



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: March 3, 2021

TO: Hearing Officer

SUBJECT: Minor Variance #11933 & Tentative Parcel Map #82995

LOCATION: 130 West Howard Street and 1556 Navarro Avenue

APPLICANT: Shady Hakim (Applicant)

ZONING DESIGNATION: RM-12 (Residential Multi-Family, Two Units Per Lot)

GENERAL PLAN DESIGNATION: Low Medium Density Residential

CASE PLANNER: Alison Walker

STAFF RECOMMENDATION: Adopt the Environmental Determination and Specific Findings in Attachment A to **approve** Minor Variance #11933 and Tentative Parcel Map #82995 with the conditions in Attachment B.

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- PROJECT PROPOSAL:**
- 1) Minor Variance: To allow a 25 foot front yard setback, where a minimum 44.1 feet is required; and,
 - 2) Tentative Parcel Map: To allow for the creation of two air parcels for residential condominium purposes

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 6,314 square-foot parcel located at the southeast corner of Navarro Avenue and Howard Street. The site is a relatively flat rectangular corner lot, and is currently vacant.

Adjacent Uses: North – Multi-Family Residential (Two Units)
South – Single-Family Residential
East – Single-Family Residential
West – Single-Family Residential

Adjacent Zoning: North – RM-12 (Residential Multi-Family, Two Units Per Lot)
South – RM-12 (Residential Multi-Family, Two Units Per Lot)
East – RM-12 (Residential Multi-Family, Two Units Per Lot)
West – RM-12 (Residential Multi-Family, Two Units Per Lot)

Previous zoning cases on this property: MCUP #5461: Minor Conditional Use Permit to establish a Community Garden and a Minor Variance to construct a six-foot tall fence in the front yard (approved with conditions March 16, 2011).

PROJECT DESCRIPTION:

The applicant, Shady Hakim has submitted a Minor Variance application to allow the construction of a new two-unit multi-family project to deviate from the front yard setback requirement. The applicant has also requested a Tentative Parcel Map to allow for the creation of two air parcels for residential condominium purposes.

The subject property is a 6,314 square-foot parcel, located within the RM-12 (Multi-Family Residential, Two Units Per Lot) Zoning District. The site is a relatively flat vacant rectangular corner lot, and, as proposed, the lot would be developed with a two-unit multi family project. The subject site is City-owned property. On October 7, 2019, the City Council approved the key transaction terms of a development agreement between the applicant and the City for the development of an affordable housing project on this property.

The required minimum front setback for a property within the RM-12 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 25 feet. Based upon the blockface average for properties in the RM-12 zoning district, the required front yard setback for the property is 44.1 feet. The proposed project would encroach 19.9 feet into the required front yard setback, with a 25-foot setback from Navarro Avenue. A Minor Variance is required to encroach into the required setback.

Through the Tentative Parcel Map process, the proposed two residential dwelling units would be converted to individual ownership (residential condominiums) on one common parcel.

Given that the lot is presently vacant, no demolition of existing residential structures is proposed as part of this application.

ANALYSIS:

Minor Variance: To allow a 25-foot front yard setback, where a 44.1-foot minimum front yard setback is required

Within the RM-12 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 25 feet. In this case, there are ten properties (including the subject site) on the blockface on Navarro Avenue within the RM-12 zoning district. The average front setback of these ten properties is 44.1 feet. The project proposes a 25-foot front setback which is less than the minimum required, and therefore, a Minor Variance is required.

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. As described above, the blockface comprises of ten lots, with one lot, 1516 Navarro Avenue, having a front yard setback of 122.7 feet, and another lot, 1490 Navarro Avenue, having a front yard setback of 88.9 feet. When compared with the front yard setbacks for the other eight lots, which ranges from 23.5 feet to 42.6 feet, these two lots are outliers. If 1516 Navarro Avenue and 1490 Navarro Avenue are removed from the average front yard setback calculation, the resulting average would be 28.4 feet. Granting the Minor Variance would allow the applicant to develop a project with a front yard setback of 25 feet, which is more consistent with the neighboring lots.

The strict application of the Zoning Code development standards, and requiring a 44.1-foot front yard setback would result in a constrained site. The lot is 95 feet in depth, and after applying the required 44.1-foot front yard setback and the required 10-foot rear yard setback, an area 40-feet in depth is available for the construction of two units and covered. Therefore, Staff finds that approval of the Minor Variance for the front yard setback is warranted due to limited 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, a two-unit multi-family residential use, is a permitted use in the RM-12 Zoning District and is consistent with neighboring properties that are developed with multi-family uses. In addition, the proposed two unit multi-family project would meet all other Zoning Code requirements.

Tentative Parcel Map: To allow the creation of two air parcels on one land lot for residential condominium purposes

Tentative Parcel Map applications are subject to compliance with Title 16 (Subdivisions) of the Pasadena Municipal Code and applicable standards of the City's Zoning Code and General Plan. The intent of the Subdivision ordinance is to regulate divisions of land. The Hearing Officer may approve a Tentative Parcel Map provided findings in the affirmative are made pursuant to Municipal Code Section 16.20.170 (Required Findings). Findings are generally necessary to demonstrate the subdivisions consistency with the General Plan, suitability of the site, design, and that the subdivision would not cause serious public health problems, violate water quality control standards, or conflict with public easements.

The subject property is located in the RM-12 (Multi-Family Residential Two-Units per lot) zoning district. The 6,314 square-foot lot is limited to a maximum of two dwelling units. The applicant proposes to construct two dwelling units and would therefore be in compliance with the maximum density requirement.

The site is relatively flat and is currently vacant. The project would be required to be submitted for Building Check and reviewed for compliance with all applicable development standards of the RM-12 zoning district including but not limited to setbacks, height and parking development standards.

Tenant Protection Ordinance

The proposed project would create two new residential air parcels in conjunction with new construction. The Housing Department has reviewed the application and determined that the project does not entail the demolition of any existing residential units, and as a result, the City's Tenant Protection Ordinance is not applicable.

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. Because the project consists of two units, it is not subject to the inclusionary housing requirements.

GENERAL PLAN CONSISTENCY:

The subject property is designated Low-Medium Density Residential (Two units per lot) in the General Plan Land Use Element. The two-unit project complies with the maximum density allowed. 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 Minor Variance for the reduced front yard setback would facilitate the construction of a two-unit residential project, consistent with the Low-Medium Density Residential land use designated for the neighborhood.

The Tentative Parcel Map for two air parcels is consistent with General Plan Policy 2.1 (Housing Choices) and Goal 23 (Multi-Family Neighborhoods). 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 RM-12 multi-family development standards.

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. There are no trees proposed to be removed on site. There are two protected trees, a 27" DBH Coast Live Oak and a 21" DBH Chinese Elm tree on-site that would be protected during construction. A Condition of Approval is included in Attachment C which requires that a tree protection plan be submitted during the building plan check process.

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 Department of Transportation has reviewed the project and had no comments. The Public Works Department, Building Division, and Water Division have provided conditions, which are included in Attachment B.

CONCLUSION:

It is staff's assessment that the findings necessary for approval of the Minor Variance for the encroachment into the front yard setback can be made. The existing front yard setbacks of 1516 Navarro Avenue and 1490 Navarro Avenue result in an average required front yard setback for the proposed project, which limits the development area on site. With the exception of the front setback, the proposed project meets all applicable development standards required by the Zoning Code.

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.

In addition, the Tentative Parcel Map would create two 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.

Staff recommends approval of the Minor Variance and Tentative Parcel Map, subject to the findings in Attachment A and recommended conditions of approval in Attachment B.

ATTACHMENTS:

Attachment A: Minor Variance and Tentative Parcel Map Findings

Attachment B: Recommended Conditions of Approval

ATTACHMENT A
SPECIFIC FINDINGS FOR MINOR VARIANCE #11933
AND TENTATIVE PARCEL MAP #82995

Minor Variance: To allow a 25 foot, where the Zoning Code requires a minimum front yard setback of 44.1 feet, for a new two-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-12 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 25 feet. On the subject blockface, there are two lots with unusually large front yard setbacks when compared to the other setbacks on the blockface: 1516 Navarro Avenue has a 122.7-foot front yard setback and 1490 Navarro Avenue has a 88.9-foot setback, while the remaining properties have front setbacks ranging from 23.5 feet to 42.6 feet. Including the setbacks of 1516 Navarro Avenue and 1490 Navarro Avenue, the average front yard setback for blockface is 44.1 feet. If the front setback for these two lots were not included in the average front yard setback calculation, the average front yard setback would be 28.4 feet. Granting the Minor Variance would allow the applicant to develop a project with a front yard setback of 25 feet which is similar and consistent to neighboring lots. Additionally, the lot is 95 feet in depth, and after applying the required 44.1-foot front yard setback and the required 10-foot rear yard setback, a 40-foot depth area is available to develop the two units and adequate covered parking. 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.* The strict application of the Zoning Code development standard and requiring a 44.1-foot front yard setback limits the buildable area of the site. The lot is 95 feet in depth, and after applying the required 44.1-foot front yard setback and the required 10-foot rear yard setback a 40-foot depth area is available to develop the two units and adequate covered parking. Staff finds that approval of the Minor Variance for the front yard setback is warranted due to limited developable area with the the Code required front yard setback. Thus, granting of the Minor Variance would allow the property owner to construct a multi-family building that, with the exception of the front yard setback requirement, will meet the Zoning Code requirements, which is a substantial property right for properties within the Low 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 two-unit multi-family residential use is permitted by-right in the RM-12 Zoning District, and is consistent with neighboring properties. In addition, the proposed two unit multi-family project will meet all other Zoning Code requirements, except for the front yard setback. Furthermore, the project was reviewed by the 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 (two multi-family dwelling units) will be consistent with the Low Medium Density Residential land use, therefore, the character of the residential neighborhood will be maintained. Furthermore, one of the Guiding Principles of the Land Use Element of the General Plan is the provision of neighborhoods with a variety of housing types. Goal 21 of the General Plan (Desirable Neighborhoods) seeks that 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 the City to 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 construction of new two multi-family unit project on a presently vacant lot. The granting of the Minor Variance for the proposed front yard setback will result in a front yard setback that is consistent with the existing setbacks of the adjacent properties. With the exception of the front yard setback, the project will meet all other Zoning Code development standards. As proposed, the project has been designed to maintain the 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.

Tentative Parcel Map: To allow the creation of two air parcels on one land lot for residential condominium purposes

6. *The proposed map is consistent with applicable general and specific plans as specified in Section 65450.* The subject property is designated Low-Medium Density Residential (Two Units per lot) in the General Plan Land Use Element. The two-unit project complies with the maximum density allowed. The Tentative Parcel Map for two air parcels is consistent with General Plan Policy 2.1 (Housing Choices) and Goal 23 (Multi-Family Neighborhoods). 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 RM-12 multi-family development standards.
7. *The site is physically suitable for the type of development.* The project is located within the RM-12 multifamily zoning district, in which two units per lot is permitted by right. The proposed development will require formal review and approval through the City's building permit plan check process. The project, as designed, is compliant with all applicable Zoning development standards of the RM-12 zoning district. There are no unique topographical features on the site. The site is relatively flat and is similar in size and topography to other lots in the vicinity.
8. *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 and surrounding neighborhood is in an urbanized area and is developed with residential uses. The project has been reviewed in compliance with the California Environmental Quality Act. No fish or wildlife habitats in the vicinity have been identified. As such, approval of the map will not result in significant environmental impacts.

9. *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 design of the development provides appropriate ventilation, light, and circulation within the development and among other existing developments in the vicinity. The development is within the maximum density allowed for the site. The two dwelling units will be constructed in compliance with the Zoning, Fire, and Building Code requirements that will not cause serious health problems to the residential neighborhood.
10. *The proposed map meets the requirements of Title 16 as applicable.* The proposal to subdivide an existing parcel into two legal air parcels will comply with applicable standards of Title 16. The Tentative Parcel 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 Parcel Map were provided to the applicable parties, including, but not limited to the City Engineer, Water Department, Power Department, Fire Department, and Department of Transportation as required by Title 16. The proposed project complies with the land use designation under the General Plan. As conditioned, the applicant will comply with all applicable requirements identified in Chapter 16.46 "Standards for Conversion Projects" of the Pasadena Municipal Code.
11. *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 require the project site to connect to existing public sewer system. Compliance with this requirement will be verified through the building permit process.
12. *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.

ATTACHMENT B
CONDITIONS OF APPROVAL FOR MINOR VARIANCE #11933
AND TENTATIVE PARCEL MAP #82995

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, March 3, 2021", 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, March 3, 2021":
 - Minor Variance: To allow a 25 foot front yard setback, where a minimum 44.1 feet is required; and,
 - Tentative Parcel Map: To allow for the creation of two air parcels for residential condominium purposes
3. The right granted under the Minor Variance application must be enacted within 24 months from the effective date of approval. It shall expire and become void, unless an extension of time is approved in compliance with Zoning Code Section 17.64.040.C (Time Limits and Extensions – Extensions of Time).

In accordance with Section 16.18.060.A (Period of validity, renewals and extensions) of the Pasadena Municipal Code the Final Tentative Parcel Map must be submitted to the Department of Public Works, to vest the rights granted by this approval, within two years of the effective date of the approval. This approval is eligible for one, one-year renewal. In order for a project to be eligible for a renewal, the applicant is required to submit the required fee and application to the Permit Center prior to the expiration date of the land use entitlement.

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 **ZENT2020-10025**, 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 awalker@cityofpasadena.net or (626) 744-6742 to schedule an appointment for the Final Zoning Inspection.

Planning Division

8. The common area portions of the site shall be maintained and kept in good condition at all times.
9. 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.
10. The applicant or successor in interest shall comply with all requirements of Municipal Code Chapter 9.36 (Noise Restrictions). Specifically, all construction activities shall adhere to Municipal Code Section 9.36.070 (Construction Projects) and Section 9.36.080 (Construction Equipment).
11. At no time shall construction activities, including, but not limited to, construction materials, vehicles and equipment, obstruct access to vehicular driveways of adjacent properties.
12. Any above-ground mechanical equipment shall be located at least five feet from all property lines and shall comply with the screening requirements of Section 17.40.150 (Screening) of the Zoning Code.
13. The project shall comply with the 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. Any proposal to remove a protected tree requires approval of a Tree Removal Application prior to the issuance of building permits.

Building and Safety Division

14. Governing Codes: Current Edition of 2019 California Residential Code, 2019 California Building Code, 2019 California Electrical Code, 2019 California Plumbing Code, 2019 California Mechanical Code, 2019 California Energy Code, California Green Building Standard Code.& the City of Pasadena Municipal Code

The governing edition is based on the date in which the project is submitted to the City of Pasadena for review.

15. Building Code Analysis:
Provide a Building Code Analysis on the title sheet.

Include the code(s) information the proposed building: Description of use, Occupancy, whether separated or un-separated, number of stories, type of construction, sprinklers, floor area, height, and allowable floor area. Building Code Analysis should include building code

required accessible compliance per California Building Code (CBC) Chapter 11, plumbing and mechanical building codes

16. Means Of Egress (Exiting):

- Show an exit plan that labels and clearly shows compliance with all required egress features such as, but not limited to, common path of travel, required number of exits, occupant load, required width, continuity, travel distance, etc. [CBC 1001.1]
- Clearly label and identify on plans fire-resistive corridors, exit enclosures, exit passageways, horizontal exits, occupancy separation walls and floors, fire resistive shafts, and fire walls, along with their fire-resistive ratings
- Primary accessible path of travel shall include a primary entrance to the building or facility; toilet and bathing facilities serving the area; drinking fountains serving the area; public telephones serving the area, and signs. CBC 2019 Chapter 11 / Current Code

17. Geotechnical Investigation: This investigation should include soil report(s) for buildings design criteria.

18. Parking Spaces: Where parking spaces are provided, accessible parking spaces shall be provided in number and kind required per CBC 2019 /Current Code

19. Low Impact Development (LID) Plan and Storm-water Pollution Prevention Plan (SWPPP)
See City link for LID: <https://www.cityofpasadena.net/planning/building-and-safety/low-impact-development/>

20. Permit(s): Separate permits are required for the following:

- Mechanical
- Electrical
- Plumbing
- Fire Sprinkler
- Demolition
- Shoring

Public Works Department

21. The legal owner of the subject property is the City of Pasadena. The applicant shall provide proof of full ownership and/or the permission from the City to build prior to developing the subject property.

22. The proposed drive approach, along Howard Street frontage, is in conflict with Power Department's facility (guy wire) and is not allowed and shall be relocated.

23. The applicant shall prepare Tentative Parcel Map No. 82995 prior to the Department of Public Works approval and issuance of any permit.

24. Prior to submission of the final 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, or provide a Letter of Credit or cash deposit to cover all unfinished public improvements as quantified in an approved cost estimate.

25. The applicant's engineer shall set boundary monuments on the proposed subdivision per Pasadena Municipal Code, Section 16.24, 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.

26. The existing street lighting along the Howard Street 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 to schedule a street lighting pre-inspection, prior to the issuance of any permits.

27. The existing street lighting system on Navarro Avenue consists of utilitarian lights (mounted on wood power poles) and, therefore, does not meet present design standards. In order to improve pedestrian and traffic safety, the applicant shall install one (1) new street light on the frontage of the property, including LED light, conduits, conductors, electrical service (if necessary), pull boxes, and miscellaneous appurtenant work. The type and hardware shall conform to current policies approved by the City Council, and the location(s) shall be as approved by the Department of Public Works.

28. The applicant is responsible for the design, preparation of plans and specifications, and the construction of all required street lights. Plans for the improvements shall be prepared by a civil engineer, registered in the State of California. Upon submission of improvement plans to the Departments of Public Works for checking, 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. In addition, there is possibly considerable lead-time for the materials required for street light construction. In order to avoid delays in the development schedule, the applicant shall coordinate with this office at 626-744-4195 regarding this street light condition at least six (6) months in advance of the anticipated issuance of Certificates of Occupancy.

29. In order to accommodate an Americans with Disabilities Act (ADA) compliant curb ramp, the applicant shall verify, and reconstruct if necessary, a standard curb ramp at the southeast corner of Howard Street and Navarro Avenue, if possible, per Caltrans Standard A88A or City of Pasadena Standard No. S-414. The curb ramp construction shall be completed prior to the issuance of Certificate of Occupancy. A separate permit from the Department of Public Works is required for all construction in the public right-of-way. Please contact 626-744-4195 for the general process.

The applicant shall submit to the City for review any proposed designs that will comply with the ADA requirements. The applicant is responsible for the design, preparation of plans and specifications, and construction of the new curb ramp. Plans for the curb return 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 submit fees, per the current General Fee Schedule, to cover the cost of plan checking and construction inspection of the improvements. Note that the 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 the curb return improvement plans and the plan check fees at least two (2) months prior to the issuance of any building or demolition permits.

Upon review of the curb ramp improvement plans, the applicant may need to dedicate to the City for street purposes the land necessary at the property line corner rounding (Per S-423) to provide for the minimum clearance required by the Americans with Disabilities Act standards. If so, the applicant shall remove and reconstruct the sidewalk for the dedicated area, per Standard Plan No. S-421. The applicant shall be responsible for all the cost required to complete the dedication, if it is required. The dedication document and processing fee shall be submitted to this office, at least three to four (3-4) months, prior to issuance of any permits. The dedication documents shall be executed and recorded prior to the issuance of a Certificate of Occupancy.

30. The proposed development shall connect to the public sewer with one 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.
31. Excavations in the streets for utility connections shall be as close as possible to each other and the pavement shall be restored contiguously between extreme excavations. Restoration of asphalt concrete pavement shall be per Standard Plan S-416. The street restoration shall be completed prior to the issuance of Certificate of Occupancy.
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. 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.

33. To protect existing City 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/>

34. 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.

35. 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.

36. 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.

37. 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.

38. 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.

39. 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.
40. 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 and for City personnel to review traffic control plans and maintain traffic control. A processing fee will be charged against the deposit.
41. 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 the issuance of any permits, the applicant shall conduct a field meeting with an inspector from 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.

42. 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.

In addition to the above conditions, the requirements of the following ordinances may 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://www.cityofpasadena.net/public-works/parks-and-natural-resources/urban-forestry/> for guidelines and requirements for tree protection.
- 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 and the submitted information in the application. This amount is a rough estimate and for informational purposes only. The exact amount will be calculated at the time of Building Permit issuance.

o 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:

- 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.
- 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.

Water Division

43. Water Mains: Pasadena Water and Power (PWP), Water Division can serve water to this project. There are two water mains that serve this area:

- A 6-inch cast iron water main in Navarro Avenue, installed under Work Order 4759 in 1953. This water main is located approximately 20 feet east of the west property line of Navarro Avenue.
- An 8-inch cast iron water main in Howard Street, installed under Work Order 2113 in 1927. This water main is located approximately 20 feet north of the south property line of Howard Street.

44. Moratoriums: Verify with Public Works Department (PWD) regarding any street construction moratorium affecting this project.

45. Water Pressure: The water pressure in the area is approximately 80 psi.

46. Water Service: PWP records reflect that there is one domestic service serving this property from the Navarro Street water main:

- ¾-inch copper service installed in 1953 (#12039)

Any change in water service will be reviewed when the building plans are submitted. Any change in service will be installed at actual cost and paid for by the owner/developer. Water services older than 50 years require renewals.

PWP recommends that any new water services be installed from the Navarro Street water main.

47. Water Main Charge: If it is determined that a water main must be upgraded due to size, age, pressure deficiencies, and/or the integrity of the existing water main; the upgrade will be paid for by the owner/developer. A deposit will be requested for the water main design and a cost estimate will be provided to the owner/developer for the new water service installations, main design, and main construction. The owner/developer must be aware that the design of a new water main will take 3 to 4 months after the initial deposit is made by the owner/developer. Also, an additional 4 to 6 months will be needed for the construction of the water main after the balance of the estimate is paid in full by the owner/developer. The design and construction estimated time depends on the size and length of the water main and other mains in the queue. For this reason, it is imperative that the initial deposit be submitted promptly. Also, the owner/developer will pay in full any street restoration that is required by PWD. PWD determines the limits of the street restoration.
48. Water lines are not permitted to cross lot lines to serve adjoining lots without a utility easement; the Pasadena Water Division shall approve all proposed easements.
49. The Water Division will install the service tap, lateral, water meter and designate the distribution main and service tap.
50. Water services not in use must be abandoned at the distribution main at the applicable rate.
51. For subdivided lots with one unit behind the existing, show easement documentation and assessor parcel map showing the subdivision.
52. Pursuant to the PWP Water Regulation Section XI 'A water service and meter may be evaluated for its continuing integrity. Should PWP find a service, meter, vault or other appurtenance to be substandard and no longer suitable for continued use, replacement and/or construction of new facilities may be required. PWP may require that a portion or all of the costs of such replacement and/or construction be paid or contracted for by the Applicant or Customer prior to construction.' The property owner is responsible for the replacement cost. All service pipes shall be of suitable capacity as determined by applicable plumbing and fire codes. The minimum sized service installed by PWP is 1-inch.
53. Cross Connection Requirements for Domestic Services:
 - All city cross-connection prevention policies must be adhered to. The developer is required to provide back-flow protection at all connections whereby the plan arrangement or configuration could potentially contaminate the domestic water system.
 - There shall be no taps between the meter and the backflow assembly.
 - The owner/developer shall provide and install an approved double check valve backflow prevention assembly at each water service if more than one water service serves property. The location of the back-flow prevention assembly shall be above ground within 20-feet of the property line.
 - The property owner is responsible for the back-flow prevention assembly. The assembly will be registered and require an annual test certification. All manufacturer warranties shall be transferred upon installation and certification to the property owner.

- The owner/developer is responsible for certifying and testing the assembly after installation by a person that possesses a current and valid license, and must be certified by the County of Los Angeles Department of Health Services.
- The owner/developer shall submit the results of the test to the Water Utility Service Section for approval. Upon approval, the City will maintain domestic water to the property and will automatically register the assembly.
- All water services shall be protected from cross connections by means of approved backflow prevention techniques and assemblies.
- An administrative fee of \$180.94 will be charged for each backflow prevention assembly installed.

54. Cross Connection Requirements for Fire Service:

- The fire service requires a detector meter and back-flow prevention assembly.
- The assembly shall be located in a readily accessible location for meter reading, test and maintenance.
- All fire sprinkler systems require installation of an approved double check valve backflow prevention assembly at the sprinkler lateral off the domestic system.
- Contract service other than PWP, providing the backflow prevention assembly shall contact the Water Utility Services Section to verify assembly approval or contact the University of Southern California foundation for Cross Connection Control and Hydraulic Research for an approve list of assemblies.
- All manufacturer warranties shall be transferred upon installation and certification to the property owner. The property owner shall assume ownership of the back-flow prevention assembly. The assembly will be registered and require an annual test certification.
- If PWP is to provide DCDA for fire service, PWP will install Wilkins, model 450 DA.
- Choose from one of the below listed options and incorporate into the fire sprinkler plans:

Option 1:

Detector meter located on double check detector check assembly (DCDA) outside the structure on private property.

- The Water Division will install the service tap, lateral, DCDA (optional Wilkins, models 350 DA or 450 DA) and designate the distribution main and service tap.
- The location of the back-flow prevention assembly shall be a minimum of 12-inches above grade within 10-feet of the property line, on private property. Reference Water Division Plan Check for certification and registration.

Option 2:

Detector meter located in a vault within the public right of way with a double check valve backflow prevention assembly (DCA) provided and installed inside or outside the building by the owner/developer.

- The Water Division will install the service tap, lateral, detector water meter and designate the distribution main and service tap.
- The location of the back-flow prevention assembly shall be a minimum of 12-inches above grade within 20-feet of the property line on private property. Reference Water Division Plan Check for certification and registration.

55. All Other Cross Connection Requirements: The owner/developer is also responsible for additional cross connection requirements for irrigation system, swimming pool and/or spa,

boiler / chilled water / cooling tower (using chemical additives), domestic water line at makeup to carbonation system, sewage ejector, decorative water fountain, and makeup water to reverse osmosis filtration equipment.

56. Residential Water Metering Requirements: Senate Bill No. 7 (Housing: water meter: multiunit structures) approved by the Governor September 25, 2016, requires that individual meters or submeters be installed on all new multifamily residential units. Per Senate Bill No. 7: Each water purveyor that sells, leases, rents, furnishes, or delivers water service to a newly constructed multiunit residential structure or newly constructed mixed-use residential and commercial structure for which an application for a water connection, or more than one connection, is submitted after January 1, 2018, shall require a measurement of the quantity of water supplied to each individual residential dwelling unit as a condition of new water service. The law exempts long-term health care facilities, low-income housing, residential care facilities, housing at a place of education, and time-share properties, as well as, other multiunit residential structures deemed infeasible by the Department of Housing and Community Development.

Per the Water Regulations adopted by City Council on June 4, 2012: "The water service will end at the curb, public right of way or property line at the option of PWP. Where the location of the meter box or vault on the City side of the property line is not practicable, the meter box or vault shall be located on the Customer's premises or such other location that may be agreed upon by PWP at its option. The Customer shall be responsible for the expense of installation and maintenance of the lines on the Customer's side of the property line connecting to PWP's service where construction of the Customer's facilities began."

57. The following submetering options are available to PWP customers:

Option 1:

Individual metering located on the parkway.

The Water Division will install individual water meters on the parkway in front of the project site, if permitted by available space as per the General Requirements, for each residential unit. The owner/developer shall install an approved double check valve backflow prevention assembly at each domestic water service. All dedicated irrigation services must have a Reduced Pressure Zone Valve Assembly ("RP"). The location of the backflow prevention assemblies shall be above ground within 20-feet of the property line, and the assemblies require registration and annual test certifications. PWP's responsibility of service ends at the meter and PWP will bill each tenant directly.

Option 2:

Individual metering located on private property.

The Water Division will install a service lateral up to the property line with a shut off valve. The owner/developer shall provide and install an approved double check valve backflow prevention assembly after the shut off valve and will install all piping behind the property line. The location of the backflow prevention assembly shall be above ground within 20-feet of the property line, and the assembly requires registration and an annual test certification. The owner/developer will pay for and install all water meters, provided by PWP, to each residential unit. Water meters must be installed horizontally and must be located in an open area or in a garage/parking area and must have a minimum 12-inch above grade in order for meter readers to have unrestricted access to them if needed. All dedicated irrigation services must

have a RP. PWP will inspect the individual meters as a condition of providing service. PWP's responsibility of service ends at the property line and PWP will bill each tenant directly.

Option 3:

Submetering by third party vendor located on private property.

The Water Division will install master water meter(s) on the parkway, in front of the project site. The owner/developer must submit a statement on letterhead stating that a Contractor licensed by the California State License Board will install submeters, per Senate Bill No. 7, to all residential units. The owner/developer shall install an approved double check valve backflow prevention assembly on each submeter. All dedicated irrigation services must have a RP. The backflow prevention assemblies require registration and annual test certifications. PWP will inspect the submeters as a condition of providing service. PWP's responsibility of service ends at the master meter and the owner/developer is responsible for billing each tenant per Senate Bill No. 7.

58. Fire Flow and Fire Hydrants: The Pasadena Fire Department (PFD) has jurisdiction and establishes the requirements for fire protection within the City of Pasadena. PFD must be consulted in this regard. Any cost incidental to providing adequate fire protection for the project must be paid for by the owner/developer.

There are two fire hydrants in close proximity to the project site.

- Fire hydrant 412-6 is located on the southwest corner of Howard Street and Navarro Avenue.
- Fire hydrant 412-8 is located on the southwest corner of Howard Street and El Sereno Avenue.

There are no current fire flow tests information available for these hydrants. If you would like to request a fire flow test, please contact Linette Vasquez at (626) 744-7064.

Fire Hydrants Details

