figure 2-5 – Height limit for lowest floor and decks

4. **Decks.** No portion of the walking surface of a deck with visible underpinnings shall exceed a height of six feet above grade. Decks shall be integrated into the architecture of the house, and not appear as an add-on to the primary building mass (see Figure 2-5).

C. Architectural features.

All new homes and additions subject to a building permit shall have architectural features that are compatible with existing architecture and the character of the surrounding neighborhood as defined below in Section D. In particular:

1. **Exterior wall surfaces.** The apparent size of exterior wall surfaces visible from off the site shall be minimized through the use of single story elements, stepbacks, overhangs, landscaping, and/or other means of horizontal and vertical articulation to create changing shadow lines and break up massive forms.
2. **Privacy-Surrounding Lots.** Windows, balconies, and outdoor living areas generally shall be located to protect the privacy of adjacent homes and yards.
3. **Support structures.** Support structures (for example, columns, pilings, etc.) below the lowest floor on the downhill side of a house, shall be enclosed unless visible structural members are an integral feature of the architectural design.
 - a. A structural or decorative supporting device, including columns, pipes or beams, that are allowed to be exposed to view, shall have a minimum individual dimension of 12 inches for every one foot of height or length, with a minimum dimension of 15 inches.
 - b. A support structure wall surface shall not exceed six feet in height.
4. **Colors and materials.** A mixture of materials and color shall be used to blend structures with the natural appearance of the hillside:
 1. Based upon the graphic principle that darker colors are less noticeable than light colors, darker tones, including earth tones shall be used for building walls and roofs on highly visible sites so that buildings appear to blend in with the natural terrain.
 2. Exterior finish materials shall be appropriate for the architectural style of the structure and compatible with the hillside environment.

D. Neighborhood Compatibility. New homes and additions subject to a Hillside Development Permit shall be designed with consideration of the character and scale of the existing development in the vicinity. Through the Hillside Development Permit process, compatibility will be determined following a review of existing site conditions, visibility of the site, and the size, scale, and character of existing development within 500 feet of the site. Dependent on existing conditions, the Zoning Administrator may modify the 500-foot radius to include a larger neighborhood when within the 500-foot radius there are less than five developed lots or when the character of the neighborhood is defined by existing features (e.g. canyon, street, etc.). In addition to the floor area ratio requirements of Section 17.48.060.A, the allowable floor area of the home shall not be greater than 35% above the median floor area of the existing homes within the established radius (excluding garages and other accessory structures). Floor area shall be determined using data from the Los Angeles County Assessor. The reviewing authority may approve additional floor area following a review of site conditions and compliance with the remainder of the Hillside District standards.

E. View protection. A proposed structure shall be designed and located so that it avoids blocking views from surrounding properties to the maximum extent feasible, as determined by the reviewing authority, and as follows. See Figures 2-7 and 2-8. For purposes of this ordinance, “surrounding”

properties refers to all abutting properties as well as properties directly across a street from the subject property.

1. New structures and tall landscaping shall not be placed directly in the view of the primary living areas on a neighboring parcel. For purposes of this ordinance, “primary” living area refers to living rooms, family room, patios, but not a kitchen, bedroom, or bathroom.
2. Mechanical equipment other than vents shall be placed on a rooftop or below a deck only if the equipment is not visible from off the site. This equipment shall also comply with the height limits in Subsection B of this Section.

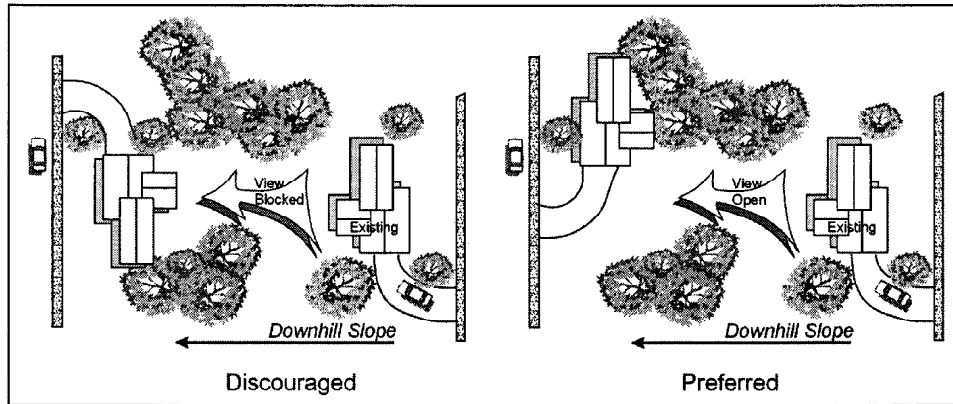


Figure 2-7 – Siting New Building to Preserve Views

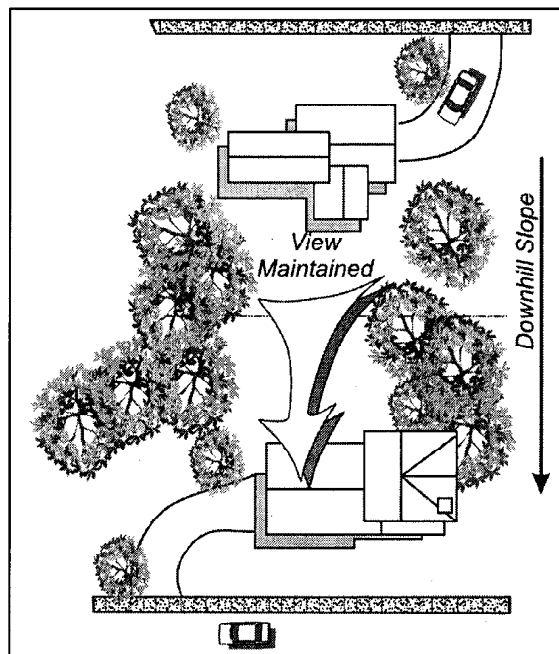


Figure 2-8 – Example of Preferred Location of Second Floor to Preserve Views

17.48.070 - Site Development Standards

- A. Grading.** Site grading, retaining walls, structural foundations, and all methods of retention shall comply with the requirements of Municipal Code Chapter 14.05 (Excavation and Grading in Hillside Areas), and the Pasadena Building Code. Compliance is determined by the Building Division. No Grading Permit shall be issued for an individual lot in the HD, HD-1, or HD-SR overlay district until each required discretionary entitlement for the project has been approved, and the plan check process has been completed. For grading of more than one lot in advance of a discretionary entitlement application, a Hillside Development Permit is required.
- B. Storm Water and Urban Runoff Control Regulations.** All development and redevelopment projects on lots with any natural slope that is fifteen percent or greater are subject to the City's Storm Water and Urban Runoff Control Regulations. Such projects are required to submit a Standard Urban Stormwater Mitigation Plan (SUSMP) to the City Manager or duly authorized representative thereof for review and approval prior to the issuance of any site plan approval, entitlement of use, or grading or building permits.
- C. Landscaping.** Proposed development shall require landscape plan approval, and shall include the installation of landscaping materials as follows.
- 1. Landscape plan required.** Each project that requires a Building Permit or land use permit shall also require the approval of a landscape plan by the Zoning Administrator and the Fire Chief.
 - a. Plan content.** The plan shall include all information required by the Department, shall be designed to ensure slope stability, fire safety and design quality, and shall also include a tree removal and retention plan with the following information.
 - (1) Identification of the extent of vegetation removal required for site preparation and development; and
 - (2) The location and species of individual trees of four-inch caliper or more. Maximum effort should be exercised to retain existing trees in place. All trees identified on the City's Protected Tree Inventory shall be shown.
 - b. Tree removal and replacement.** For each native tree or shrub larger than four-inch caliper that is removed, a 15-gallon replacement tree shall be planted on the site. For trees in excess of eight-inch caliper, the replacement tree shall be 24-inch box or larger, or a combination of sizes to be approved by the Zoning Administrator. The use of native oaks is encouraged. In addition to these requirements, all requirements of the City's Tree Protection Ordinance shall be met.
 - c. Waiver of plan.** The Zoning Administrator may waive the landscape plan requirement for additions and remodeling where no or only minor alterations to the existing landscape or topography are proposed.
 - d. Effect of approved plan.** All landscaping shall be planted and maintained in compliance with the approved plan.
 - 2. Plant materials and location.** Landscaping shall emphasize the use and management of native plants. Care should be taken in plant selection and maintenance to avoid plants of

high flammability either due to their intrinsic quality or the cumulative effect of dense planting near structures.

- a. All landscaping shall be of low fuel volume plant material. The plant selection shall also emphasize the use of drought tolerant species, consistent with the safety requirement, and approved by the Fire Chief.
 - b. All native groundcover and shrub materials to be planted within 30 feet of all structures shall be low-profile evergreen plants.
 - c. Trees and nonnative evergreen shrubs shall not be located within 10 feet of chimneys and should not otherwise present unusual fire hazards. The use of invasive plant species shall be discouraged. The plant palette for landscaping the perimeter of a site shall blend as much as possible with the natural plant palette, consistent with safety requirements. A list of suggested plant materials shall be kept on file by the Zoning Administrator and shall be available for inspection by the public.
 - d. Landscaping shall be designed to screen the view of downslope building elevations. The landscape plan for the residential dwelling shall specifically consider the downslope elevation and demonstrate that portions of elevations below the bottommost floor are screened from view. Downslope elevations visible from any adjacent property or public right-of-way shall be landscaped with a selection of shrubs and trees that screen the downslope portion from view to the satisfaction of the Zoning Administrator.
 - e. Trees shall be planted so that existing views from surrounding properties are preserved.
- D. Exterior lighting.** Exterior lighting shall be properly shielded to avoid glare and the spill of light to surrounding areas. Low-level lighting and the use of multiple low profile fixtures is encouraged, as opposed to the use of fewer, but taller fixtures. Emphasis for exterior lighting shall be on safety and landscape lighting as opposed to building lighting.
- E. Fire safety.** Each project shall comply with the requirements of Municipal Code Chapter 14.24 and the Pasadena Fire Code. Prior to the issuance of a Building Permit, all building plans shall be reviewed and approved by the Fire Chief for compliance with these requirements.
- F. Trash receptacles.** All trash receptacles shall be screened from view from the public right-of-way.
- G. Large Vehicle Restrictions.** For projects subject to a building permit, all construction vehicles or trucks including trailers with lengths 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 AM and after 3:00 PM 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 AM and after 3:00 PM.

* Holidays are defined as the following: New Years Day (Day of the Rose Parade), Martin Luther King's Birthday (Third Monday in January), President's Day (Third Monday in February), Memorial Day (Last Monday in May), Independence Day (July 4), Labor Day (First Monday in September), Veterans Day (November 11), Thanksgiving Day (Fourth Thursday in November), Christmas Day (December 25)

- H. Sewer connections and regulations.** All development in the hillside district shall meet the requirements of the Public Works Department and Building Division with regard to connections to the public sewer system

17.48.080 - Hillside Development Permit

- A. Purpose.** The Hillside Development Permit provides a review process for the City to consider the appropriateness of proposed development on hillside parcels, to ensure that a proposed project minimizes its visual and environmental impact
- B. Applicability.** A Hillside Development Permit is required to authorize any proposed development that is subject to the requirements of this Chapter.
- C. Application filing and processing.** An application for a Hillside Development Permit shall be filed and processed in compliance with Chapter 17.80 (Standard Application Procedures and Submittal Requirements). Hillside Development Permits shall follow the procedures of Conditional Use Permits as outlined in Chapter 17.88. A Hillside Development Permit application shall include all information and materials required by Section 17.80.030 (Applications), and the following additional information prepared by licensed or certified professionals:
- 1. Site topography.** A topographic map covering the entire site. The topographic map shall be prepared with a contour interval of not more than five feet, which shall also identify the proposed building site, and all areas of the site with slopes of 15 percent or less, all areas of the site with slopes that are more than 15 percent but no more than 50 percent, and all areas of the site with slopes of 50 percent or more. An average slope calculation is required for the entire lot area.
 - 2. Geotechnical report.** A preliminary geotechnical report that identifies and proposes mitigation measures for any soils or geological problems that may affect site stability or structural integrity. Depending upon the site characteristics and project design, the reviewing authority may also require a final geotechnical report.
 - 3. Hydrology Report.** A hydrology report shall be required that analyzes the effects of water runoff, drainage, sustained landscape irrigation, and increased ground water on slope stability and analyzes the potential effects (flooding, mudslides, higher water table, etc.) of added ground water on properties down slope. The Zoning Administrator may waive the hydrology report requirement for projects where no or only minor alterations to the existing topography or drainage patterns are proposed or where the slope does not exceed 15%.
 - 4. Constraints analysis.** For properties determined by the Zoning Administrator to potentially have sensitive environmental resources including endangered plants or animals, trees protected by the City's Tree Protection Ordinance, riparian areas, or a wildlife corridor, the environmental document prepared for the project in compliance with the California Environmental Quality Act (CEQA) shall include identification and analysis of the resources, and proposed mitigation measures for effective protection.

5. **Visual analysis.** All projects that require a Hillside Development Permit shall be required to provide a visual analysis in accordance with this subsection. In particular, a visual analysis is required to assist the reviewing authority and interested citizens in understanding how a proposed structure and its accompanying grading and other site development will appear in the context of the surrounding hillsides, properties, and development.

a. **Content.** A visual analysis shall consist of one or more three-dimensional depictions of a proposed project, including all proposed structures and site development, illustrating how the project will appear to observers, viewing the project from public rights-of-way and other public areas near the site.

b. **Form.** The three-dimensional visual depictions provided in a required visual analysis may be in one or more of the following forms, as determined by Subsection 4.c (Specific requirements):

- (1) Rendered perspectives, including grading cross-sections;
- (2) Photo-montages, including photos of the site with the location and size of proposed structures defined by structural frameworks (e.g., of boards, PVC pipe, guy wires with pennants, etc.) that outline the walls, roofs, and other features that will determine the location, mass and bulk of the proposed structures;
- (3) Computer generated simulations;
- (4) A 3-dimensional scale model of the project site, of a scale sufficient to evaluate the project as determined by the Zoning Administrator; and
- (5) Any other technique acceptable to the Zoning Administrator that will provide an accurate three-dimensional visual depiction of the proposed project in its proposed location and context with sufficient detail to clearly illustrate how proposed structures and site development will look when complete.

c. **Specific requirements.** The requirements for the content and form of a visual analysis for a specific project (e.g., the number of illustrations required and their vantage points) will be determined by the Zoning Administrator in each case. Written analysis and/or design in addition to illustrations may also be required when determined by the Zoning Administrator to be necessary to clearly understand the potential visual impacts of the project.

All submitted maps, plans, drawings, and sketches shall be drawn to the same scale which shall be consistent throughout the review and approval process. Exceptions require the approval of the Zoning Administrator.

D. **Reviewing authority.** The Zoning Hearing Officer may approve, conditionally approve, or disapprove a Hillside Development Permit in compliance with this Chapter.

E. **Project review, notice, and hearing.** The project review and public notice and hearing requirements for a Hillside Development Permit shall be the same as those required for a Conditional Use Permit by Section 17.88.020.

- F. Findings and decision.** The Zoning Hearing Officer may approve, conditionally approve, or disapprove a Hillside Development Permit application, and shall record the decision and the findings upon which the decision is based. The reviewing authority may approve the permit only after first making the following findings, in addition to the findings required by Section 17.88.020 for Conditional Use Permit approval:
1. The design, location, and size of proposed structures and/or additions or alterations to existing structures will be compatible with existing and anticipated future development on adjacent lots as described in Section 17.48.060.D of this ordinance and in terms of aesthetics, character, scale, and view protection;
 2. 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.
- G. Additional finding for adjustments to standards.** The applicant may seek and the reviewing authority may grant an adjustment to the standards of this Chapter as part of Hillside Development Permit approval only where it first finds that:
1. The adjustment will result in a structure that is less visible from off the site, and has less impact on environmental resources, wildlife habitat, slopes, or existing scenic views from adjacent properties than would development in compliance with the standard being adjusted.
- H. Conditions of approval.** In approving a Hillside Development Permit, the reviewing authority may impose any conditions it deems reasonable and necessary to ensure that the approval will comply with the findings required by Subsection F.
- I. Post approval procedures.** The procedures and requirements in Chapter 17.80 (Permit Implementation, Time Limits, and Extensions), and those related to appeals in Chapter 17.104 (Appeals and Calls for Review), shall apply following the decision on a Hillside Development Permit.

17.48.090 - HD-1 (Upper Hastings Ranch Area) Standards

- A. Purpose.** The requirements of the HD-1 (Hillside Development) overlay district are intended to preserve and protect views to and from hillside areas to maintain the visual quality of the City, protect environmental resources, avoid hazards to development, minimize infrastructure costs, and simplify the development review process.
- B. Applicability.** The HD-1 overlay district is applied to the Upper Hastings Ranch Area.
- C. Permit requirement - Second floor additions.** A Hillside Development Permit in compliance with Section 17.48.080 (Hillside Development Permit) shall be required to authorize a second floor addition to an existing dwelling. Other types of proposed development shall comply with the permit requirements of the base zone.
- D. Development standards.** Proposed development shall comply with the standards of the applicable base zoning district, except as modified by this Section.
1. **Setbacks.**

- a. **Encroachment plane.** In addition to meeting minimum front yard requirements, the main structure shall not be located within a front yard encroachment plane sloping inwards at a 40-degree angle from the horizontal, commencing at the front property line.
 - b. **Second story.** The second story shall be set back an additional 5 feet from the required front and side yards setbacks.
2. **Height limit.** No structure shall exceed a maximum height of 25 feet or two stories except that chimneys may exceed the maximum height by 2 feet.
3. **Building design.**
- a. **Maximum floor area.** Maximum floor area requirements do not apply. The maximum allowable floor area (measured in square feet) of a second story shall be limited to 50 percent of the floor area of the first story (including attached garage).
 - b. **Roof slope.** Roof slope shall be a minimum of 2:12.

17.48.100 - HD-SR (San Rafael Area) Standards

- A. **Purpose.** This Section provides additional standards for the San Rafael hillside neighborhood within the HD overlay district, to ensure that proposed development is appropriately located in relation to lot size and site slope.
- B. **Applicability.** Proposed development within the San Rafael hillside neighborhood identified by the map on file with the Department shall comply with the requirements of this Section.
- C. **Development standards.**
- 1. **Parking requirements.** Proposed development shall comply with the parking requirements of Section 17.48.050.G (Parking requirements), except that Subsection G.1 (Guest parking requirements) shall not apply.
 - 2. **Setback requirements.** Proposed structures shall comply with the front setback requirements established by Table 2-9. The Zoning Administrator shall maintain on file a map illustrating these yard requirements. Proposed development shall also comply with the side and rear yard setback requirements established by the applicable base zone. Garage setback reductions shall apply to detached garages only.
 - 3. **Garage Decks.** Garage decks are not permitted on garages with less than a 25 foot setback.

TABLE 2-9 - SAN RAFAEL HILLSIDE NEIGHBORHOOD FRONT SETBACKS

Tract	Street or Block	Lots	Front Setback Requirement
6210	N.A.	1-8	Per code
	N.A.	9-12	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	13-15	Per code
	N.A.	16-30	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	31-32	Per code
	N.A.	33-35	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	36	Per code
	N.A.	37	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	38-41	10 ft
	N.A.	42-60	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	61	Per code
	N.A.	62-64	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	65-78	Per code
	N.A.	79	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	80	Per code
	N.A.	81-92	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	94-95	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line
N.A.	96-98	5 ft for a garage, but no less than 10 ft from the curb line	
N.A.	B, C, D, E, F, G, H, J	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line	

TABLE 2-9 - SAN RAFAEL HILLSIDE NEIGHBORHOOD FRONT SETBACKS -- Continued

Tract	Street or Block	Lots	Front Setback Requirement
6702	N.A.	1 - 9	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line.
	N.A.	10	Per code
	N.A.	11, 12	10 ft
	N.A.	13	Per code
	N.A.	14-27	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	28	Per code
	N.A.	29-44	5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	45, 46	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	47	Per code
	N.A.	48-74	5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	75-93	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	94-100	Per code
	N.A.	101, 102	10 ft
	N.A.	103-109	Per code
	N.A.	110-115	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	116	Per code
	N.A.	117-141	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	142-147	Per code
	N.A.	148-163	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line.
	N.A.	164-168	Per code
	N.A.	169-173	10 ft
	N.A.	174-184	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line

TABLE 2-9 - SAN RAFAEL HILLSIDE NEIGHBORHOOD FRONT SETBACKS - Continued

Tract	Street or Block	Lots	Front Setback Requirement
7012	Block 1	1-21	Per code
	Block 1	22-25	12 ft
	Block 2	All lots	Per code
	Block 3	1	Per code
	Block 3	2-11	5 ft for a garage, but no less than 10 ft from the curb line
	Block 3	12-15	12 ft. 5 ft for a garage, but no less than 10 ft from the curb line
	Block 3	3-16	Per code
	Block 3	17-24	12 ft
	Block 3	25-47	Per code
	Block 3	48-74	5 ft for a garage, but no less than 10 ft from the curb line
	Block 4	7-10	5 ft for a garage, but no less than 10 ft from the curb line
	Block 4	12-14	12 ft
	Block 5	1-6	5 ft for a garage, but no less than 10 ft from the curb line
8119	N.A.	1-2	10 ft
	N.A.	3-6	12 ft
	N.A.	7	10 ft

TABLE 2-9 - SAN RAFAEL HILLSIDE NEIGHBORHOOD FRONT SETBACKS - Continued

Tract	Street or Block	Lots	Front Setback Requirement
8308	N.A.	1-11	5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	12-16	Per code
	N.A.	17-20	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	21-36	12 ft
	N.A.	37-43	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	44	Per code
	N.A.	45-57	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	58	Per code
	N.A.	59-66	5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	67-68	Per code
	N.A.	69-71	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	72,73	12 ft
	N.A.	74	Per code
	N.A.	75-78	5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	79	Per code
	N.A.	80-82	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	83-96	Per code
	N.A.	97-99	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line

TABLE 2-9 - SAN RAFAEL HILLSIDE NEIGHBORHOOD FRONT SETBACKS - Continued

Tract	Street or Block	Lots	Front Setback Requirement
8554	N.A.	1-4,	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	5-26	Per code
	N.A.	27, 28	10 ft
	N.A.	29, 30	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	31-36	Per code
	N.A.	37-56	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	57-59	12 ft
	N.A.	60-63	Per code
	N.A.	64	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	65-70	Per code
	N.A.	71, 72	10 ft
	N.A.	73-80	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	81	Per code
	N.A.	82-85	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	86-90	Per code
	N.A.	91-95	5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	96	Per code
	N.A.	97-111	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	112	Per code
	N.A.	113-135	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line
9859	N.A.	1	10 ft
	N.A.	2-5	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	6-12	10 ft
	N.A.	13	Per code
	N.A.	14-19	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line

TABLE 2-9 - SAN RAFAEL HILLSIDE NEIGHBORHOOD FRONT SETBACKS - Continued

Tract	Street or Block	Lots	Front Setback Requirement
11109	N.A.	1	Per code
	N.A.	2-7	12 ft, 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	8-15	5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	16-17	Per code
	N.A.	18-25	12 ft
12571	Anita Drive, west side	N.A.	20 ft; 0 ft for a garage
	Anita Drive, east side	N.A.	12 ft
	Avenue 64, west side	N.A.	20 ft from street line; 0 setback for a garage
	Malcolm Drive, west side	N.A.	20 ft from street line; 0ft from street line for a garage
	Malcolm Drive, east side	N.A.	12 ft from street line
	N.A.	75-78	20 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	79-81	12 ft
	N.A.	82-83	20 ft, 5 ft for a garage, but no less than 10 ft from the curb line

TABLE 2-9 - SAN RAFAEL HILLSIDE NEIGHBORHOOD FRONT SETBACKS - Continued

Tract	Street or Block	Lots	Front Setback Requirement
13273	N.A.	1-2	Per code
	N.A.	3-5	20 ft
	N.A.	6-19	15 ft, 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	20-27	20 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	28-29	20 ft
	N.A.	30-34	20 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	35	Per code
	N.A.	36-38	10 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	39-46	Per code
	N.A.	47-52	20 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	53-59	15 ft
	N.A.	60	20 ft
	N.A.	61-70	20 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	71	20 ft
	N.A.	72-77	20 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	78	Per code
	N.A.	79-80	20 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	81-92	15 ft
	N.A.	93-97	15 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	98-104	20 ft
N.A.	105-107	15 ft	
N.A.	108-110	15 ft; 5 ft for a garage, but no less than 10 ft from the curb line	

TABLE 2-9 - SAN RAFAEL HILLSIDE NEIGHBORHOOD FRONT SETBACKS - Continued

Tract	Street or Block	Lots	Front Setback Requirement
13470	N.A.	1-14	Per code
	N.A.	15	15 ft, 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	16	Per code
	N.A.	17	15 ft, 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	18	Per code
	N.A.	19	15 ft, 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	20	Per code
	N.A.	21	15 ft, 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	22	Per code
	N.A.	23	15 ft, 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	24	Per code
	N.A.	25	15 ft, 5 ft for a garage, but no less than 10 ft form the curb line
	N.A.	26	Per code
	N.A.	27	15 ft, 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	28-30	15 ft, 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	31-32	Per code
	N.A.	33	15 ft, 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	34-35	Per code
	N.A.	36	15 ft, 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	37	Per code
	N.A.	38-39	15 ft, 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	40-47	15 ft
	N.A.	48-66	20 ft
	N.A.	67	Per code
	N.A.	68-69	20 ft

N.A.	70-103	Per code
N.A.	104-135	20 ft

TABLE 2-9 - SAN RAFAEL HILLSIDE NEIGHBORHOOD FRONT SETBACKS - Continued

Tract	Street or Block	Lots	Front Setback Requirement
14065	N.A.	1-6	20 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	7-11	12 ft; 5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	12-16	5 ft for a garage, but no less than 10 ft from the curb line
	N.A.	17-22	12 ft
14590	N.A.	1-7	15 ft; 5 ft for a garage, but no less than 10 ft from the curb line

SECTION 6. Subsection C of Section 17.80.020 of said code entitled, “**Definitions**” is hereby deleted and replaced by the following:

“C. “Permit” means any discretionary action covered by this title including without limitation use permits, variances, exceptions, certificates of appropriateness, tentative maps, design review approvals and hillside development permits.”

SECTION 7. Subsection A.1 of Section 17.84.020 of said code entitled, “**Applicability**” is amended to read as follows:

“1. New residential structures in HD overlay districts that require a hillside development permit and where there is an average slope greater than 15 percent.”

SECTION 8. Section 17.88.060 of said code entitled, “**Discontinuance**” is amended to read as follows:

“A conditional use permit, minor conditional use permit, or hillside development permit shall lapse if the exercise of rights granted by it is discontinued for a continuous period of one year.”

SECTION 9. Appendix A of said code is amended by deleting the diagram entitled, “**BUILDING HEIGHT IN HD OVERLAY DISTRICT.**”

SECTION 10. Section 10.52.040 of Title 10 of said code, entitled, “**Exemptions**” is amended to read as follows:

“The provisions of this chapter shall not apply to any of the following vehicles: vehicles which are subject to Section 1030 and 1036, inclusive, of the Public Utilities Code; vehicles owned by a public entity or licensed contractor while necessarily in use in the construction, installation or repair of any public improvement; vehicles coming from an unrestricted street having ingress and egress by direct route to and from a restricted street when necessary for the purpose of making pickups or delivery of goods, wares, and merchandise from or to any building or structure located on the restricted street or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling, or construction of any building or structure upon the restricted street for which a building permit has been previously obtained (except that, if applicable, such vehicles shall comply with the “large vehicle restrictions” as set forth in Section 17.48.070G); school busses; busses transporting persons engaged in any type of authorized school activity; vehicles using local interstate terminal connections routes pursuant to Chapter 10.53; emergency vehicles.”

SECTION 11. Projects that have submitted an application for a discretionary action and have been deemed complete by May 3, 2004 may be processed under the Hillside District Standards in effect prior to the adoption of the development moratorium on the hillside districts.

SECTION 12. This ordinance shall take effect upon publication.

Signed and approved this _____ day of _____, 2004.

Bill Bogaard
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council on the
City of Pasadena at its regular meeting held on _____, 2004, by the
following vote:

AYES:

NOES:

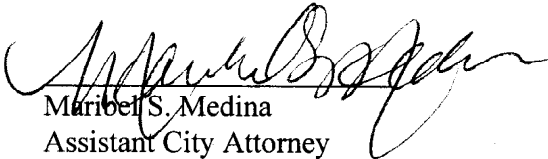
ABSENT:

ABSTAIN:

Published:

Jane L. Rodriguez
City Clerk

APPROVED AS TO FORM:


Maribel S. Medina
Assistant City Attorney

