



## PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

### STAFF REPORT

**DATE:** October 2, 2019

**TO:** Hearing Officer

**SUBJECT:** Tentative Tract Map #82691

**LOCATION:** 1655 N. Fair Oaks Avenue

**APPLICANT:** HHP-Decker, LLC

**ZONING DESIGNATION:** FGSP-RM-16 (Fair Oaks-Orange Grove Specific Plan, Multi-Family Residential 0-16 units per acre)

**GENERAL PLAN DESIGNATION:** Medium Density Residential

**CASE PLANNER:** Abdu Lachgar

**STAFF RECOMMENDATION:** Adopt the Environmental Determination and the Specific Findings in Attachment A to **approve** Tentative Tract Map #82691 with the Conditions of Approval in Attachment B.

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**PROJECT PROPOSAL:** Tentative Tract Map: To allow the creation of nine air parcels on one land lot for residential condominium purposes.

**ENVIRONMENTAL DETERMINATION:** In conjunction with the Consolidated Design Review approval on October 24, 2017, it was determined that the project is Categorically Exempt from CEQA (Section 15332, Class 32, In-fill Development Project). It has further been determined that there are no changed circumstances or new information as part of the proposed Tentative Tract Map application that necessitate further environmental review and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances.

#### BACKGROUND:

**Site characteristics:** The site is an 18,500 square-foot rectangular-shaped parcel located on the west side of North Fair Oaks Avenue, at the intersection of North Fair Oaks Avenue and Penn Street. The property is currently vacant.

**Adjacent Uses:** North – Multi-Family Residential  
South – Multi-Family Residential  
East – Medical Office  
West – Multi-Family Residential

**Adjacent Zoning:** North – FGSP-RM-16 (Fair Oaks-Orange Grove Specific Plan, Multi-Family Residential 0-16 units per acre)  
South – FGSP-RM-16 (Fair Oaks-Orange Grove Specific Plan, Multi-Family Residential 0-16 units per acre)  
East – FGSP-RM-16 (Fair Oaks-Orange Grove Specific Plan, Multi-Family Residential 0-16 units per acre)  
West – RM-12 (Multi-Family Residential 0-12 units per acre)

**Previous zoning cases:** None.

**PROJECT DESCRIPTION:**

The applicant, HHP-Decker, LLC, has submitted a Tentative Tract Map application to allow the creation of nine air parcels on one land lot for residential condominium purposes. The new nine-unit residential project received Consolidated Design Review approval on October 24, 2017. This Tentative Tract Map application is for the creation of air parcels only. This application does not address the design or construction of the nine-unit project and does not include any proposed changes to the previous Design Review approval. This project is being processed concurrently with a 7-unit project on the adjacent parcel to the north which will have a shared driveway (Tentative Tract Map #82690, PLN2019-00336).

**ANALYSIS:**

The subject property is located in the FGSP-RM-16 (Fair Oaks-Orange Grove Specific Plan, Multi-Family Residential 0-16 units per acre) zoning district and the maximum permitted density on the subject site is 16 dwelling units per acre. The 18,500 square-foot lot size is limited to a maximum of seven dwelling units. In order to achieve the additional two residential units, a density bonus was requested as part of the plan check process. The density bonus section of the Zoning Code (Section 17.43.040) permits an increase in the number of units permitted on the site, without discretionary approval, provided a specified percentage of the units are designated as affordable units. Per the Zoning Code, the percentage of density bonus increase afforded to the project is dependent on the number of units that are dedicated as affordable. In this case, the applicant proposed that the seven base units be dedicated to low income and moderate income households.

By dedicating all seven base units to low income and moderate income households, it would permit a density bonus of up to 35 percent (two units), for a total of 9 dwelling units. The proposed 9 dwelling units, would be all dedicated to low income and moderate income households, and be within the maximum permitted density bonus.

Tentative Maps are subject to seven findings contained in the City's Subdivision Ordinance, Municipal Code Chapter 16.20 (Tentative Maps). Generally, the purpose of these findings is to

address the design of subdivision, the suitability of the site, among other potential impacts, damage, or conflict with the environment, wildlife habitat, public health, water quality, and access.

The new multi-family project is designed to comply with development standards applicable to projects in the FGSP-RM-16 zoning district. The nine-unit project received Consolidated Design Review approval on October 24, 2017. Staff determined that the nine-unit project satisfied applicable Zoning Code requirements, Citywide Design Principles, and architectural standards for multi-family housing. This included a review of total and main garden requirements, setbacks, height, and off-street parking requirements. The project is currently under construction under permit BLD2017-01658 issued in March 2019.

The proposal to create nine air parcels will comply with applicable standards of Title 16. The Tentative Tract Map was prepared by a registered engineer, obtained a map number assigned by the County, references the locations of adjacent streets and other public properties, labels and identifies easements, and references means of vehicular access.

#### Tenant Protection Ordinance

The proposed project would create nine new residential air parcels in conjunction with new construction on an existing vacant lot. Vacant lots are exempt from the Tenant Protection Ordinance. Therefore, the project is not subject to the Tenant Protection Ordinance requirements

#### Inclusionary Housing

Zoning Code Chapter 17.42 (Inclusionary Housing Requirements) establishes standards and procedures to encourage the development of housing that is affordable to a range of households with varying income levels. These standards apply to new residential projects consisting of 10 or more dwelling units. Since the project consists of nine units, it is not subject to the inclusionary housing requirements.

#### Tree Protection Ordinance

Municipal Code Chapter 8.52 (City Trees and Tree Protection Ordinance) establishes standards for the protection and removal of protected trees on private property. Through the Consolidated Design Review process, the applicant received approval to remove two protected native trees: Tree #3, a 10," and 11" DBH multi-trunk Quercus agrifolia, and Tree #4, a 14" and 16" DBH multi-trunk Quercus agrifolia. As part of the approval, the applicant was required to provide seven 36-inch box replacement trees and one 24-inch box replacement tree, on site.

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

The subject property is designated Medium Density Residential (0-16 DU/acre) in the General Plan Land Use Element. The proposed density of the Tentative Tract Map is above the maximum density allowed for the Medium Density Residential designation under the General Plan. However because the project is providing low income and moderate income units, the project is entitled to a density bonus. With the density bonus allowance, the project is consistent with the size and character of other residential lots in the vicinity of the site. The Tentative Tract Map for nine air parcels is consistent with General Plan Policy 21.4 (New Residential Development) and Goal 23 (Multi-Family Neighborhoods). Specifically, Polices 23.1 (Character and Design), and 23.2 (Parking Areas and Garages). The project supports these policies by expanding the type, and

increasing the inventory of housing units available for Pasadena residents. The project will enhance the neighborhood character and quality through implementation of the “City of Gardens” multi-family development standards that emphasize the coherence, embellishment, and visibility of courts and gardens. The proposal includes a subterranean garage in compliance with off-street parking requirements.

**ENVIRONMENTAL REVIEW:**

In conjunction with the Consolidated Design Review approval on October 24, 2017, it was determined that the project is Categorically Exempt from CEQA (Section 15332, Class 32, In-fill Development Project). It has further been determined that there are no changed circumstances or new information as part of the proposed Tentative Tract Map application that necessitate further environmental review and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances.

**REVIEW BY OTHER DEPARTMENTS:**

The City’s Department of Transportation, Public Works Department, Housing and Career Services Department, Fire Department, Design and Historic Preservation Section, Department of Water and Power, AT&T California, Pasadena Unified School District and Southern California Edison have reviewed the current application. The Department of Public Works provided comments and recommended conditions of approval that have been included in Attachment B of this staff report. No other comments were provided.

**CONCLUSION:**

The Tentative Tract Map would create nine air parcels on a single lot for residential condominium purposes. It is staff’s assessment that the proposal is consistent with land use policies of the General Plan, development standards applicable to multi-family projects, and applicable sections of the City’s Subdivision Ordinance. Therefore, staff recommends approval of the application based on the findings in Attachment A and the conditions in Attachment B.

Attachments:

Attachment A: Findings

Attachment B: Conditions of Approval

**ATTACHMENT A**  
**SPECIFIC FINDINGS FOR TENTATIVE TRACT MAP #82691**

1. *The proposed map is consistent with applicable general and specific plans as specified in Section 65450.* The subject property is designated Medium Density Residential (0-16 DU/acre) in the General Plan Land Use Element. The proposed density of the Tentative Tract Map is above the maximum density allowed for the Medium Density Residential designation under the General Plan. However because the project is providing low income and moderate income units, the project is entitled to a density bonus. With the density bonus allowance, the project is consistent with the size and character of other residential lots in the vicinity of the site. The Tentative Tract Map for nine air parcels on one land parcel is consistent with General Plan Policy 21.4 (New Residential Development) and Goal 23 (Multi-Family Neighborhoods). Specifically, Policies 23.1 (Character and Design), and 23.2 (Parking Areas and Garages). The project supports these policies by expanding the type, and increasing the inventory of housing units available for Pasadena residents. The project will enhance the neighborhood character and quality through implementation of the “City of Gardens” multi-family development standards that emphasize the coherence, embellishment, and visibility of courts and gardens. The proposal includes a subterranean garage in compliance with off-street parking requirements.
2. *The site is physically suitable for the type of development.* The site is located in an urban area, is rectangular shaped, and relatively flat in topography. The proposed multi-family development will be located on a site that allows for multi-family development, consistent with lots on the block and in the vicinity that are similar in size and topography and developed with similar uses.
3. *The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.* The property is located in an urbanized area and not near any sensitive habitat. Properties on the block and in the vicinity are developed with multi-family dwellings consistent with the use proposed. The proposal for nine air parcels will not cause substantial environmental damage as the area is developed with residential uses. The proposal for nine air parcels will not cause environmental damage as the subdivision is for a mapping action and does not include any physical changes to the site. Further, it was determined as part of the Consolidated Design Review approval that the project is Categorically Exempt from CEQA (Section 15332, Class 32, In-Fill Development Projects). There are no changed circumstances or new information as part of the proposed Tentative Tract Map application that necessitate further environmental review and there are no features that distinguish this project from others in the exempt class and will not cause substantial damage to the environment.
4. *The design of the subdivision or the proposed improvements is not likely to cause serious health problems in that the subdivision is compatible with existing residential land uses in the vicinity.* The subdivision and proposed project will be consistent with uses on the block and in the vicinity. The multi-family dwelling will be designed in compliance with applicable Zoning Code standards, and Citywide Design Principles and architectural standards. The design of the project provides appropriate ventilation, light, and circulation within the development and adjacent developments, consistent with requirements of the Zoning Code. Therefore, proposed improvements are not likely to cause serious health problems.

5. *The proposed map meets the requirements of Title 16 as applicable.* The proposal to create nine air parcels will comply with applicable standards of Title 16. The Tentative Tract Map was prepared by a registered engineer, obtained a map number assigned by the County, references the locations of adjacent streets and other public properties, labels and identifies easements, and references means of vehicular access. Copies of the Tentative Tract Map were provided to the applicable parties, including, but not limited to the City engineer, Water and Power Department, Fire Department, Transportation Department, Housing Department, telephone company (AT&T), and Pasadena Unified School District as required by Title 16.
6. *The discharge of waste from the proposed subdivision into existing sewer system would not add to or result in violation of existing water quality control standards.* The residential development standards of the Pasadena Municipal Code provide standards that will require the applicant to connect to public sewer. Compliance with this requirement will be verified during the plan check process.
7. *The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.* The design of the subdivision and type of improvements proposed will not conflict with easements acquired by the public, because no public easements traverse the site.

**ATTACHMENT B**  
**CONDITIONS OF APPROVAL FOR TENTATIVE TRACT MAP #82691**

The applicant or the successor in interest shall comply with the following conditions:

General

1. The final map to be recorded with the Los Angeles County Recorder shall substantially conform to the Tentative Tract Map submitted with this application and dated "Approved at Hearing October 2, 2019," except as modified herein.
2. The plans submitted for building permits shall be in general conformance to site plan submitted and stamped "Approved at Hearing, October 2, 2019," except as modified herein.
3. This approval allows Tentative Tract Map #82691 to create nine residential air parcels for residential condominiums on a single lot. The creation of the nine residential air parcels shall occur substantially as shown on the submitted plans, except as modified herein and shall comply with the applicable land use regulations and development standards of the Pasadena Municipal Code subject to the approval of the Zoning Administrator.
4. The applicant or successor in interest shall comply with the attached conditions of approval from other City Departments.
5. The applicant shall receive written final approval of the addresses that will be assigned to each proposed parcel/unit prior to recordation of map. Final approval of the addresses shall come from the Addressing Coordinator. For additional information please contact the Addressing Coordinator at (626) 744-4622.

Planning

6. The common area portion of the site shall be maintained and kept in good condition at all times.
7. The applicant shall satisfy the requirements of Chapter 17.46 (Parking and Loading) of the Pasadena Municipal Code prior to the issuance of a Building Permit.
8. All exterior mechanical equipment shall be architecturally screened from view of the public right-of-way in a manner subject to review and approval by the Zoning Administrator and Design and Historic Preservation staff.
9. All landscape and walkway lighting shall be directed downward to minimize glare.
10. All proposed fencing and/or walls shall comply with Section 17.40.180 (Walls and Fences) of the Zoning Code.
11. The project shall comply with Pasadena Municipal Code Chapter 8.52 (City Trees and Tree Protection Ordinance). A tree protection and retention plan shall be submitted to the Zoning Administrator for approval prior to the issuance of any building or grading permits.

Department of Public Works

12. Prior to submission of the final tract map to the City for approval, the applicant shall pay a non-refundable flat fee (based on the current General Fee Schedule) to cover the cost of processing the final map. The applicant shall complete all required conditions before City's approval of the final map.
13. The applicant's engineer shall set boundary monuments on the proposed subdivision per Pasadena Municipal Code, Section 16.24.060, and furnish to the City a set of field notes that have been recorded with Los Angeles County Department of Public Works. The monuments shall be independently inspected by a third party licensed surveyor; with a certified report submitted to the City.
14. A private ingress/egress covenant of easement for a shared access between the two adjacent parcels (APN 5836-024-011 and APN 5836-024-012) shall be shown and referenced on the final Tract Map plans. It shall be filed and recorded with the Los Angeles County Recorder's Office prior to the processing of the final map.
15. In order to provide pedestrian safety, any vehicular-entry gate shall have a 20-foot setback from the property line.
16. 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. The applicant shall submit the application, plan and processing fee/deposit, associated with processing the license agreement, at least three to four (3-4) months prior to the issuance of any building or demolition permits. An approved license agreement will allow the applicant to install and maintain the private improvements within the public right-of-way with conditions.

A license agreement for shoring requires an indemnity bond in order to guarantee that shoring and tie-backs are free from defect due to faulty material, workmanship and failure. Upon review of the license agreement exhibits, an indemnity bond estimate will be prepared and forwarded to the applicant. The estimated amount is equivalent to the cost of reconstructing the public right of way, including all affected utilities, public facilities, and infrastructures, based on the plane of failure at a 45-degree angle from the lowest point of excavation. The indemnity bond shall be submitted to the City prior to the execution of the agreement and the issuance of any building or demolition permits.

All steel rods in every tie-back unit shall be relieved of all tension and stresses, and any portion of soldier beams and any portion of the tie-backs located be removed entirely from the public right-of-way. A monthly monitoring report stamped and certified by a licensed surveyor shall be submitted to indicate that the deflection from any piles or soldier beams does not exceed one inch. Upon completion of construction, the developer or his contractor shall remove all tie-back rods within the public right-of-way. The removal shall be documented by a report certified by a licensed deputy inspector. The report shall be submitted to the City for review

and approval. The applicant will be charged a penalty of \$7,000 for each tie-back rod not removed from the public right-of-way. For temporary tie-backs or shoring, the maximum width of the license area fronting the development frontage(s) shall only extend to the centerline of the public right-of-way.

17. Per the Department of Transportation condition of approval:  
To improve the safety of pedestrians crossing the driveway, the design plans shall indicate a minimum 20-foot flat area beyond the property line to improve vehicular sight distance as drivers exit the driveway ramp.
18. All new drive approaches shall be constructed per Standard Plan S-403 and 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.
19. Fair Oaks Avenue is a concrete street. If the street is excavated for utility connections, extensive restoration of the concrete pavement, including removal and replacement of the entire panel from joint to joint and per Standard Drawing No. S-417, will be required. All concrete street restoration shall be completed prior to the issuance of Certificate of Occupancy.
20. The applicant shall demolish existing and construct all new public improvements along the subject development frontage(s) of Fair Oaks Avenue, 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.
21. Each building of the proposed development shall connect to the public sewer with a 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.
22. The existing street lighting along the Fair Oaks Avenue frontage is substandard. In order to improve pedestrian and traffic safety, the applicant shall replace/renovate one (1) existing street lighting, on the frontage of the subject property per the City requirements and current standards. The renovation shall include but not limited to new LED light(s), conductors, lamp socket, fuse, globe/lantern, globe holder, photo cell, and miscellaneous related parts.

In the event where the existing street light pole determined, by the City, to be deteriorated and/or damaged, the applicant shall replace the existing street light pole with a new street light pole in kind. The replacement shall include but not limited to new pole, new footing, new LED light(s), conduit, conductors, lamp socket, fuse, globe/lantern, globe holder, photo cell, and other miscellaneous related parts. The applicant shall schedule a street lighting pre-inspection with the Public Works inspector to determine the details/scope of the

replacement/renovation of the existing street lighting. Please contact 626-744-4195 or via email: [pw-permits@cityofpasadena.net](mailto:pw-permits@cityofpasadena.net) to schedule a street lighting pre-inspection, prior to the issuance of any permits.

23. Any existing street tree(s) proposed to be removed are subject to the approval of the Urban Forestry Advisory Committee (UFAC).
24. 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.

25. 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.
26. 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 6' 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.
27. 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.

28. Prior to issuance of any permit, a 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 deposit is fully refundable, less administrative fees, upon the satisfaction of Public Works prior to the issuance of a Certificate of Occupancy.
29. 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. The amount of deposit will be based on the current City's General Fee Schedule. Note that building plans approved by the City's Planning (Building) Department do not constitute approvals for work in the public right-of-way. Separate plans shall be submitted to the Department of Public Works – Engineering Division – at 175 North Garfield Avenue Window 6. The applicant shall submit public improvements plans and the plan check deposit at least two (2) months prior to the issuance of any building or demolition permits.
30. 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.
31. The applicant shall provide storm water drainage plans and obtain approval from the Planning Department and the Department of Public Works prior to issuance of a grading or building permit for this site.
32. 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 \$20,000 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.
33. Prior to the start of construction or the issuance of any permits, the applicant shall submit a Construction Staging and Traffic Management Plan to the Department of Public Works for review and approval. The template for the Construction Staging and Traffic Management Plan can be obtained from the Department of Public Works webpage at: <https://www.cityofpasadena.net/public-works/engineering-and-construction/engineering/> . A non-refundable flat fee, based on the current General Fee Schedule, is required for plan review and on-going monitoring during construction. This plan shall show the impact of the various construction stages on the public right-of-way (and the private street) including all street occupations, lane closures, detours, staging areas, and routes of construction vehicles entering and exiting the construction site. An occupancy permit shall be obtained from the department for the occupation of any traffic lane, parking lane, parkway, or any other public

right-of-way. All lane closures shall be done in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) and California Supplement. If the public right-of-way occupation requires a diagram that is not a part of the MUTCD or California Supplement, a separate traffic control plan must be submitted as part of the Construction Staging and Traffic Management Plan to the department for review and approval. No construction truck idling or staging, material storage, or construction trailer are allowed in the public right-of-way.

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.

34. 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://www.cityofpasadena.net/public-works/engineering-and-construction/engineering/>.

35. 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:

a) 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.

b) 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 sidewalk along the subject frontage prior to the issuance of a Certificate of Occupancy or any building permit for work in excess of \$5,000 pertaining to occupancy or construction on the property in accordance with Section 12.04.031, entitled "Inspection required for Permit Clearance" of the PMC.

c) 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://www.cityofpasadena.net/public-works/parks-and-natural-resources/urban-forestry/> for guidelines and requirements for tree protection.

d) Residential Impact Fee Ordinance - Chapter 4.17 of the PMC

The ordinance was established to provide funds to mitigate the impact of new residential development on City parks and park and recreational facilities. A copy of the Residential Impact Fee Information Packet is available at the city webpage at: <https://www.cityofpasadena.net/public-works/engineering-and-construction/engineering/>. The Residential Impact Fee is based on the current Taxes, Fees and Charges Schedule (<https://www.cityofpasadena.net/finance/general-fund/fees-tax-schedules/>) and will be calculated and collected at the time of Building Permit Issuance.

The building plans shall include, preferably on the title sheet, a summary of all living units to capture the number of different units; number of bedrooms in each unit; and types of units (Regular, Workforce housing, Skilled nursing unit, Student housing, Residential care facility for the elderly, Affordable Housing). The definitions on the different types of units are available in the abovementioned Residential Impact Fee Information Packet as well as in the Pasadena Municipal Code.

The estimated Residential Impact Fee based on the current tax schedule. This amount is a rough estimate and for informational purposes only. The exact amount will be calculated at the time of Building Permit issuance.

e) 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://www.cityofpasadena.net/public-works/recycling-resources/construction-demolition-recycling/construction-and-demolition-debris-recycling/> and the Recycling Coordinator, (626) 744-7175, for approval prior to the request for a permit:

- i. 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.

- ii. 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.

If you have questions regarding the above conditions and requirements of the ordinances, please contact me at (626) 744-3762 or email [ywu@cityofpasadena.net](mailto:ywu@cityofpasadena.net).