



**PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

**DATE:** September 13, 2018

**TO:** Hearing Officer

**SUBJECT:** Conditional Use Permit #6641

**LOCATION:** 2535 Nina Street

**APPLICANT:** Sam Youssefian

**ZONING DESIGNATION:** EPSP-d1-IG (East Pasadena Specific Plan, subarea d1, Industrial General)

**GENERAL PLAN DESIGNATION:** R & D Flex Space

**CASE PLANNER:** Kent Lin

**STAFF RECOMMENDATION:** Adopt the Environmental Determination and the Specific Findings in Attachment A to **approve** Conditional Use Permit #6641 with the Conditions in Attachment B.

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**PROJECT PROPOSAL:** Conditional Use Permit: To allow the construction and establishment of a new Vehicle Services – Vehicle Equipment Repair use.

**ENVIRONMENTAL DETERMINATION:** This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Title 14, Chapter 3, Section 15303, Class 3, New Construction or Conversion of Small Structures). Class 3 consists of construction and location of limited numbers of new, small facilities, or structures. In urbanized areas, the exemption applies to up to four commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances where all necessary services and facilities are available and the surrounding area is not environmentally sensitive. The

proposed project includes construction of a new 4,544 square-foot, one-story vehicle equipment repair building on a vacant lot. The site is located in an urbanized area, zoned for industrial use, and is served by all utilities.

**BACKGROUND:**

**Site characteristics:**

The subject site is located on the north side of Nina Street, between Altadena Drive and Vinedo Avenue. The subject site is a vacant lot and is approximately 13,725 square feet in size. The parcel dimensions are 100 feet in width by 137.25 feet in depth.

**Adjacent Uses**

North - Vehicle Services - Vehicle Equipment Repair  
South - Commercial/parking structure  
East - Multi-Family Residential  
West - Laboratories & Vehicle Services - Vehicle Equipment Repair

**Adjacent Zoning:**

North - EPSP-d1-IG (East Pasadena Specific Plan, subarea d1, General Industrial)  
South - ECSP-CG-5-AD-2 (East Colorado Specific Plan, The Lamanda Park area, Alcohol Overlay District)  
East - EPSP-d1-IG (East Pasadena Specific Plan, subarea d1, Industrial General)  
West - EPSP-d1-IG (East Pasadena Specific Plan, subarea d1, Industrial General)

**Previous Zoning Cases on this Property:**

Variance #2632 – Permission to use property for an off-street parking lot providing 30 spaces for a Supermarket. Approved with conditions on August 25, 1948.

**PROJECT DESCRIPTION:**

The applicant has submitted a Conditional Use Permit to allow the establishment of a Vehicle Services – Vehicle Equipment Repair use within the EPSP-d1-IG zoning district. The proposal includes construction of a new 4,544 square-foot, one-story vehicle equipment repair building on a 13,725 square-foot vacant lot. A Conditional Use Permit is required for the establishment of a Vehicle Services – Vehicle Equipment Repair land use within the EPSP-d1-IG zoning district.

The project site is a vacant lot that measures 100 feet in width by 137.25 feet in depth. The proposed one-story CMU block building will be located on the southwest portion of the site, with a five-foot setback from the front property line along Nina Street. The proposed building's dimensions will be 52'10" in width by 86'0" in length, with a maximum height of 30'. A 24-foot wide two-way driveway is proposed east of the building, which will provide access to the service bays, workstations, and to the eleven parking spaces along the east side of the driveway and seven parking spaces at the rear of site for a total of eighteen off-street parking spaces.

## **ANALYSIS:**

### Conditional Use Permit to allow the operation of a new Vehicle Services - Vehicle Equipment Repair land use.

The Zoning Code defines the Vehicle Services - Vehicle Equipment Repair land use as “an establishment that includes the repair of automobiles, trucks, motorcycles, mobile homes, recreation vehicles, or boats, including the sale, installation, and servicing of related equipment and parts. These uses include auto repair shops, body and fender shops, wheel and brake shops, oil change shops, auto glass sales and installation, stereo and alarm sales and installation, and tire sales and installation, but exclude vehicle dismantling or salvage and tire retreading or recapping.” The site is located within EPSP-d1-IG zoning district, where a Vehicle Services - Vehicle Equipment Repair use is conditionally permitted through the review and approval of a Conditional Use Permit. Staff’s review of a Conditional Use Permit for the establishment and operation of a Vehicle Services - Vehicle Equipment Repair land use involves an analysis of whether the proposed project complies with all applicable development standards of the Zoning Code, whether the proposed use would be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood, and whether the design location, operating characteristics, and size of the proposed use would be compatible with the existing and future land uses in the vicinity.

The subject site is located within an area that consists primarily of commercial and industrial uses. There are some existing, nonconforming, residential uses in close proximity to the site. Immediately to the north of the subject site are Vehicle Equipment Repair use and other industrial uses. A Laboratory use immediately abuts the western property line of the subject site. A three-level commercial parking structure is located directly south of the site across from Nina Street. A multi-family residential use abuts the east side of the subject site. Due to the proximity of the abutting residential use, the applicant has designed the project so that the one-story building is sited 47 feet from the property line abutting the residential use to the east of the site. This will provide light and air separation between the two uses. In addition, a parking area of five or more vehicles serving a non-residential use is required to be screen from an adjoining ground floor residential use by a solid concrete or masonry wall six feet in height. As conditioned in this report, the proposed project will provide a new solid six to eight foot tall concrete/masonry (CMU) block wall along the east and north property lines to provide additional privacy, security, and noise buffer from the new use. In addition, a five-foot wide landscape planter is proposed along the perimeter of the parking lot area, where a minimum of five trees, 15 gallons in size each, will be planted along the landscape planter area of the parking lot area. The project is also required to comply with the City’s Noise Ordinance regulations of Chapter 9.36 of the Municipal Code as conditioned in this report. The conditions of approval as identified in Attachment B of this report will ensure that the new Vehicle Equipment Repair use will not result in any negative impact to the health, safety, and/or general welfare of persons residing or working in the neighborhood, including the residential uses to the east of the site.

#### *Setbacks*

The required front yard setback for the project site is five feet. As for the side and rear yard setback requirement, none is required if the site does not abut a single-family or multi-family residential zoning district. The new building will be located towards the front of the property and will provide a five-foot front yard setback along Nina Street as required by the Zoning Code. A zero side setback from the west property line is proposed since the property is not abutting a residential zoning district. The new building will provide a 47-foot side yard setback from the east

property line, where it abuts the multi-family residential use. The abutting multi-family use is also situated within EPSP-d1-IG Zoning District, which is not a residential zoning district, therefore a side yard setback is not required. A 47-foot side yard setback is proposed to provide a light, air, and noise buffer between the Vehicle Equipment Repair and multi-family use to the east. The property to the north is not situated within a residential zone, and therefore a rear yard setback is not required; regardless, a 46-foot setback is provided. The rear yard setback will accommodate the driveway, which is required to access the seven parking stalls located at the rear of the site along with a five-foot wide perimeter landscaping planter. As a result, the project as proposed complies with the applicable setback requirements.

*Height Limit:*

The maximum height of a structure is limited to 60 feet as determined in Table 3-7 (East Pasadena Subarea D1 Development Standards) of the Zoning Code. The new one-story CMU block building will be 30'2" in height and is in compliance with the maximum height requirement. In addition, the subject site does not abut a RS or RM zoning district and therefore is not subject to the encroachment plane requirement. The project as proposed complies with applicable height requirements.

*Floor Area:*

As indicated in Table 3-7 (East Pasadena Subarea D1 Development Standards) of the Zoning Code, there is no maximum allowable floor area requirement for projects situated within the EPSP-d1-IG zoning district. Based on a lot size of 13,725 square feet and a proposed building size of 4,544 square feet, the proposed floor area ratio is 0.33 or 33 percent of the lot size. The remainder of the site will be dedicated to the driveway, parking lot, and landscape and planter areas.

*Off-Street Parking:*

As indicated in Table 4-6 of the Zoning Code, the off-street parking requirement for a Vehicle Equipment Repair use is four parking spaces for every 1,000 square feet of gross floor area plus queue lanes to service bays and workstations. The proposed 4,544 square-foot building requires a minimum of 18 off-street parking spaces. The site plan indicates that a total of 18 parking spaces will be provided on site, in compliance with the off-street parking requirement. A 24-foot wide driveway is proposed to the east of the building, which will provide access to the parking spaces and to the service doors that lead to queue lanes for the service bays and workstation areas.

The Zoning Code also requires that a parking lot area of five or more vehicles serving a non-residential use be screened from adjoining ground floor residential uses by a solid concrete or masonry wall that minimum of six feet and maximum of eight feet in height. As conditioned in this report, the project will be required to construct a new solid concrete masonry block wall along the east and north property lines to screen the parking lot from adjacent uses.

*Parking Lot Landscaping:*

Section 17.46.230.A of the City's Zoning Code requires that all parking lots have a minimum five-foot wide perimeter landscaped area. The proposed parking lot provides a five-foot wide perimeter landscaped area. In addition, a minimum of five percent of the parking lot area shall be landscaped, and this minimum amount of landscaped area shall be in addition to the perimeter

landscaping discussed above. The parking lot area is 7,576 square feet (excluding the building footprint and the required perimeter landscaped area); therefore, the project is required to provide a minimum of 379 square feet of landscaping. The site plan includes two main landscaped areas, one at the front of the property and one at rear of the property. A five-foot wide perimeter landscape planter area is proposed along the entire perimeter of the parking lot area. The combined landscaped area as proposed will be 1,605 square feet, which exceeds the minimum required by the zoning code. In addition, the zoning code requires the planting of one tree for every four parking spaces required/provided for the use. For the eighteen spaces proposed, a minimum of five trees, each 15 gallons in size, shall be planted along the landscaped areas, as conditioned in this report. The project as proposed is in compliance with the parking lot landscaping requirements.

#### *Hours of Operation:*

Section 17.50.360.G of the Zoning Code states that all Vehicle Services – Vehicle Equipment Repair uses and related activities shall be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Saturday; with no operations allowed on Sundays. The hours of operation or allowed days shall not be modified through a Conditional Use Permit. The applicant is proposing the hours of operation of 7:00 a.m. to 5:00 p.m. Monday through Saturday and closed on Sundays, which is consistent with the above requirement. The limited hours and days of operation have been included in Attachment B, Conditions of Approval, of this report.

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

The proposed use is consistent with Goal 1, Sustainable Growth and Goal 11, Job opportunities, of the Land Use Element of the General Plan. Specifically, Policy 1.2, Targeted Growth Policy, is achieved by targeting growth and new construction in infill areas and away from Pasadena's residential neighborhoods and open spaces by redeveloping underutilized commercial and industrial properties, especially within the Central District, Transit Villages, Neighborhood Villages, and along selected corridors. Policy 11.1, Business Expansion and Growth, is met by supporting the growth and success of business that create new job opportunities and productive and satisfying employment for Pasadena residents. The proposed Vehicle Services – Vehicle Equipment Repair use will result in new construction in an infill industrial area where the subject site is currently an underutilized vacant lot. The new use will promote a diverse economy base and long-term economic contribution to the City. The new use will provide an increase in tax revenue and employment opportunities for the City. Furthermore, conditions related to the limited hour of operations will ensure the use is operating consistent with the surrounding uses.

#### **ENVIRONMENTAL DETERMINATION:**

This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Title 14, Chapter 3, Section 15303, Class 3, New Construction or Conversion of Small Structures). Class 3 consists of construction and location of limited numbers of new, small facilities, or structures. In urbanized areas, the exemption applies to up to four commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances where all necessary services and facilities are available and the surrounding area is not environmentally sensitive. The proposed project includes construction of a new 4,544 square-foot, one-story vehicle equipment repair building on a vacant lot. The site is located in an urbanized area, zoned for industrial use, and is served by all utilities.

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

The proposal was reviewed by the Department of Transportation, Fire Department, Department of Public Works, Public Health Department, Building and Safety Division, Design and Historic Preservation Section, Fire Department, and Police Department. Public Health Department and Building and Safety had no comments and will review the project during the building permit plan check process to ensure compliance with applicable code requirements. The Department of Public Works included conditions that have been incorporated into the Recommended Conditions of Approval found in Attachment B.

## **CONCLUSION:**

It is staff's assessment that the findings necessary for approval of the Conditional Use Permit for the operation of a Vehicle Services - Vehicle Equipment Repair use can be made. Conditions of approval and periodic condition monitoring will ensure that the use would not deviate from the planned operation reviewed under this application. Therefore, staff recommends that the Hearing Officer approve the Conditional Use Permit application to allow the establishment and operation of a new Vehicle Services - Vehicle Equipment Repair use land use situated within the EPSP-d1-IGzoning district subject to the findings in Attachment A and recommended conditions of approval in Attachment B.

### Attachments:

Attachment A: Recommended Specific Findings

Attachment B: Recommended Conditions of Approval

**ATTACHMENT A**  
**SPECIFIC FINDINGS FOR CONDITIONAL USE PERMIT #6641**

Conditional Use Permit: To allow the establishment and operation of a Vehicle Equipment Repair Land Use.

1. *The proposed use is allowed with a Conditional Use Permit within the applicable zoning district and complies with all applicable provisions of this Zoning Code.* A Conditional Use Permit is required in the EPSP-d1-IG (East Pasadena Specific Plan, subarea d1, General Industrial) zoning district to allow for the operation of a Vehicle Services - Vehicle Equipment Repair land use. The purpose of the EPSP-d1-IG- zoning district is to provide opportunities to the full range of retail and service businesses deemed suitable for this location in Pasadena. The project as proposed complies with all applicable development standards of the East Pasadena Specific Plan and the Zoning Code. The new use will provide automobile repair and maintenance services to the residents of the City and surrounding communities and will operate in accordance with the City's laws, ordinances; and conditions of approval will ensure the compatible coexistence of this use with the surrounding area.
2. *The location of the proposed use complies with the special purposes of this Zoning Code and the purposes of the applicable zoning district.* The East Pasadena Specific Plan encourages strengthening the City's tax and employment base by supporting and protecting existing industrial uses and providing opportunities for the start-up of new industrial and office uses. The proposed establishment of a Vehicle Services - Vehicle Equipment Repair use within the East Pasadena Specific Plan will be in conformance with the purpose of the zoning district.
3. *The proposed use is in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan.* The proposed use is consistent with Goal 1, Sustainable Growth and Goal 11, Job opportunities, of the Land Use Element of the General Plan. Specifically, Policy 1.2, Targeted Growth Policy encourages target growth and new construction in infill areas and away from Pasadena's residential neighborhoods and open spaces by redeveloping underutilized commercial and industrial properties, especially within the Central District, Transit Villages, Neighborhood Villages, and along selected corridors. Policy 11.1, Business Expansion and Growth, to support the growth and success of business that create new job opportunities and productive and satisfying employment for Pasadena residents. The proposed Vehicle Services – Vehicle Equipment Repair use will result in new construction in an infill industrial area where the subject size is currently an underutilized vacant lot. The new use will promote a diverse economy base and long-term economic contribution to the City. The new use will provide an increase in tax revenue and employment opportunities for the City. Furthermore, conditions related to the limited hour of operations will ensure the use is operating consistent with the surrounding uses.
4. *The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.* The proposed project will allow for the operation of Vehicle Services - Vehicle Equipment Repair, a use that is conditionally permitted within the EPSP-d1-IG zoning district. As the subject site is surrounded by a mix of uses predominately by commercial development, it is anticipated that there will be no detrimental effects to the public health, safety and welfare in large. The site is adjacent to a residential use to the east. The project provides a 47-foot setback from the proposed building

to the property line that abuts the multi-family residential use, establishing a buffer between the uses. This setback, plus the perimeter landscaping and block wall along the property line are intended to mitigate any potential impacts that the proposed use could have to persons residing in the neighborhood. Therefore, and as conditioned, the operation of a Vehicle Services - Vehicle Equipment Repair use, as conditioned, will not detrimentally affect the surrounding area.

5. *The use, as described and conditionally approved, would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.* The project meets all applicable development standards of the East Pasadena Specific Plan and the Zoning Code including but not limited to setbacks, height limit, landscaping, off-street parking, and screening requirements. The project will be required to comply with the Noise Ordinance regulations of Chapter 9.36 of Pasadena Municipal Code. Through conditions of approval, measures have been taken to address the potential for concerns regarding the operation of the proposed use. As such, the proposed use, as described and conditionally approved, would not be detrimental or injurious to surrounding uses in the area.
  
6. *The design location, operating characteristics, and size of the proposed use would be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, scale, and view protection.* The new building is set back five feet from the front property line along Nina Street and is set back 47 feet from the east side property line that abuts the multi-family residential use to provide separation between the two uses. The Zoning Code allows a maximum building height of 60 feet, but the building as proposed will have a height of 30'4". The new building is in scale with the buildings along Nina Street and meets all applicable development standards of the EPSP-d1-IG zoning district. The project will be subject to staff level design review during the building permit plan check process to ensure that the design of the building is compatible with the character and size of surrounding uses.





**ATTACHMENT B**  
**CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT #6641**

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

General

1. The site plan, and floor plan submitted for building permits and/or future development shall substantially conform to the site/floor plans stamped "Approved at Hearing, September 13, 2018" except as modified herein.
2. In accordance with Section 17.64.040 of the Pasadena Municipal Code, the exercise of the right granted under this application must be commenced within three years of the effective date of the approval, unless otherwise specified in the conditions of approval. The Planning Director can grant a one-year extension of your approval.
3. The approval of this application authorizes the operation of a Vehicle Services - Vehicle Equipment Repair use located within a new 4,544 square-foot commercial building in accordance with the plans on file with the Current Planning Division.
4. The Zoning Administrator, at any time, can call for a review of the approved conditions at a duly noticed public hearing. These conditions may be modified or new conditions added to reduce any impacts of the use. The Hearing Officer may revoke the Conditional Use Permit if sufficient cause is given.
5. Any change to these conditions of approval or expansion of the use shall require the modification of this Conditional Use Permit or a new Conditional Use Permit.
6. The applicant or successor in interest shall meet the applicable code requirements of all other City Departments.
7. The final decision letter and conditions of approval shall be incorporated in the building plans as part of the building plan check process.
8. The proposed project, Activity Number **PLN2018-00223**, is subject to the City's Condition Monitoring Program and Final Zoning inspection. A Final Zoning Inspection is required for the project prior to the issuance of a Certificate of Occupancy or its equivalent. In addition, the project requires Condition Monitoring. Contact the Planning Case Manager, Kent Lin at (626) 744-6817 or [klin@cityofpasadena.net](mailto:klin@cityofpasadena.net) to schedule an inspection appointment time and set up monitoring fees.

Planning Division

9. The Vehicle Services - Vehicle Equipment Repair use and related activities shall be limited to between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday and closed on Sundays. The hours of operation or allowed days shall not be modified through a Conditional Use Permit.
10. The subject site shall provide a minimum of 18 off-street parking spaces for the 4,544 square-foot commercial building.

11. The project as proposed shall show compliance with the Model Water Efficient Landscape Ordinance (MWELo) requirements to be verified during the Building Permit Plan Check process.
12. A minimum of five trees shall be planted and evenly distributed throughout the parking lot. All trees within the parking area shall be a minimum of 15-gallon size at planting.
13. A shrub hedge, low masonry wall or other device with planting in front shall be provided along the street side perimeter of the parking lots. The wall shall be of sufficient height to screen parked cars from view to a maximum height of 42 inches. This visual barrier shall be set back within the required planting area so to not obstruct views from driveways.
14. The applicant shall be required to comply with the Noise Ordinance regulations of Chapter 9.36 of Pasadena Municipal Code.
15. No servicing of trucks in excess of one and one-half ton capacity or industrial equipment of any type or character shall be allowed.
16. All hydraulic hoists and pits, and all equipment for greasing, lubrication, and allowed repairs shall be enclosed entirely within a structure.
17. All areas or structures used for vehicle repair shall be located or soundproofed to prevent annoyance or detriment to surrounding properties.
18. Damaged or wrecked vehicles shall not be stored on-site for purposes other than repair.
19. All vehicles that are repaired and are waiting to be picked up by the owner of the vehicle shall be parked on-site and not in adjoining streets or alleys.
20. All discarded vehicle parts or equipment, or permanently disabled, dismantled, or junked vehicles shall be removed from the premises within 30 days of arrival.
21. Tires taken in on trade that have no more than salvage value shall be stored in a solid wall enclosure.
22. The site and surrounding area shall be maintained in a litter and graffiti free manner. Any graffiti on the site shall be removed within 48 hours.
23. The plans submitted for plan check shall comply with the City of Pasadena Refuse Storage regulations of Section 17.40.120 of the Zoning Code. The Refuse Storage shall be maintained at all times.
24. The applicant shall construct a solid masonry or concrete wall along the side and rear property lines. The minimum height of the wall shall not be less than six feet and the maximum height of the wall shall not exceed eight feet.
25. The subject site shall provide a five-foot landscape perimeter in accordance with the plans on file with the Current Planning Division.
26. The parking lot shall comply with the parking lot landscaping requirement of Section 17.46.230.

27. All exterior mechanical equipment, except solar collectors, shall be screened or located out of view from public rights-of-way to the satisfaction of the Zoning Administrator.

Department of Public Works

28. Per the Department of Transportation requirement: Pursuant to the adopted Street Design Guidelines, the applicant shall maintain a minimum of 5 feet clear walk zone along the Nina Street frontage of the project site.

29. No private improvements may be placed within the public right-of-way, including, but not limited to, soldier beams, tie-backs, utility conduits, backflow preventers, transformers, fire sprinkler valve, decorative sidewalk and applicable parade post holes on Colorado Boulevard per Standard Drawing S-419. Private improvements may only be placed in the public right-of-way by submitting a license agreement, which must be approved by the City. The license agreement application for any private improvement within the public right-of-way shall be submitted to the Department of Public Works for review and shall be approved by the City before any permits are granted.

30. The applicant shall demolish existing and construct all new public improvements along the subject development frontage of Nina Street, including concrete drive approach per Standard Plan S-403; concrete sidewalk per Standard Plan S-421; concrete curb and gutter per Standard Plan S-406. All public improvements shall be completed prior to the issuance of Certificate of Occupancy.

31. Nina Street restoration, fronting the subject development, shall be a full width (from gutter to gutter) cold milling and resurfacing of 1.5 inches depth asphalt concrete roadway. Restoration of asphalt concrete pavement shall be per Standard Plan S-416 and to the satisfaction of the City Engineer. Traffic channelization shall be restored per the Department of Transportation requirements and approval.

32. The applicant is responsible for the design, preparation of plans and specifications, and construction of all required public improvements. Plans for the above improvements shall be prepared by a civil engineer, registered in the State of California. Upon submittal of improvement plans to the Departments of Public Works for review, the applicant will be required to place a deposit with the department to cover the cost of plan checking and construction inspection of the improvements. The amount of deposit will be determined when the plans are submitted and will be based upon the estimated cost to the department for the work. Note that building plans approved by the City's Planning (Building) Department do not constitute approvals for work in the public right-of-way. Independent plans shall be submitted to the Department of Public Works – Engineering Division – at 175 North Garfield Avenue. The applicant is encouraged to submit these plans as early as possible to avoid delays in the issuance of Certificates of Occupancy.

33. On-site drainage, such as roof drain, area drain and subterranean garage discharge, shall be contained on-site per LA County Regional Water Quality Control Board's current permit.

34. Any existing street tree(s) proposed to be removed are subject to the approval of the Urban Forestry Advisory Committee (UFAC).

35. A Tree Protection Zone (TPZ) shall be established for all existing City trees within the scope of a construction project. The TPZ extends from the base of the tree to four (4) radial feet

beyond the dripline of a tree and applies to the entirety of the tree – from the roots to the canopy of the tree. The applicant is prohibited from the following within a designated TPZ: construction vehicle access, construction vehicle operation, staging of materials, and trenching without the consent of the Department of Public Works. The applicant shall at minimum provide the following within a designated TPZ: mulching, irrigation, and protective fencing.

36. Prior to the issuance of any permit, the applicant shall submit a Preliminary Tree Protection Plan (PMC Ch. 8.52 – City Trees and Tree Protection Ordinance), prepared by a Landscape Architect or certified Arborist, showing the TPZ and all structures, footings, and grading that may impact City trees shall be submitted to the Department of Public Works, for review and approval. Given that each construction project poses unique conditions, it is the responsibility of the applicant to develop a Tree Protection Plan based off the TPZ standards to the extent feasible. The Plan shall conform to the Tree Protection Standards which specifically require showing the locations of all existing trees, their diameters, canopies, whether the tree is a public tree or private tree, as well as any trees to be planted with their canopy at mature size. The final conditions of the Tree Protection Plan shall be approved by the Forestry Superintendent. A non-refundable flat fee, per the current General Fee Schedule, will be required for staff time to review the Tree Protection Ordinance compliance. (Revised 4-30-18 - BS)
37. Prior to any construction, tree protections including the installation of fencing to protect public trees must be in place. The fencing material shall be chain-link attached to posts inserted into the ground at the edge of the dripline and shall be a minimum of 4' in height. See Standard Plan S-642 – Tree Protection Chain Link Fencing. Fencing shall maintain visual lines of sight in order to avoid vehicle and pedestrian hazards. Fencing shall include a minimum 8.5" x 11" warning sign with the following information: 'Tree Protection Zone'; name and contact information of project owner or authorized representative; 'Please contact the City of Pasadena Citizen Service Center to report any concerns (626) 744-7311'. All protective fencing must be permitted, inspected and approved by Public Works prior to the commencement of any construction.
38. All new drive approaches shall be at least seven (7) feet clear of the existing street trees measured from the edge of the trunk closest to the drive approach. All public trees shall be protected and fenced with a posting on the fences advising of the tree protection.
39. Prior to issuance of any permit, the applicant shall submit a valuation assessment report of the existing public tree(s) along the boundary of their project. The report shall be prepared by a registered Arborist and submitted to PNR for review and approval. If it is determined that the applicant has failed to care for any City tree within their Tree Protection Plan, and the health of the tree(s) was critically compromised requiring its removal, the applicant shall be liable for the following costs: assessed value of tree determined by a PNR Arborist using a current ISA assessment methodology; the removal cost determined by PNR; and any applicable infraction or administrative fines determined by Code Compliance.
40. Prior to issuance of any permit, a sundry deposit in the amount of the applicant's total liabilities based on the aforementioned approved tree assessment report shall be submitted to the City. The sundry deposit is fully refundable, less administrative fees, upon the satisfaction of Public Works prior to the issuance of a Certificate of Occupancy.
41. The proposed development shall connect to the public sewer with one new six-inch diameter house sewer laid at a minimum slope of two percent. In accordance with PMC Chapter

13.24.010, house sewer “means that part of the horizontal piping beginning 24 inches from the exterior wall of the building or structure and extending to its connection with the public sewer.” The section of house sewer within the public right-of-way - from the property line to the public sewer, or within easement, shall be vitrified clay or cast iron pipe. The house sewer shall meet City Standards as determined by the Department of Public Works, and a permit issued by the Department of Public Works is required for work within the public right-of-way. The construction of all new house sewers shall be completed prior to the issuance of Certificate of Occupancy.

42. Past experience has indicated that projects such as this tend to damage the abutting street improvements with the heavy equipment and truck traffic that is necessary during construction. Additionally, the City has had difficulty in requiring developers to maintain a clean and safe site during the construction phase of development. Accordingly, the applicant shall place a \$5,000 deposit with the Department of Public Works prior to the issuance of a building or grading permit. This deposit is subject to refund or additional billing, and is a guarantee that the applicant will keep the site clean and safe, and will make permanent repairs to the abutting street improvements that are damaged, including striping, slurry seal/resurfacing, curb, gutter, and sidewalk, either directly or indirectly, by the construction on this site. The deposit may be used for any charges resulting from damage to street trees. A processing fee will be charged against the deposit.
43. Prior to the start of construction or the issuance of any permits, the applicant shall submit a Construction Staging and Traffic Management Plan to the Department of Public Works for review and approval. The template for the Construction Staging and Traffic Management Plan can be obtained from the Department of Public Works webpage at: <https://ww5.cityofpasadena.net/public-works/engineering-and-construction/engineering/forms-and-applications/>. A flat fee, based on the current General Fee Schedule, is required for plan review and on-going monitoring during construction. This plan shall show the impact of the various construction stages on the public right-of-way (and the private street) including all street occupations, lane closures, detours, staging areas, and routes of construction vehicles entering and exiting the construction site. An occupancy permit shall be obtained from the department for the occupation of any traffic lane, parking lane, parkway, or any other public right-of-way. All lane closures shall be done in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) and California Supplement. If the public right-of-way occupation requires a diagram that is not a part of the MUTCD or California Supplement, a separate traffic control plan must be submitted as part of the Construction Staging and Traffic Management Plan to the department for review and approval. No construction truck idling or staging, material storage, or construction trailer are allowed in the public right-of-way. In addition, prior to the start of construction or issuance of any permits, the applicant shall conduct a field meeting with an inspector from the Department of Public Works for review and approval of construction staging, parking, delivery and storage of materials, final sign-off procedure, and any of the specifics that will affect the public right-of-way. An appointment can be arranged by calling 626-744-4195.
44. In preparation for the New Year Rose Parade and Rose Bowl Game, the Department of Public Works will suspend all works within the public right-of-way during the holiday season in accordance to PMC 12.24.100 and City Policy. In general, all public streets, sidewalks and parkways shall be free and clear of excavations and other construction related activities during the period of November through January of the following year. Specific dates will vary on an annual basis. Accordingly, contractors will be required to shut down construction operations which would impede traffic and pedestrian movements during these periods unless otherwise

authorized by the City Engineer. Any existing excavations shall be backfilled, compacted and temporarily repaved before the beginning of the moratorium period. The Holiday Moratorium Map, showing the appropriate shutdown period, and corresponding areas in the City, is available at the Department of Public Works Permit Counter (window #6), 175 N. Garfield Avenue, Pasadena, CA 91109, or at the following link: <https://ww5.cityofpasadena.net/public-works/engineering-and-construction/engineering/forms-and-applications/>.

45. All costs associated with these conditions shall be the applicant's responsibility. Unless otherwise noted in this memo, all costs are based on the General Fee Schedule that is in effect at the time these conditions are met. A processing fee will be charged against all deposits. A Public Works permit is required for all construction and occupancies in the public right-of-way. If construction vehicles and equipment are parked off-site in the public right of way, the permit fee for street and sidewalk occupancy will be based on the area and duration corresponding to the current City's General Fee Schedule. For more information, please contact Yannie Wu at 626-744-3762.

In addition to the above conditions, the requirements of the following ordinances will apply to the proposed project:

- Sewer Facility Charge - Chapter 4.53 of the PMC  
The ordinance provides for the sewer facility charge to ensure that new development within the city limits pays its estimated cost for capacity upgrades to the city sewer system, and to ensure financial solvency as the city implements the operational and maintenance practices set forth in the city's master sewer plan generated by additional demand on the system. Based on sewer deficiencies identified in the City's Master Sewer Plan, the applicant may be subject to a Sewer Facility Charge to the City for the project's fair share of the deficiencies. The Sewer Facility Charge is based on the Taxes, Fees and Charges Schedule and will be calculated and collected at the time of Building Permit Issuance.
- Sidewalk Ordinance - Chapter 12.04 of the Pasadena Municipal Code (PMC)  
In accordance with Section 12.04.035, entitled "Abandoned Driveways" of the PMC, the applicant shall close any unused drive approach with standard concrete curb, gutter and sidewalk. In addition, the applicant shall repair any existing or newly damaged curb, gutter and sidewalk along the subject frontage prior to the issuance of a Certificate of Occupancy in accordance with Section 12.04.031, entitled "Inspection required for Permit Clearance" of the PMC.
- City Trees and Tree Protection Ordinance - Chapter 8.52 of the PMC  
The ordinance provides for the protection of specific types of trees on private property as well as all trees on public property. No street trees in the public right-of-way shall be removed without the support of the Urban Forestry Advisory Committee. No trees shall be damaged by the proposed construction, if a City tree is damaged, the applicant may be liable for the assessed value of the tree. Refer to <https://ww5.cityofpasadena.net/public-works/parks-and-natural-resources/urban-forestry/> for guidelines and requirements for tree protection.
- Construction and Demolition Waste Ordinance, Chapter 8.62 of the PMC  
The applicant shall submit the following plan and form which can be obtained from the Permit Center's webpage at <https://ww5.cityofpasadena.net/public-works/street-maintenance-waste-management/recycling-resources/construction-and-demolition->

[debris-recyclers/](#) and the Recycling Coordinator, (626) 744-7175, for approval prior to the request for a permit:

- a. C & D Recycling & Waste Assessment Plan – Submit plan prior to issuance of the permit. A list of Construction and Demolition Recyclers is included on the waste management application plan form and it can also be obtained from the Recycling Coordinator.
- b. Summary Report with documentation must be submitted prior to final inspection.

A security performance deposit of three percent of the total valuation of the project or \$30,000, whichever is less, is due prior to permit issuance. For Demolition Only projects, the security deposit is \$1 per square foot or \$30,000, whichever is less. This deposit is fully refundable upon compliance with Chapter 8.62 of the PMC. A non-refundable Administrative Review fee is also due prior to permit issuance and the amount is based upon the type of project.