

# CITY OF LA CAÑADA FLINTRIDGE

## PLANNING COMMISSION STAFF REPORT

September 12, 2017 Meeting

### Applicant

De Angelis Designs Inc.  
650 Foothill Blvd. Suite E  
La Canada Flintridge, CA 91011

### Case Type / Number:

Hillside Development Permit 17-23

### Property Owner:

Phil and Andrea Klemmer  
3860 Madison Road  
La Canada Flintridge, CA 91011

### Site Address:

3860 Madison Road

### Case Planner:

Chris Gjolme ~ Planner

### 1. Request:

The request is for a Hillside Development Permit to construct a new single-story residence, detached garage and studio comprising 4,782 sq. ft. on a 41,558 sq. ft. hillside lot with an average slope of 30%. Retaining walls up to 7 feet in height are also proposed to expand pad area.

### 2. Location:

The site is along a curved section of Madison Road, on the east side of the street, between its intersections with Hampstead Road and Oxford Way, in the R-1-,40,000 zone.

### 3. Staff Recommendation:

Staff recommends that the request **BE APPROVED**, subject to the conditions listed in Exhibit "A", attached to the draft resolution.

### 4. Project Size:

Lot Size:	41,558 sq. ft.
Proposed residence and covered patio:	3,717 sq. ft.
Proposed detached garage:	565 sq. ft.
Proposed detached studio:	500 sq. ft.
<b>Total:</b>	<b>4,782 sq. ft. (0.12 FAR)</b>

## 5. General Plan / Zoning / Existing Land Use:

The Land Use Map identifies the site as Estate Density Residential (max. 1 dwelling unit per acre). The property is zoned R-1-40,000 (Single Family Residential, 40,000 Square Foot Minimum Lot Size). The site is currently developed with a single-story residence and swimming pool that would be demolished in conjunction with project approval.

## 6. Environmental Impact Review:

Staff has determined that the proposed Hillside Development Permit is Categorically Exempt from the California Environmental Quality Act, under Class 2.5(c)(1)(new construction) and 2.5(c)(5)(accessory structures) of the City of La Cañada Flintridge Guidelines for the Implementation of CEQA.

## 7. Previous Action:

None.

## 8. Pending and Potential Actions:

Plan check, Health Dept. & Fire Dept. approval, issuance of building permits.

## 9. Staff Analysis:

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### A. Context:

As Madison Road pursues its winding course, it reaches a relatively open vista to the north and east. There, the houses are sited low on their downslope lots, revealing views of the mountains and of other houses and hillsides closer in. The subject site is such a downslope parcel, with the existing house accessed via a winding driveway that drops 25-30 feet to the pad.



Several oaks are found along the course of the driveway and combine with other trees along the site's perimeter to insulate the property in part. Beyond, the site descends into a ravine (which is not classified as a Blue Line Stream), forested with oaks.

The deep and relatively narrow lot comprises over 41,000 sq. ft. Front and rear slopes flanking a large central pad lend to an overall average slope of 30%. Upslope to the

north is the lengthy single-story at 3870 Madison Road. Contrarily, the adjacent home to the south at 3848 Madison Road is a downslope 2-story structure. Both of these homes benefit from ample separation and intervening tree screening along the side property lines. With the new home's siting at the mid-section of the deep lot, homes across the street to the west and beyond the ravine to the east are so well removed from the construction zone that no issues are anticipated.

The area's topography and winding course of the streets limits the number of homes that are proximate to the proposal. Those most relevant are included in the matrix below, and demonstrate the development diversity found in the immediate area.

Address	Lot Size	House Size	FAR	Number of Stories
3829 Chevy Chase Drive	51,836 sf	4,072 sf	0.08	2
3853 Chevy Chase Drive	76,666 sf	4,870 sf	0.06	1
3852 Keswick Road	17,140 sf	4,743 sf	0.27	2
3855 Keswick Road	18,180 sf	1,812 sf	0.10	1
3848 Madison Road	52,272 sf	6,270 sf	0.12	2
3870 Madison Road	75,794 sf	3,292 sf	0.04	1
3859 Madison Road	26,888 sf	2,159 sf	0.08	1
<b>Average (Mean):</b>	<b>45,539 sf</b>	<b>3,888 sf</b>	<b>0.09</b>	<b>---</b>

<b>3860 Madison Road</b>	<b>41,558 sf</b>	<b>3,217 sf</b>	<b>0.08</b>	<b>1</b>
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*(floor area figures DO NOT include garages & other exterior covered area & are intended for general comparison only)*

**B. Project Description:**

The project involves construction of a one-story residence, detached 2-car garage and detached studio. New retaining walls are also proposed to expand pad area. Lastly, the existing driveway would be widened in accord with Fire Department mandates.

The new home would be sited on the existing pad in a similar location to that of the previous structure. It would, however, be of more consolidated form, resulting in the provision of a compliant 12'-6" setback to the north, thus remedying a 5-foot encroachment presented by the existing structure. In addition, the home's width would allow for a deep 27-foot side setback to the south. The home's depth would be fairly minimal at 44 feet, exclusive of a covered patio at the rear. Building height would be approximately 20 feet, well below the 28-foot hillside limit.

The home's design and massing would reflect a strong mid-century style through use of vertical siding, sliding doors, a low-pitched gable and opposing sheds accommodating two transom arrays. Though not as strictly bound to the Design Review Guidelines as stipulated in Second-floor Review findings, the design is highly regarded by staff given its minimalist massing, low profile and intrinsic 'throwback' character.

Forward of the house, a new detached garage would be created. The garage would be cut into the north bank, with retaining walls extending from the garage to the south and west to expand pad area for the house and provide additional onsite parking. The walls would face inward to the site and achieve a maximum height of 6.5 feet. Several oak trees would be proximate, but code-compliant separation equivalent to 3.5x the respective tree's diameter would be provided along the course of each wall. A small studio south of the driveway is also proposed in front of the house. It would comprise 500 sq. ft. and achieve a height of 15 feet, apparent from the interior of the site since it would be partially cut into the upslope at the front of the lot. The studio would be set back 77 feet from the front property line, satisfying the requirement for the lot.

The existing driveway is fairly narrow and would be widened as required by the Fire Department. Final width would vary from 15-20 feet, with the majority of the additional flaring occurring along the south side to preserve several oaks that flank the driveway to the north, where code-required separation from paving would be provided. It would terminate in a small auto court fronting the new residence. Driveway gradients would satisfy the 17% average and 20% maximum limits specified in the zoning code. Material from the garage and studio cuts and driveway work would be utilized to fill in the rear-yard swimming pool. It is anticipated to be largely balanced on site, with minimal, if any, export anticipated. The project's landscape plan includes a variety of new plantings, most notably the introduction of four new sycamore trees to the front that would combine with existing oaks to enhance the site and street setting.

Total project area inclusive of the house, garage and studio would be 4,782 sq. ft. The lot's 41,558 sq. ft. allows floor area up to a maximum of 10,061 sq. ft., adjusted to 9,054 sq. ft. through application of the 0.90 Slope Factor Guideline (SFG). Thus, the project would realize just over half the lot's development potential. In all, the project compares with applicable code standards as follows:

	STANDARD	x SFG	PROPOSED
<b>Floor Area:</b>	10,061 sf	9,054 sf	4,782 sf
<b>Front SB</b>			
<b>Residence:</b>	77 feet	n/a	160 feet
<b>Garage:</b>	77 feet	n/a	118 feet
<b>Studio:</b>	77 feet	n/a	77 feet
<b>South Side SB</b>			
<b>Residence:</b>	12'-6"	n/a	27 feet
<b>Studio:</b>	12'-6"	n/a	12'-6"
<b>North Side SB</b>			
<b>Residence:</b>	12'-6"	n/a	12'-6"
<b>Garage:</b>	12'-6"	n/a	13 feet
<b>Height</b>		n/a	
<b>Primary:</b>	28 feet	n/a	20 feet
<b>Accessory:</b>	15 feet	n/a	15 feet

### C. General Plan & Hillside Development Permit:

#### *Discussion*

Goal 4 of the General Plan Land Use Element pertains to Hillside Areas:

*Maintain hillside areas for the purpose of preserving the visual quality of the City, protecting the public from safety hazards, and conserving natural resources.*

Supporting this goal are the following objectives and policies:

Objective 4.1: New development and/or remodeling of existing structures and property will be designed, constructed, and maintained to preserve important views, topographic and other natural features, and the semi-rural character of the City's hillsides.

*Policy 4.1.1: Preserve ridgelines, natural slopes, knolls, canyons, and bluffs in their natural state to protect important views and topographic and other natural features.*

*Policy 4.1.3: Ensure that development preserves the City's natural environment, setting, and viewsheds, through design, siting, and construction that avoids obtrusive breaks in the natural skylines and minimizes the visual impact of grading, intrusion of highly visible cut and/or fill slopes, building and roof lines, and/or roadway surfaces.*

*Policy 4.1.5: Continue to implement the City's Hillside Development Chapter of the Zoning Ordinance, which establishes standards to minimize landform alteration, preserve significant environmental features, and control development densities.*

*Policy 4.1.6: Encourage residences developed in hillside areas to be designed, landscaped, and built of materials that blend with the existing environment; use of bright or reflective surfaces will be disallowed.*

Objective 4.2: Ensure that hillside development will be designed, constructed, and maintained to minimize natural and human-made safety hazards to persons and property.

*Policy 4.2.1: Require that development in hillside areas be designed and constructed in such a manner as to avoid flooding, mudslides, erosion, and subsidence to residents and structures on or near hillside areas as well as downstream of any project.*

*Policy 4.2.2: Ensure that the appropriate goals, objectives, policies, and implementation programs in the Safety and Conservation elements are applied to hillside development.*

*Policy 4.2.3: Discourage development in areas of known slope instability and/or high landslide risk.*

This is further supported in the Hillside Development Ordinance, Section 11.35.020.a, which states:

*Existing community character, as defined by such factors as visual appearance, density, road widths and vegetation shall be preserved and/or enhanced.*

Staff regards the project as well-suited to the site and area. The home's footprint corresponds well to the size and configuration of the pad, which would not be altered/expanded to an unreasonable extent. Diffusion of floor area through the inclusion of 2 accessory structures is also thoughtful and favorably regarded. Modest floor area well under the limit for the lot, significant setback surpluses to the east and west, and retention of all significant oak trees, also reinforce the project's suitability for the site.

Given the home's modest size and single-level plan, view and massing issues are also not anticipated to be an issue with the project. As already mentioned, the most proximate neighboring homes are either amply separated or at different elevations, with landscaping continuing to intervene. Major oak trees would be retained while the landscape plan offers an appropriate and attractive blend of trees, shrubs and groundcover, with preliminary certification for compliance with Chapter 4.23 of the municipal code (water efficiency).

All hillside standards and guidelines would be satisfied by the project, with exception of Section 11.35.046.D / Architectural design guidelines / Wall Modulation, which recommends a vertical break in the wall surface every 40 feet at the 1<sup>st</sup>-floor level. Along the rear and south side elevations, continuous walls exceed 40 feet in length. However, the deviation is a negligible in staff's estimation; the covered patio and divergent roof forms provide articulation to the rear while the south elevation boasts ample fenestration and is shielded by several oaks. Moreover, the project's massing is consistent with mid-century design, which does not demand modulation beyond that proposed.

Staff has concluded that this project would uphold the spirit of neighborhood compatibility policies as laid out in the General Plan. It would also comply with the spirit as well as the letter of the Hillside Development Ordinance. It would respect the constraints of the lot, minimally alter prevailing topography and preserve the area's character, all intended to be ensured through hillside review.

### *Findings*

- 1. The project, through elements of architectural and landscape design, will enhance its setting.**

The project uses logical and efficient site planning, refined low-profile massing and detailing to achieve its overall scope, while maintaining tree landscaping and adding landscape accents. Staff supports the finding.

**2. The project will maximize potential for sensitive use and effective preservation of open space.**

The project would employ limited grading to expand the pad area and driveway while preserving significant yard area on all sides, in particular to the front and rear, and numerous oak trees. Staff supports the finding

**3. The project will not be detrimental to the public health, safety, or general welfare.**

With regard to safety, the project would provide 4 on-site parking spaces and improve vehicular access to the street, which is characterized by very low traffic volumes; no public health or welfare issues are raised by the provision of a replacement single-family residence on the site. Staff supports the finding.

**4. The project will not adversely affect the orderly development of property within the City.**

The project would introduce a new home and accessory structures on a residential lot in a subdivided and largely developed area at well less than its allowable density. Staff supports the finding.

**5. The project will conform to the goals and policies set forth in the General Plan.**

The project will respect the hillside terrain and protected trees, and introduce very reasonable development in terms of density on the site and the character of the immediate area. The compatibility of the house as analyzed in this report upholds the General Plan Land Use Element Goal 4 to "(m)aintain hillside areas for the purpose of preserving the visual quality of the City, protecting the public from safety hazards, and conserving natural resources", and the applicable Objective 4.1 which states "new development and/or remodeling of existing structures and property will be designed, constructed, and maintained to preserve important views, topographic and other natural features, and the semi-rural character of the City's hillsides." Staff supports the finding.

**6. The project will not create a nuisance, hazard or enforcement problem within the neighborhood or the City or require the City to provide an unusual or disproportionate level of public services.**

The project, consisting of enhancement of a single-family residential use, will not result in a change of use or intensification of development beyond those allowed in the General Plan and zoning codes. Staff supports the finding.

7. **There are special conditions or unique characteristics of the subject property and its location or surroundings which justify exceeding one or more of the provisions set forth in this Chapter to permit project development.**

Deficient 1<sup>st</sup>-floor wall modulation is consistent with the home's mid-century design and is aesthetically compensated by other integral design components and a lack of visibility from offsite. Staff supports the finding.

8. **Any potential for the project to present visibly excessive bulk from any vantage point, near or far, is mitigated by screening or siting characteristics.**

The lot is somewhat remote, partially screened and views of the residence would be primarily from short range. From these resultant vantage points, the home would be seen as a refined mass of limited height and profile. Staff supports the finding.

9. **The project does not create an avoidable or unreasonable impairment of the view from any other property.**

The new house is not in a position to impact views from neighboring properties to an appreciable extent given the location, elevation and orientation of proximate homes and general topography of the area. Staff supports the finding.

D. Summary/Recommendation:

Based on the above discussion, staff believes that the project is appropriate for the site and area and would recommend that the Hillside Development Permit request **BE APPROVED**, subject to conditions listed in Exhibit "A", attached to the draft resolution.

C: *De Angelis Designs Inc.*  
*650 Foothill Blvd. Suite E*  
*La Canada Flintridge, CA 91011*

*Phil and Andy Klemmer*  
*3860 Madison Road*  
*La Canada Flintridge, CA 91011*

# CITY OF LA CAÑADA FLINTRIDGE

## RESOLUTION NO. 17-xx

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF LA CAÑADA FLINTRIDGE  
APPROVING HILLSIDE DEVELOPMENT PERMIT 17-23  
FOR A NEW ONE-STORY RESIDENCE, DETACHED GARAGE AND STUDIO,  
RETAINING WALLS AND RELATED SITE IMPROVEMENTS  
AT 3860 MADISON ROAD  
AS REQUESTED BY  
DE ANGELIS DESIGNS INC.  
ON BEHALF OF  
PHIL AND ANDREA KLEMMER**

WHEREAS, a request by De Angelis Designs Inc., on behalf of Phil and Andrea Klemmer, has been received for a Hillside Development Permit to allow construction of a new one-story residence, detached garage and studio, retaining walls and related site improvements on a hillside lot; and

WHEREAS, the Planning Commission, on September 12, 2017 after posting and publication in the prescribed manner, held a public hearing and conducted a review of the request; and

WHEREAS, the Planning Commission reviewed the project and determined that no significant environmental impacts would result from the project, which is Categorically Exempt from the California Environmental Quality Act, under Section 2.5(c)(1)(new construction) and 2.5(c)(5)(accessory structures) of the City of La Cañada Flintridge Guidelines for the implementation of CEQA; and

WHEREAS, the Planning Commission has reviewed the facts contained in the staff report dated September 12, 2017, regarding the application for a Hillside Development Permit at 3860 Madison Road, and heard and considered the testimony of the applicant and the public; and

WHEREAS, based on the evidence presented by the application materials, staff report, and public testimony, the Planning Commission finds the following:

### Section 1:

#### *Hillside Development Permit:*

1. The project, through elements of architectural and landscape design, will enhance its setting because the project uses logical and efficient site planning, refined low-

profile massing and detailing to achieve its overall scope, while maintaining tree landscaping and adding landscape accents.

2. The project will maximize potential for sensitive use and effective preservation of open space because the project would employ limited grading to expand the pad area and driveway while preserving significant yard area on all sides, in particular to the front and rear, and numerous oak trees.
3. The project will not be detrimental to the public health, safety, or general welfare because with regard to safety, the project would provide 4 on-site parking spaces and improve vehicular access to the street, which is characterized by very low traffic volumes; no public health or welfare issues are raised by the provision of a replacement single-family residence on the site.
4. The project will not adversely affect the orderly development of property within the City because the project would introduce a new home and accessory structures on a residential lot in a subdivided and largely developed area at well less than its allowable density.
5. The project will conform to the goals and policies set forth in the General Plan because the project will respect the hillside terrain and protected trees, and introduce very reasonable development in terms of density on the site and the character of the immediate area. The compatibility of the house as analyzed in this report upholds the General Plan Land Use Element Goal 4 to "(m)aintain hillside areas for the purpose of preserving the visual quality of the City, protecting the public from safety hazards, and conserving natural resources", and the applicable Objective 4.1 which states "new development and/or remodeling of existing structures and property will be designed, constructed, and maintained to preserve important views, topographic and other natural features, and the semi-rural character of the City's hillsides."
6. The project will not create a nuisance, hazard or enforcement problem within the neighborhood or the City or require the City to provide an unusual or disproportionate level of public services because the project, consisting of enhancement of a single-family residential use, will not result in a change of use or intensification of development beyond those allowed in the General Plan and zoning codes.
7. There are special conditions or unique characteristics of the subject property and its location or surroundings which justify exceeding one or more of the provisions set forth in this Chapter to permit project development because all hillside standards would be met while deficient 1<sup>st</sup>-floor wall modulation is consistent with the home's mid-century design and is aesthetically compensated by other integral design components and a lack of visibility from offsite.

8. Any potential for the project to present visibly excessive bulk from any vantage point, near or far, is mitigated by screening or siting characteristics because the lot is somewhat remote, partially screened and views of the residence would be primarily from short range. From these resultant vantage points, the home would be seen as a refined mass of limited height and profile.
9. The project does not create an avoidable or unreasonable impairment of the view from any other property because the new house is not in a position to impact views from neighboring properties to an appreciable extent given the location, elevation and orientation of proximate homes and general topography of the area.

Section 2:

NOW, THEREFORE, be it resolved that the Planning Commission approves the Hillside Development Permit request at 3860 Madison Road, subject to the conditions listed in Exhibit "A", attached to this resolution.

**PASSED, APPROVED AND ADOPTED** this 12<sup>th</sup> day of September, 2017.

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Chairman of the Planning Commission

ATTEST:

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Secretary to the Planning Commission

**EXHIBIT "A"**  
**CONDITIONS OF APPROVAL**  
**HILLSIDE DEVELOPMENT PERMIT 17-23**  
3860 Madison Road

*Standard Conditions:*

1. Compliance with and execution of all conditions listed herein shall be necessary prior to obtaining final building inspection clearance and/or prior to obtaining any occupancy clearance. Deviation from this requirement shall be only by written consent of the Director of Community Development.
2. This approval is granted for the land or land use as described in the application and any attachments thereto, and as shown on the site plan submitted, labeled Hillside Development Permit 17-23.
3. Prior to obtaining a building permit or when applicable initiation of use, the applicant and property owner shall file with the Secretary of the Planning Commission written acknowledgment of the conditions stated herein on forms provided by the Planning Department.
4. All structures, site work and other features including but not limited to, buildings, roadways, parking areas, landscaping and other facilities shall be located and maintained as shown on the project plans labeled Hillside Development Permit 17-23, Sheets 1-6, except as otherwise stated in these conditions.
5. This approval will expire unless "start of construction" is commenced within 24 months after approval is granted and diligently pursued thereafter. The Director of Community Development may extend the original expiration date by as much as 12 months upon receipt of a written request from the applicant prior to expiration of the original approval if the approved project and applicable zoning standards are unchanged. Start of construction is defined as:
  - a. All zoning and related approvals are effective; and
  - b. All required building and grading permits for the project have been issued; and
  - c. The "foundation inspection" and "concrete slab or underfloor inspection" have been made and received approval from the Division of Building and Safety; i.e., all trenches must be excavated, forms erected, and all materials for the foundation delivered on the job and all in-slab or underfloor building service equipment, conduit, piping accessories and other ancillary equipment items must be in place. Nothing in this definition shall be construed to alter the applicable

legal standards for determining when vested property rights to complete the project have arisen.

6. All applicable requirements of any law, ordinance, or regulation of the City of La Cañada Flintridge shall be complied with.
7. This approval is subject to the applicant paying all fees and assessments to the City of La Cañada Flintridge, as established by ordinance, resolution or policy of the City Council. This includes payment for contracted staff services as invoiced to the City.
8. In the event the City determines that it is necessary to take legal action to enforce any of the provisions of these conditions, and such legal action is taken, the applicant agrees to pay any and all costs of such legal action, including reasonable attorney's fees, incurred by the City, even if the matter is not prosecuted to a final judgment or is amicably resolved, unless the City should otherwise agree with the applicant to waive said fees or any part thereof. The foregoing shall not apply if the permittee prevails in the enforcement proceeding.
9. The applicant shall defend, indemnify, and hold harmless the City and its officers, agents, and employees from any claim, action or proceeding against the City or its officers, agents, or employees to attack, set aside, void, or annul approval of this Hillside Development Permit. The City shall promptly notify the applicant of any such claim, action, or proceeding and shall cooperate fully in the defense.
10. An approval granted by the Planning Commission does not constitute a building permit or authorization to begin any construction. An appropriate permit issued by the Division of Building and Safety must be obtained prior to construction, enlargement, relocation, conversion, or demolition of any building or structure within the City.
11. All construction/contractor parking shall be on-site only. If it is deemed by the Director of Community Development that sufficient on-site parking may not be available, then on-street parking in front of the site will be permitted if it can be demonstrated that such parking will not interfere with the immediate neighbors, and will not interfere with the public's use of the surrounding streets. If this cannot be found, then any additional construction vehicle or equipment parking must occur off-site at a location approved by the Director of Community Development. Approval of the off-site location shall be based on the submittal of a Parking Management Plan by the applicant that demonstrates that the site shall not interfere with the neighbors in the area or hinder the public's use of the surrounding streets. Contractors and construction workers will be required to carpool to the construction site. No construction, no deliveries and no movement of construction materials shall occur on Sundays or City recognized holidays.

12. Any subsequent substantive change to these approved plans by the Fire Department or any other agency having subsequent approval authority shall cause these plans to be returned to the Planning Department for additional review and approval prior to permit issuance.

*Planning Conditions:*

13. Applicable tree protection guidelines shall be strictly adhered to during all phases of construction, including installation of chain link protection barriers, where necessary, prior to the issuance of grading and building permits.
14. The landscape and associated irrigation plan shall comply with the City's Water Efficient Landscaping Ordinance (Municipal Code Section 4.23). All landscaping shall be installed on site and certified prior to Building Permit final.
15. Primary roof, wall and accent colors for the new residence shall be reviewed and approved by the Director of Community Development or his/her designee prior to building permit issuance.

*Public Works Conditions:*

16. Provide hydrology study and identify all drainage areas that are tributary to the project site and method of discharging onsite runoff to public right of way.
17. Project shall comply with City's Low Impact Development Standards.
18. Record covenant with the Los Angeles County Registrar/Recorder's office for the maintenance of the Best Management Practices (BMPs) per the City's Low Impact Development (LID) prior to the issuance of any permits.
19. This project **disturbs less than one acre of land**, the project is subject to the following minimum construction requirements:
  - Sediments from areas disturbed by construction shall be retained on site, using structural drainage controls to the maximum extent practicable, and stockpiles of soil shall be properly contained to minimize sediment transport from the site to streets, drainage facilities, or adjacent properties via runoff, vehicle tracking, or wind.
  - Construction-related materials, wastes, spills or residues shall be retained on site to minimize transport from the site to streets, drainage facilities, or adjoining properties by wind or runoff.
  - Runoff from equipment and vehicle washing shall be contained at construction sites unless treated to remove sediments and pollutants.

20. Construct new driveway approach per City Standard.
21. Construct concrete Curb fronting property to keep street runoff within public right of way.
22. Proposed Mailbox structure shall be approved and permitted by the Public Works Department.
23. Prior to any construction (including, but not limited to, drive approaches, sidewalks, curb and gutter, etc.), trenching or grading within public or private street right-of-way, the Applicant shall submit a street improvement plan consistent with the approved Site Plan and Conditions of approval and obtain encroachment permit(s) from the Public Works Department.
24. The ROW behind the new curb shall have a 2% to 4% slope graded to drain towards the street.

#### CONSTRUCTION & DEMOLITION (C&D) DEBRIS

25. Project shall comply with City's Construction and Demolition (C&D) Ordinance 313, per Chapter 9.14 of the City Municipal Code to satisfy the City's Debris Management requirement.
26. Prior to Demolition and/or Building Permit issuance, the Applicant shall submit a Performance Security, calculated as the lesser of three percent (3%) of the total project valuation or \$10,000. The Performance Security is refunded upon Applicant's submittal and approval of a Building Debris Management Report indicating that at least 50% of the total debris generated by the project was reused or recycled.
27. Prior to Final Building Inspection, Applicant shall submit a Building Debris Management Report and obtain Public Works approval. The Building & Safety Department will not complete Final Building Inspection until the Public Works Department makes a determination regarding refund or forfeiture of the Performance Security.
28. Applicant must use a City authorized and permitted waste hauler for all debris, including soil import/export, resulting from construction and demolition activities on the project. A list of authorized waste haulers will be provided to the Applicant.
29. Self-hauling of C&D debris must be authorized by the Department of Public Works prior to Building & Safety issuance of Demolition or Building permit(s). Applicant must submit a Debris Management Plan and a Haul Route Plan,

execute a self-haul agreement, as well as fund a Haul Route Manager for monitoring of all self-hauling activities. Self-hauling approval must be acquired from the Public Works Department prior to issuance of any permit(s).

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