

Chapter 505

MISCELLANEOUS BUILDING REGULATIONS

Section 505.010. Construction of Walks and Drives. [R.O. 2009 §505.010; Ord. No. 36, 10-3-1939; Ord. No. 512 §1, 8-12-1997; Ord. No. 678 §1, 7-10-2003; Ord. No. 731 §1, 10-12-2004; Ord. No. 879 §1, 2-8-2010; Ord. No. 883 §1, 4-12-2010; Ord. No. 885 §5, 6-14-2010]

A. Purpose — Scope — Permit Requirements And Limitations.

1. This Section shall be construed and enforced in conjunction with all ordinances and regulations enacted or promulgated for purposes of historic preservation given the City's status as a Certified Local Government and a historic community on the National Register of Historic Places.
2. In the event of a discrepancy or conflict between the requirements set forth in this Section and any ordinance or regulation enacted or promulgated for purposes of historic preservation, then the most restrictive provision shall govern.
3. No person, firm or corporation may build, lay, repair, construct, reconstruct, replace, cover or seal any sidewalk or driveway or curbing of any street within the City without first obtaining approval of the City Historic Preservation Commission and a building permit from the City Building Commissioner.
4. Widening of driveway apron entrances from the street will not be allowed unless specifically approved by both
 - a. The Pasadena Hills Historic Preservation Commission under the standards of the Department of Interior and policies and regulations promulgated by the Commission, and
 - b. The Building Commissioner in accordance with the City's housing and building codes.
5. Driveway expansion will not be allowed unless specifically approved by both
 - a. The Pasadena Hills Historic Preservation Commission under the standards of the Department of Interior and policies and regulations promulgated by the Commission, and
 - b. The Building Commissioner in accordance with the City's housing and building codes.

B. Total Replacement Of Driveway Aprons, Intersecting Sidewalks Or Driveways — Permit And 18x18 Samples Required.

1. *Samples.* As part of the permitting process, all applicants shall submit an 18x18

sample of the material for the proposed work. All work shall be completed in strict compliance with the material sample approved by the City.

2. *Aprons and curbs.* All driveway apron replacement adjacent to existing exposed aggregate streets are to be exposed aggregate concrete. No white or gray concrete is acceptable.
3. *Intersecting sidewalks (between apron and driveway).* Any person replacing or reconstructing the driveway apron or the portion of the driveway adjacent to an intersecting sidewalk shall also be required to replace or reconstruct the intersecting sidewalk. Intersecting sidewalks shall be provided as part of the driveway on all properties within the City; all such intersecting sidewalks shall be the width as required by the City and shall be between the driveway and the apron. Intersecting sidewalks shall be composed of concrete exposed aggregate. All intersecting sidewalks shall be isolated between apron and driveway with one-half (½) inch construction joints. No white or gray concrete is acceptable.
4. *Driveways.* Concrete exposed aggregate shall be required for replacement of all driveways. No white or gray concrete is acceptable.
5. *Asphalt driveways.* Asphalt driveways that are a minimum thirty (30) feet in linear length or greater may be replaced with an asphalt surface with the approval of the Pasadena Hills Historic Preservation Commission in accordance with the standards of the Department of Interior and policies and regulations promulgated by the Commission.

However, notwithstanding the provisions of this Section, the intersecting sidewalk and driveway apron of any asphalt driveways shall be concrete exposed aggregate.

C. *Repair Of Driveway Aprons, Intersecting Sidewalks Or Driveways — Permit And 18x18 Samples Required.*

1. *Samples.* As part of the permitting process, all applicants shall submit an 18x18 sample of the material for the proposed work. All work shall be completed in strict compliance with the material sample approved by the City.
2. *Defective defined.* For purposes of this Section, an area of a driveway, apron, sidewalk or curb shall be considered "defective" if it is subject to loose or broken pieces, cracks with a width of three-eighths ($\frac{3}{8}$) inch or more and length of twelve (12) inches or more, concrete sections with excessive cracks of any size, uneven surface, "trip hazards" with a difference in surface level of at least one (1) inch, or a combination of such deficiencies.
3. *Aprons and curbs.* Driveway aprons and curbs may be repaired instead of replaced or reconstructed if the driveway apron or curb is less than twenty-five percent (25%) defective. All driveway apron repairs or partial replacement shall be exposed aggregate concrete. No white or gray concrete is acceptable.
4. *Intersecting sidewalks.* All defects in intersecting sidewalks shall be repaired. If an intersecting sidewalk is subject to defects in at least twenty-five percent (25%) of the

area of the intersecting sidewalk, the intersecting sidewalk shall be totally replaced. All repairs and/or partial replacement shall be exposed aggregate concrete. All patchwork to be isolated between apron and driveway with one-half (1/2) inch construction joints. No white or gray concrete is acceptable.

5. *Driveways.* Driveways may be repaired instead of replaced or reconstructed if the driveway is less than fifty percent (50%) defective. All driveway repairs and partial replacement sections shall match the existing concrete in color and texture as much as possible. Pigmented concrete to match the previous concrete color and texture or use of Merrimac stone color pigment may be allowed and will be reviewed and approved by the Pasadena Hills Historic Preservation Commission in accordance with the standards of the Department of Interior and policies and regulations promulgated by the Commission. No white or gray concrete is acceptable.
 6. *Asphalt driveways.* Driveways may be repaired instead of replaced or reconstructed if the driveway is less than fifty percent (50%) defective.
- D. *House Sidewalks, Steps, Platforms And Patios.* House sidewalks, steps, platforms and patios may be repaired instead of replaced or reconstructed if such area is less than twenty-five percent (25%) defective. Concrete exposed aggregate, tinted concrete, as outlined in Subparagraph (B)(3) above, clay tile, brick and flagstone are all acceptable materials, all subject to Pasadena Hills Historic Preservation Committee approval. Installation details and samples are required as part of the permit approval process. Permits will be required.
- E. *Specifications For Repairs, Replacement, Construction And Reconstruction.*
1. *Driveway apron.* Shall comply with the following requirements:
 - a. 6" thick #3500 concrete
 - b. Minimum 3" drainable sub-grade
 - c. Crown or cross slope shall be minimum 1/8 per ft. for proper drainage
 - d. Minimum 2'-0" radius curbs
 - e. 1/2" construction joints separating apron from street
 2. *Intersecting sidewalk.* Shall comply with the following requirements:
 - a. 5" thick #3500 concrete
 - b. 1/2" construction joints at driveway and apron
 - c. Minimum 3" drainable sub-grade
 3. *Driveway portion.* Shall comply with the following requirements:
 - a. 5" thick #3500 concrete
 - b. Control joints maximum 15'-0" apart, joints to be at practical termination points
 - c. Minimum 3" drainable sub-grade, uniformly graded

- d. Crown or cross slope shall be minimum $\frac{1}{8}$ per ft. for proper drainage
 - e. 6x6 #10 mesh reinforcing
 - f. Coarse broom finish (if tinted concrete is used)
4. Concrete mix for apron and curbs, intersecting sidewalk and driveway shall comply with the following requirements:
- a. Type 1 cement, air entrained
 - b. Merrimac stone
 - c. Merrimac sand
 - d. 6 sack cement per yard, (3500psi)
 - e. 6 gallons water per sack
 - f. Maximum size aggregate 1"
 - g. Consistency slump of 2" to 4"
 - h. Retarder for exposed aggregate
5. *Repair of existing concrete.*
- a. Fill cracks with driveway-appropriate mortar which matches the color of the adjacent existing driveway as much as possible.
 - b. Replace broken pieces of the driveway with 3000# PSI concrete which matches the color and texture of the adjacent existing driveway as much as possible. A minimum 3" drainable compacted base is required.
6. *Repair of existing bituminous paving.*
- a. Fill cracks with driveway-appropriate asphalt which matches the color of the adjacent driveway as much as possible.
 - b. Replace broken pieces of the driveway with driveway-appropriate bituminous paving mix which matches the color and texture of the adjacent existing driveway as much as possible. A 5" minimum thickness and properly compacted drainable base are required. Joints shall be filled against the adjacent existing paving.
7. *Recoating of existing bituminous paving.* Recoating of existing bituminous paving with an appropriate driveway sealer is allowed and does not require a permit provided the work complies with the other requirements of this Section.
8. *New bituminous for entire driveway.*
- a. New bituminous driveways will not be allowed where such driveway is adjacent to existing streets and sidewalks which are exposed aggregate concrete or similar material.

- b. If a new bituminous driveway is permitted, the existing bituminous paving shall be removed and replaced with new driveway-appropriate bituminous mix, 5" minimum thickness with properly compacted drainable base. The driveway area shall not be enlarged or expanded.

F. *Violations — Enforcement — Completion Deposit.*

1. If, upon inspection, the driveway, entrance apron, sidewalk or curb improvements do not conform to the specifications set forth herein or do not conform to the concrete sample submitted, the Building Commissioner shall place a "Stop Work" order on the work immediately. The work already completed shall be replaced with work that conforms to the specifications and the concrete sample provided with the application for permit.
2. The property owner seeking a permit for improvements or repairs to the driveway, entrance apron, sidewalk or curb shall be required to pay funds to the City, to be held in escrow by the City, to ensure the completion of the work in conformance with the specifications and permit conditions.

- G. Any decision or order of the Building Commissioner in the enforcement of this Section may be appealed to the Board of Adjustment in accordance with the procedures for appeal of administrative decisions.

Section 505.020. Installation of Outside Permanent Air-Conditioning Units. [R.O. 2009 §505.020; Ord. No. 85 §§1 — 3, 11-25-1963]

- A. The installation of permanent air-conditioning units, other than room coolers not exceeding one and one-half (1½) ton capacity, on the side or front of any building in the City of Pasadena Hills is hereby prohibited, except upon special permission for such installation by the Building Commissioner.
- A. Provided, that the provisions of this Section shall not apply to room coolers of one and one-half (1½) ton capacity or less or to installation of permanent air-conditioning equipment directly in the rear of any dwelling, flat or apartment building.
- B. Any persons desiring to install such permanent outside air-conditioning unit on the side or front of a building shall make application for a permit to the Building Commissioner of the City of Pasadena Hills showing the location of such unit with reference to the building, giving the name and size of the unit together with any other information required by the Building Commissioner and shall also show the distance from such location to the adjoining side lot line.
- B. Upon receipt of such application, the Building Commissioner may, at his/her discretion, grant such application provided the same shall receive the approval and consent of at least two (2) members of the Board of Aldermen of the City of Pasadena Hills.
- C. The application for the above permit for installation of permanent outside air-conditioning unit which is not located directly in the rear of any dwelling, flat or apartment building shall be accompanied by a permit fee of five dollars (\$5.00) and failure to obtain such permit before installing such permanent outside air-conditioning unit on the side or front of