



## PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

### STAFF REPORT

**DATE:** June 17, 2020

**TO:** Hearing Officer

**SUBJECT:** Minor Variance #11919

**LOCATION:** 440 North Oak Avenue

**APPLICANT:** Camilo Gomez and Victor Mendoza (Owners)

**ZONING DESIGNATION:** RM-16 (Residential Multi-Family, 0-16 units per acre)

**GENERAL PLAN DESIGNATION:** Medium Density Residential

**CASE PLANNER:** Alison Walker

**STAFF RECOMMENDATION:** Adopt the Environmental Determination and Specific Findings in Attachment A to **approve** Minor Variance #11919 with the conditions in Attachment B.

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- PROJECT PROPOSAL:**
1. Minor Variance: To allow a 30'-4" front yard setback, where the Zoning Code requires a minimum front yard setback of 49'-11", for a new three-unit multi-family residential project; and,
  2. Private Tree Removal Permit: To allow the removal of three protected trees (two California Fan Palm and one Chinese Elm) on private property.

**ENVIRONMENTAL DETERMINATION:** This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15303(b), Class 3, New Construction or Conversion of Small Structures). There are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Section 15303 specifically exempts the construction of a duplex or similar multi-family residential structure, totaling no more than six dwelling units.

**BACKGROUND:**

**Site characteristics:** The subject property is a 9,418 square-foot parcel located on the east side of North Oak Avenue between East Villa Street and East Maple Street. The property is improved with a 1,164 square-foot, single-family residence and approximately 425 square-foot, two-car detached garage. The existing residence is situated at the front of the property with a 37'-8½" front yard setback, with the detached garage located behind the residence and along the southern property line.

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

**Adjacent Zoning:** North – PS (Public Services)  
South – RM-16 (Residential Multi-Family, 0-16 units per acre)  
East – RM-16 (Residential Multi-Family, 0-16 units per acre)  
West – RM-16 (Residential Multi-Family, 0-16 units per acre)

**Previous zoning cases on this property:** None

**PROJECT DESCRIPTION:**

The applicant and property owner, Camilo Gomez, has submitted a Minor Variance application to allow the construction of a new three-unit multi-family project to deviate from the front yard setback requirement. The applicant has also requested a Private Tree Removal application to remove two California Fan Palm and one Chinese Elm trees due to the proposed construction.

The subject property is a 9,418 square-foot parcel, located within the RM-16 (Multi-Family Residential, 0-16 dwelling units per acre) Zoning district. The site is a relatively flat rectangular lot currently developed with a 1,164 square foot single-family dwelling and a 425 square foot detached two-car garage. The existing single-family house is set back from the front property line 37'-9". As proposed, the existing structures would be demolished and replaced by a three-unit multifamily project. The new building would have a front yard setback of 30'-4".

The required minimum front setback for a property within the RM-16 zoning district is the average of the front setbacks of the developed lots on the blockface in the same zoning district, but not less than 20 feet. Based upon the blockface average for properties in the RM-16 zoning district, the required front yard setback for the property is 49'-11". The proposed project would encroach 19'-7" into the required front yard setback, at 30'-4". A Minor Variance is required to encroach into the required setback.

To facilitate construction, the applicant also proposed removal of three protected trees. Two California Fan Palm trees have brown trunk heights (bth) of 70 feet and 65 feet and are located near the northern property line behind the existing residential unit. The third tree is a Chinese Elm that is 25 inches diameter at breast height (dbh) and located behind the detached garage in the center of the lot. A Private Tree Removal Permit is required to remove protected trees.

## **ANALYSIS:**

Minor Variance: To allow a 30'-4" front yard setback, where the Zoning Code requires a minimum side yard setback of 49'-11", for a new three-unit multi-family residential project.

Within the RM-16 zoning district, the requirement for front yard setback is the average of the front setbacks of the developed lots on the blockface in the same zoning district, but not less than 20 feet. In this case, there are five properties (including the subject site) on the blockface within the RM-16 zoning district. The average front setback of these five properties is 49'-11".

A Minor Variance application allows the City to review whether a deviation from the Zoning Code can be granted for a project. It may only be granted when, because of special circumstances applicable to the subject property, the strict application of the Zoning Ordinance denies the property owner privileges enjoyed by other property owners in the vicinity and under identical zoning districts, or creates an unnecessary and non-self-created hardship or unreasonable regulation that makes it obviously impractical to require compliance with the applicable development standards. A Minor Variance shall not be granted if the granting of the application would be detrimental or injurious to property or improvements in the vicinity of the subject site, or to the public health, safety, or general welfare.

Staff finds that there are exceptional or extraordinary circumstances or conditions applicable to the subject site that do not apply generally to sites in the same zoning district. 426 North Oak Avenue has a front yard setback of 125 feet and is an outlier when compared with the front yard setbacks for the other four lots (37'-8 ½ ", 24'-1", 30'-10", 31'-11") on the blockface. If 426 North Oak Avenue is removed from the average front yard setback calculation, the resulting average would be 31'-2". Granting the Minor Variance would allow the applicant to develop a project with a front yard setback (30'-4") consistent with the neighboring lots.

A hardship exists in that applying the Zoning Code development standards, and providing a 49'-11" front yard setback would result in a constrained site. Should the property meet this Zoning Code requirement, the lot depth available for the construction of three units, covered parking, the main and overall garden requirements, would be 138 feet.

Staff finds that approval of the Minor Variance for the front yard setback is warranted due to insufficient developable area under the Code required front yard setback.

Lastly, Staff finds that granting the reduced front yard setback would not be detrimental or injurious to property or improvements in the vicinity of the development site, and to the public health, safety, and general welfare. The proposed land use, multi-family residential, is a permitted use in the RM-16 Zoning District and is consistent with neighboring properties that are developed with multi-family uses. In addition, the proposed three unit multi-family project would meet all other Zoning Code requirements.

Tree Removal Permit: To allow the removal of three protected trees (two California Fan Palm and one Chinese Elm).

Pursuant to P.M.C. Sections 8.52.070 "Private property tree removal and landmark tree pruning permits—Applications" and 8.52.075 "Private property tree removal and landmark tree pruning permits—Issuance", the applicant requests permission to remove three protected trees on the subject site to prepare the site for construction of the new three unit multi-family project. The trees are described in table below:

No. on Tree Location Map	Tree Species (Common Name)	Type	Diameter at Breast Height	Height	Canopy Spread	Location
430	Washingtonia filifera (California Fan Palm)	Specimen Tree	27 inches	70 feet	15 feet	Along northern property line behind existing residence
431	Washingtonia filifera (California Fan Palm)	Specimen Tree	31 inches	65 feet	15 feet	Along northern property line behind existing residence
432	Pinus halepensis (Chinese Elm)	Specimen Tree	25 inches	60 feet	40 feet	Behind existing garage in center of lot

Protected specimen trees must be replaced with specimen and native trees on the list of protected native and specimen trees in accordance with the adopted replacement matrix shown below.

Diameter at Breast Height of Removed Tree	Brown Trunk Height of Removed Palm Tree	Number and Size of Replacement Trees
19 – 36 inches		8 – 24 inch box, or 4 – 36 inch box
	Greater than 40 feet	12 – 24 inch box, or 8 – 36 inch box

As conditioned, prior to Building Permit issuance, the applicant will provide a landscape plan which demonstrates compliance with the adopted tree replacement matrix and P.M.C. Section 8.52.075 (Private property tree removal and landmark tree pruning permits—Issuance). Staff finds that with this condition, the project would provide a landscape plan that emphasizes a tree canopy that is sustainable over the long term by adhering to the adopted replacement matrix.

In compliance with the City of Gardens requirements for multi-family developments in the RM-16 Zoning District, the full landscape plan also includes new proposed shrubs, vines and ground cover. The proposed landscape improvements are subject to California Code of Regulations Title 23. Waters, Division 2. Department of Water Resources, Chapter 2.7, Model Water Efficient Landscape Ordinance, which states that rehabilitated landscape of 2,500 square feet or greater shall meet the full requirements of the Model Water Efficient Landscape Ordinance. The landscape plan would be reviewed for compliance with the Model Water Efficient Landscape Ordinance through the building plan check process.

**GENERAL PLAN CONSISTENCY:**

The project as proposed is consistent with the goals and objectives of the General Plan. The subject site is designated as Medium Density Residential in the General Plan Land Use Element. The use of the property (three multi-family dwelling units) would be consistent with the Medium Density Residential land use. Therefore, the character of the multi-family neighborhood would be maintained. Furthermore, one of the Guiding Principles of the Land Use Element of the General Plan is that Pasadena will provide neighborhoods with a variety of housing types. Goal 21 of the General Plan (Desirable Neighborhoods) seeks that the neighborhoods in the city are composed of variety of housing types that are desirable places to live, contribute to the quality of life, and are well maintained. Specifically, Policies 21.4 and 21.5 (New Residential Development and Housing Character and Design) encourages that the City attract new residential development that is well-conceived and constructed, and encourages that when replacement housing is proposed, that it reflects the unique neighborhood character and qualities including building massing and relationship to street frontages. The reduced front yard setback would facilitate the construction

of a multi-family development, consistent with the Medium Density Residential land use designated for the neighborhood.

The proposed project includes the demolition of a single-family house and construction of new "City of Gardens" three multi-family unit project. The project would be designed to have a one-story element 15 feet beyond the Code required front yard setback, and is subject to Design Review. As proposed, the project has been designed to maintain the multi-family residential character of the neighborhood and will be consistent with the goals and objectives of the General Plan.

**ENVIRONMENTAL REVIEW:**

This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15303(b), Class 3, New Construction or Conversion of Small Structures). There are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Section 15303 specifically exempts the construction of a duplex or similar multi-family residential structure, totaling no more than six dwelling units.

**REVIEW BY OTHER DEPARTMENTS:**

The Building and Safety Division, Housing Department, Department of Transportation, the Fire Department, Community Planning Division, and Design and Historic Preservation Section have reviewed the project and had no comments. The Public Works Department has provided conditions, which are included in Attachment B.

**CONCLUSION:**

Due to the anomaly of the 426 North Oak Avenue front yard setback and the proposed design of the multi-family structure it is staff's assessment that the findings necessary for approval of the Minor Variance for the encroachment into the front yard setback and the one finding necessary for approval of the Tree Removal Permit can both be made. The proposed project meets all applicable development standards required by the Zoning Code, with the exception of the front setback.

As designed, the requested encroachment into the required front yard setback would not be detrimental to surrounding properties and to other residences in the immediate neighborhood, and would be compatible with the front yard setbacks of the neighboring properties. The project would be in conformance with the goals, policies, and objectives of the General Plan. Staff recommends approval of the Minor Variance and Tree Removal Permit, subject to the findings in Attachment A and recommended conditions of approval in Attachment B.

**ATTACHMENTS:**

- Attachment A: Minor Variance and Tree Removal Permit Findings
- Attachment B: Recommended Conditions of Approval

**ATTACHMENT A**  
**SPECIFIC FINDINGS FOR MINOR VARIANCE #11919**

Minor Variance: To allow a 30 foot, four inch front yard setback, where the Zoning Code requires a minimum side yard setback of 49 feet and 10.9 inches, for a new three-unit multi-family residential project.

1. *There are exceptional or extraordinary circumstances or conditions applicable to the development site that do not apply generally to sites in the same zoning district.* Within the RM-16 zoning district, the requirement for front yard setback is the average of the front setbacks of the developed lots in the same zoning district on the blockface, but not less than 20 feet. However, there is one lot with an unusually large front yard setback for the RM-16 Zoning District: 426 North Oak Avenue has a front yard setback of 125 feet and is an outlier when also compared with the front yard setbacks for the other four lots on the blockface. Including both the project site and 426 North Oak Avenue, the average front yard setback for properties on the blockface within the same zoning district is 49'-11". If 426 North Oak Avenue is removed from the average front yard setback calculation, the resulting average would be 31'-2".

Furthermore, if both 426 North Oak Avenue and the existing unit (to be demolished) at the project site were not included in the average front yard setback calculation, the average front yard setback would be 28'-11", less than the requested front yard setback. Granting the Minor Variance would allow the applicant to develop a project with a front yard setback of 30'-4", which is similar to neighboring lots. With the exception of the requested Minor Variance, the proposed addition complies with all other applicable development standards.

2. *Granting the application is necessary for the preservation and enjoyment of a substantial property right of the applicant, and to prevent unreasonable property loss or unnecessary hardship.* A required front yard setback of 49'-11" limits the buildable area of the site. Should the property meet the Zoning Code requirement without the Minor Variance, a length of 138 feet available to provide three units, adequate covered parking for the three units, the City's residential multi-family "City of Gardens" garden location and size requirements, while meeting the light and air separation requirements from the adjacent structures. Staff finds that approval of the Minor Variance for the front yard setback is warranted due to insufficient developable area under the Code required front yard setback. Thus, granting of the Minor Variance would allow the property owner to construct a multi-family building that, other than the front yard setback requirement, will meet the Zoning Code requirements, which is a substantial property right for properties within the Medium Density Residential land use.
3. *Granting the application will not be detrimental or injurious to property or improvements in the vicinity of the project site, or to the public health, safety, or general welfare.* The proposed land use, multi-family residential, is a permitted use in the RM-16 Zoning District and is consistent with neighboring properties. In addition, the proposed three unit multi-family project would meet all other Zoning Code requirements, other than the front yard setback. For example, in accordance with Zoning Code Section 17.22.070.(F)(1)(c), the project would have a one-story building element for a distance of 15 feet behind the required front setback. The one-story element would have a maximum height of 10'-6". Though a Minor Variance is requested for the front setback, the one-story element would extend a distance 15 feet behind the Code required 49'-11" front yard setback. The one-story element would have a maximum height of 10'-6", which results in a less massive structure as viewed by the public from the

street and sidewalk. Furthermore, the proposed project will not be detrimental or injurious to property or improvements in the vicinity of the subject site, or to the public health, safety or general welfare, because the project was reviewed by the Fire Department and Building and Safety Division, who posed no concerns regarding the proposed reduced front yard setback. The project is also required to comply with all applicable Fire Department and Building and Safety Division standards through the City's plan check process.

4. *Granting the application is consistent with the General Plan and the purposes of Title 17 of the Municipal Code and will not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and in the same zone district.* The use of the property (three multi-family dwelling units) would be consistent with the Medium Density Residential land use. Therefore, the character of the multi-family neighborhood would be maintained. Furthermore, one of the Guiding Principles of the Land Use Element of the General Plan is that Pasadena will provide neighborhoods with a variety of housing types. Goal 21 of the General Plan (Desirable Neighborhoods) seeks that the neighborhoods in the city are composed of variety of housing types that are desirable places to live, contribute to the quality of life, and are well maintained. Specifically, Policies 21.4 and 21.5 (New Residential Development and Housing Character and Design) encourages that the City attract new residential development that is well-conceived and constructed, and encourages that when replacement housing is proposed, that it reflects the unique neighborhood character and qualities including building massing and relationship to street frontages.

The proposed project includes the demolition of a single-family home and construction of new "City of Gardens" three multi-family unit project. The project would be designed to have a one-story element 15 feet beyond the Code required front yard setback, and is subject to Design Review. Other than the front yard setback, the project would meet all other Title 17 Zoning Code requirements. As proposed, the project has been designed to maintain the multi-family residential character of the neighborhood and will be consistent with the goals and objectives of the General Plan.

5. *Cost to the applicant of strict compliance with a regulation is not the primary reason for the granting of the Variance.* The cost to the applicant to comply with the City's development standards has not been considered a factor throughout the review of this application.

Tree Removal Permit: To allow the removal of three protected trees (two California Fan Palm and one Coast Live Oak).

6. *P.M.C. Section 8.52.075(A)(6): The project includes a landscape design plan that emphasizes a tree canopy that is sustainable over the long term by adhering to the adopted replacement matrix.* The three protected trees will be removed in order to facilitate construction of the new three unit multi-family project. As conditioned, the applicant will provide a landscape plan in accordance with the adopted tree replacement matrix and P.M.C. Section 8.52.075. The landscape plan will identify a mix of trees, shrubs, and hedges as designed by a landscape architect to ensure that the landscaping and proposed trees is sustainable over the long term. As such, staff has determined that the finding for removal can be made.

**ATTACHMENT B**  
**CONDITIONS OF APPROVAL FOR MINOR VARIANCE #11919**

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

General

1. The site plan submitted for building permits shall substantially conform to plans submitted, stamped "Approved at Hearing, June 17, 2020", except as modified herein.
2. This approval allows for the following entitlements, as depicted in the plans submitted with this application, stamped "Approved at Hearing, June 17, 2020":
  - a. A front yard setback of 30'-4" in conjunction with a new three unit multi-family project; and
  - b. The removal of three protected trees (two California Fan Palm and one Chinese Elm).
3. In accordance with Section 17.64.040 of the Pasadena Municipal Code and in accordance with City Council Resolution No. 9774, the right granted under this application must be enacted within 36 months from the effective date of approval. It shall expire and become void, unless an extension of time is approved in compliance with Section 17.64.040 C of the Zoning Code
4. Any change to these conditions of approval may require the modification of this Minor Variance or a new Minor Variance.
5. The applicant or successor in interest shall meet the applicable code requirements of all City Departments.
6. The final decision letter and conditions of approval shall be incorporated in the submitted building plans as part of the building plan check process.
7. The proposed project, Activity Number **PLN2019-00630**, is subject to the Inspection Program by the City. A Final Zoning Inspection is required for your project prior to the issuance of a Certificate of Occupancy or approval of the Final Building Inspection. Contact Alison Walker, Current Planning Section, at (626) 744-6742 to schedule an appointment for the Final Zoning Inspection.

Planning Division

8. The proposed project is subject to Design Review approval.
9. Prior to Building Permit issuance, the applicant shall provide a landscape plan which demonstrates compliance with the adopted tree replacement matrix and P.M.C. Section 8.52.075 (Private property tree removal and landmark tree pruning permits—Issuance).
10. This project meets the threshold for state-mandated water-efficient landscaping. Accordingly, the final landscape plans (inclusive of planting and hardscape plans, the planting pallet, drainage plan, and irrigation system plan(s) and specifications), shall be reviewed by Planning and Community Development Department staff for conformance with the standards and requirements specified within the 2015 California Model Water Efficient Landscape Ordinance



(MWELo) prior to the issuance of a building permit. No certificate of occupancy shall be issued until such plans have been deemed compliant with the MWELo and the landscaping has been installed per such approved MWELo-compliant plans to the satisfaction of the Director of Planning and Community Development or his/her designee.

### Public Works Department

11. The applicant shall demolish existing and construct all new public improvements along the subject development frontage of Oak 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.
12. Oak Avenue restoration, fronting the subject development, shall be a full width (from gutter to gutter) cold milling and resurfacing of asphalt concrete roadway per Standard Plan S-415. The street restoration shall be completed prior to the issuance of Certificate of Occupancy.
13. The proposed development shall connect to the public sewer with one or more new six-inch diameter house sewers 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 sewers 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.
14. 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.
15. On-site drainage, such as roof drain and area drain discharge, shall be contained on-site per LA County Regional Water Quality Control Board’s current permit.
16. To protect City’s existing street trees during construction, the applicant shall fully conformed to the Tree Protection Guidelines signed by the City Manager. The full guidelines is available at the following link:  
<https://www.cityofpasadena.net/public-works/engineering-and-construction/engineering/>.
17. 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.

18. 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.
19. 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.
20. 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.
21. 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.
22. 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.

23. 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 \$10,000 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.
24. 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 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.

25. 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/>.

26. 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-Bowman at 626-744-3762.