



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: September 6, 2023

TO: Hearing Officer

SUBJECT: Minor Variance #11956 & Tentative Tract Map #84046

LOCATION: 91 – 101 North Oak Avenue

APPLICANT: Yutong Xie/Architecturae Group, Inc. (Applicant)

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

GENERAL PLAN DESIGNATION: Medium Density Residential

CASE PLANNER: Jennifer Driver

STAFF RECOMMENDATION: Adopt the Environmental Determination and Specific Findings in Attachment A to **approve** Minor Variance #11956 and Tentative Tract Map #84046 with the conditions in Attachment B.

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- PROJECT PROPOSAL:**
- 1) Minor Variance: To allow a 25'-6" front yard setback, where a minimum 39'-10" is required; and,
 - 2) Tentative Tract Map: To allow for the consolidation of two land lots into one lot, and the creation of six air parcels on one land lot 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 no more than six dwelling units in an

urbanized area; therefore, the proposed six-unit multi-family development is exempt from environmental review.

BACKGROUND:

Site characteristics: The subject property is comprised of two, 9,000 square-foot parcels located on the west side of North Oak Avenue between Walnut Street to the north and Colorado Boulevard to the south. The parcels are relatively flat rectangular lots, and are currently developed with three detached dwelling units and two detached garages. There are six trees on the site and four on the shared property line with the abutting property to the south. Of the ten trees, five non-protected trees on-site would be removed, one on-site protected Canary Island Palm tree with a brown trunk height of 30 feet is proposed to be removed and the remaining trees would remain.

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

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

Previous zoning cases on this property: None.

PROJECT DESCRIPTION:

The applicant, Yutong Xie, has submitted a Minor Variance application to allow the construction of a new six-unit multi-family project with 12 parking spaces to deviate from the front yard setback requirement and to provide a 25'-6" front yard setback where a 39'-10" front yard setback is required. The applicant has also requested a Tentative Tract Map to allow for the consolidation of two land lots into one lot, and the creation of six air parcels for residential condominium purposes. No protected trees are proposed to be removed as part of this application, however a protected Canary Island Palm tree is proposed to be removed and will be considered during the Concept Design Review proceedings.

ANALYSIS:

Minor Variance: To allow a 25'-6" front yard setback, where a 39'-10" minimum front yard setback is required

The required minimum front yard setback for a property within the RM-16 zoning district is the average of the front yard 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 the 11 properties (including the two subject lots) in the RM-16 zoning district, the required front yard setback for the property is 39'-10". The proposed project would encroach 14'-4" into the required front yard setback, with a 25'-6" setback from Oak Avenue. A Minor Variance is required to encroach into the required front yard setback.

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 11 lots, with the two subject properties having a front yard setback of 105 feet each (91 and 101 North Oak Avenue). When compared with the front yard setbacks for the other nine lots, which ranges from 20 feet to 31 feet, these two lots are outliers. If 91 and 101 North Oak Avenue are removed from the average front yard setback calculation, the resulting average would be 25'-4". Granting the Minor Variance would allow the applicant to develop a project with a front yard setback of 25'-6", which is consistent with the proposed setback and neighboring lots.

The granting of the Minor Variance would facilitate a reasonable enjoyment of real property because the deviation would provide for sufficient lot area to develop the permitted six-unit development. Should the property have to comply with the minimum required front yard setback, the lot depth available for the construction of six units would be 139'-2", which would restrict the ability of the property owner to construct the allowed density of six units on the lot. Furthermore, the granting of this application would not constitute a special privilege because many of the properties along Oak Avenue consist of a front yard setback consistent in scale with the proposed setback of 25'-6", thus maintaining the character of the streetscape along Oak Avenue. As such, the Minor Variance request would facilitate a reasonable enjoyment of real property.

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 six-unit multi-family residential use, 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 six-unit multi-family project would meet all other Zoning Code requirements.

Tentative Tract Map: To allow the consolidation of two land parcels into one, and the creation of six air parcels on one land lot for residential condominium purposes

The subject site is located within the RM-16 (Multi-Family Residential, 0-16 dwelling units per acre) zoning district. Multi-family projects are permitted within this zoning district and are subject to the development standards in Zoning Code Section 17.22.060 (RM District General Development Standards). The minimum area for new parcels in the RM-16 zoning district is 7,200 square feet, and the minimum width is 55 feet. The subject site is comprised of two, 9,000 square-foot parcels, and the proposed consolidated land parcel would consist of an aggregate site area of 18,000 square feet and a lot width of 100 feet, which complies. The RM-16 zoning district permits multi-family housing and requires a minimum of 2,750 square feet of lot area for each dwelling unit. In this case, the maximum permitted density on the site based on an area of 18,000 square-feet, is six units. The applicant has proposed six dwelling units and is in compliance with the maximum density requirement.

Tentative Tract Map applications are subject to seven findings in the City's Subdivision Ordinance, Municipal Code Chapter 16.20. Generally, the purpose of these findings is to address the design of the subdivision, the suitability of the site, among other potential impacts, damage, or conflict with the environment, wildlife habitat, public health, water quality, and access..

The project is designed to comply with the development standards applicable to projects in the RM-16 zoning district. Staff has determined that with the exception of the front yard setback discussed previously, the project complies with all applicable development standards as required by the City's Zoning Code. This included a review of total and main garden requirements, setbacks, height, and off-street parking requirements. Other than the aforementioned front yard setback, no deviations, concessions, or waivers were requested as part of these reviews.

In addition, the six-unit project is currently being considered by the Design and Historic Preservation Division through the Concept Design Review process. As a result, staff has determined that the six-unit project satisfied applicable Zoning Code requirements, Citywide Design Principles, and architectural standards for multi-family housing.

The proposed tentative map meets all required findings. The project demonstrates consistency with the goals, objectives, and policies of the General Plan. The site is physically suitable for the proposed density as it is relatively flat and located in an urban area. The design of the subdivision would not cause substantial environmental damage in that the property is located in an urbanized area and not near any sensitive habitat. The project is in compliance with the California Environmental Quality Act and is determined to be exempt. The proposal for six air parcels would not cause environmental damage because the area is developed with residential uses, and the Tentative Tract Map application is a mapping action that does not include any physical changes to the site. The proposal to consolidate two lots and for the creation of six air parcels would not cause any physical change to the site, as the subdivision is for a mapping action only. Further, the proposed improvements are not likely to cause serious health problems in that the design of the project provides appropriate ventilation, light, and circulation within the development, consistent with requirements of the Zoning Code and with the multi-family uses on the block and in the vicinity. Finally, the project would comply with all sewer requirements and would not conflict with any easements or prevent access through the property.

Tenant Protection Ordinance

The property at 91 North Oak Avenue is currently developed with two detached dwelling units and the property at 101 North Oak Avenue is developed with one dwelling unit with all three dwelling units being removed as part of the project. If it is determined that any tenants currently residing at 91 North Oak Avenue would be displaced as a result of the project, the provisions of the City's Tenant Protection Ordinance, Municipal Code Chapter 9.75 ("TPO") would apply. These provisions require the applicant or successor to comply with all applicable TPO regulations including submittal to the Housing Department of an Owner's Affidavit of Tenant Occupancy Status, providing written notification to tenants, and, if applicable, paying relocation and moving expense allowances to the income-eligible, displaced tenants.

Inclusionary Housing

Chapter 17.42 (Inclusionary Housing Requirements) of the Zoning Code applies to projects with 10 or more new dwelling units. The project proposes only six dwelling units; therefore, the project is not subject to the Inclusionary Housing Requirements.

GENERAL PLAN CONSISTENCY:

The project as proposed is consistent with the goals and objectives of the General Plan Land Use Element and Housing Element. The subject site is designated as Medium Density Residential in the General Plan Land Use Element (GPLU) and the use of the property (six 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. The approval of a Minor Variance for a reduced front yard setback and the Tentative Tract Map to consolidate two land parcels into one, and to create six air parcels, is consistent with GPLU Goal 21 (Desirable Neighborhoods) and Goal 23 (Multi-Family Neighborhoods). Goal 21 supports the development of neighborhoods in the city that are composed of a variety of housing types that are desirable places to live, contribute to the quality of life, and are well maintained. In addition, Goal 23 (Multi-Family Neighborhoods) strives to create multi-family residential neighborhoods that provide ownership and rental opportunities that exhibit a high quality of architectural design and incorporate amenities for their residents.

Specifically, the project is consistent with GPLU Policy's 21.3 (Neighborhood Character), 21.4 (New Residential Development) and 21.5 (Housing Character and Design) as the proposed six-unit condominium would be constructed with high quality materials and in a design that is well conceived, constructed, and maintained, while maintaining elements that unify and enhance the character of the residential street. The granting of the reduced front yard setback would allow the project to provide compatible setbacks, building form, scale, massing and relationship to street frontages.

The project is also consistent with GPLU Policy's 23.1 (Character and Design) and 23.2 (Parking Areas and Garages) as the multi-family project utilizes a design that includes modulation of buildings, well-defined entries, and uses building materials, colors and architectural details that complement the neighborhood, and minimize the visibility of parking areas and garages. The project supports these policies by expanding the type, and increasing the inventory, of housing units available for Pasadena families. The project would enhance the neighborhood character and quality by undergoing Design Review and through implementation of the "City of Gardens" development standards that emphasize the coherence, embellishment, and visibility of courts and

gardens. The project is also consistent with GPLU Policy 23.4 (Development Transitions) in that the project would ensure sensitive transitions in building scale between multi-family buildings and adjoining single-family residences.

Lastly, the project is also consistent with General Plan Housing Element Policy 1.3 (Housing Design). The residential project would incorporate excellent housing design through use of materials and colors, building treatments, landscaping, open space, parking, and environmentally sensitive and sustainable building design.

TREE PROTECTION ORDINANCE:

Pasadena 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 six trees on the site and four on the shared property line with the abutting property to the south. Of the six on-site trees, one is a protected Canary Island Palm tree with a brown trunk height of 30 feet. The tree is proposed to be removed and its removal will be considered during the Concept Design Review proceedings and is not part of this application. The other five on-site trees are not protected trees and are proposed to be removed. Two of the four trees on the shared property line are not protected, but will remain and the other two are protected Coast Live Oak trees with a DBH of 11" and 26" and are proposed to remain and be protected during construction. A Condition of Approval is included in Attachment B which requires that a Private Tree Removal Permit be approved for the requested removal of the Canary Island Palm tree and a tree protection plan for the two protected trees 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 no more than six dwelling units in an urbanized area; therefore, the proposed six-unit multi-family development is exempt from environmental review.

REVIEW BY OTHER DEPARTMENTS:

The Design and Historic Preservation, Building and Safety and Addressing Divisions of the Department of City Planning, along with the Departments of Public Works, Transportation, Water and Power, Fire, and Housing and Career Services were asked to review and comment on the project. Based on their review of the project, the Design and Historic Preservation, Building and Safety and Addressing Divisions, and the Departments of Public Works, Transportation and Water and Power (Water) provided comments and recommended conditions of approval that have been included in Attachment B of this staff report. No other comments or concerns were provided.

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 91 and 101 North Oak Avenue result in an average required front yard setback for the proposed project which is inconsistent with the blockface and limits the development area on site. Except

for the front yard 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 Tract Map would consolidate two land parcels into one and create six 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. As a result, staff recommends approval of the Minor Variance and Tentative Tract Map, subject to the findings in Attachment A and recommended conditions of approval in Attachment B.

ATTACHMENTS:

Attachment A: Minor Variance and Tentative Tract Map Findings

Attachment B: Recommended Conditions of Approval

**ATTACHMENT A
SPECIFIC FINDINGS FOR MINOR VARIANCE #11956
AND TENTATIVE TRACT MAP #84046**

Minor Variance: To allow a 25'-6" front yard setback, where a minimum front yard setback of 39'-10" is required.

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 yard setbacks of the developed lots in the same zoning district on the blockface, but not less than 20 feet. On the subject 11-lot blockface, the two subject lots (91 and 101 North Oak Avenue) have 105-foot front yard setbacks, which are unusually large when compared to the other setbacks on the blockface. The remaining nine properties have front yard setbacks ranging from 20 feet to 31 feet. Including the setbacks of the subject properties, the average front yard setback for blockface is 39'-10". If the front yard setback for these two lots were not included in the average front yard setback calculation, the average front yard setback will be 25'-4". Granting the Minor Variance will allow the applicant to develop a project with a front yard setback of 25'-6" which is similar and consistent to neighboring lots. Except for 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 39'-10" front yard setback limits the buildable area of the site. The lot is 180 feet in depth, and after applying the required 39'-10" front yard setback, the lot depth will be 139'-2", which will restrict the ability of the property owner to construct the allowed density of six units on the lot. 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 will 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 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 six-unit multi-family residential use is permitted by-right in the RM-16 Zoning District, and is consistent with neighboring properties. In addition, the proposed six-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 proposed six multi-family dwelling units will be consistent with the Medium Density Residential land use; therefore, the character of the residential neighborhood will be maintained. The approval of a

Minor Variance for a reduced front yard setback is consistent with GPLU Goal 21 (Desirable Neighborhoods) which supports the development of neighborhoods in the city that are composed of a variety of housing types that are desirable places to live, contribute to the quality of life, and are well maintained. Specifically, the project is consistent with GPLU Policy's 21.3 (Neighborhood Character), 21.4 (New Residential Development) and 21.5 (Housing Character and Design) as the proposed six-unit condominium will be constructed with high quality materials and in a design that is well conceived, constructed, and maintained, while maintaining elements that unify and enhance the character of the residential street. The granting of the reduced front yard setback will allow the project to provide compatible setbacks, building form, scale, massing and relationship to street frontages.

In addition, the project supports Goal 23 (Multi-Family Neighborhoods) which strives to create multi-family residential neighborhoods that provide ownership and rental opportunities that exhibit a high quality of architectural design and incorporate amenities for their residents. The project supports these policies by expanding the type, and increasing the inventory, of housing units available for Pasadena families. The project will enhance the neighborhood character and quality by undergoing Design Review and through implementation of the "City of Gardens" development standards that emphasize the coherence, embellishment, and visibility of courts and gardens. 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 Tract Map: To allow the consolidation of two land parcels into one, and the creation of six 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 project as proposed is consistent with the goals and objectives of the General Plan Land Use Element and Housing Element. The subject site is designated as Medium Density Residential in the General Plan Land Use Element (GPLU) and proposed six multi-family dwelling units will be consistent with the Medium Density Residential land use; therefore, the character of the multi-family neighborhood will be maintained. The approval of the Tentative Tract Map to consolidate two land parcels into one, and to create six air parcels, is consistent with GPLU Goal 21 (Desirable Neighborhoods) and Goal 23 (Multi-Family Neighborhoods). Goal 21 supports the development of neighborhoods in the city that are composed of a variety of housing types that are desirable places to live, contribute to the quality of life, and are well maintained. In addition, Goal 23 (Multi-Family Neighborhoods) strives to create multi-family residential neighborhoods that provide ownership and rental opportunities that exhibit a high quality of architectural design and incorporate amenities for their residents.

Specifically, the project is consistent with GPLU Policy's 21.3 (Neighborhood Character), 21.4 (New Residential Development) and 21.5 (Housing Character and Design) as the proposed six-unit condominium will be constructed with high quality materials and in a design that is well conceived, constructed, and maintained, while maintaining elements that unify and enhance the character of the residential street. The project will provide compatible setbacks,

building form, scale, massing and relationship to street frontages. The project is also consistent with GPLU Policy 23.4 (Development Transitions) in that the project would ensure sensitive transitions in building scale between multi-family buildings and adjoining single-family residences.

The project is also consistent with Policy's 23.1 (Character and Design) and 23.2 (Parking Areas and Garages) as the multi-family project utilizes a design that includes modulation of buildings, well-defined entries, and uses building materials, colors and architectural details that complement the neighborhood, and minimize the visibility of parking areas and garages. The project supports these policies by expanding the type, and increasing the inventory, of housing units available for Pasadena families. The project will enhance the neighborhood character and quality by undergoing Design Review and through implementation of the "City of Gardens" development standards that emphasize the coherence, embellishment, and visibility of courts and gardens.

Lastly, the project is also consistent with General Plan Housing Element Policy 1.3 (Housing Design). The residential project will incorporate excellent housing design through use of materials and colors, building treatments, landscaping, open space, parking, and environmentally sensitive and sustainable building design.

7. *The site is physically suitable for the type of development.* The site is located in an urban area, is primarily flat, and does not contain any significant environmental resources. The proposed multi-family development will be located on a site that allows for multi-family residential, consistent with lots on the block and in the vicinity that are similar in topography and developed with similar uses.
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 is located in an urbanized area, not near any sensitive habitat, and does not contain any significant environmental resources. The proposal will not cause substantial environmental damage as the site has been previously developed with residential uses. The proposal for lot consolidation and six air parcels will not cause any physical change to the site, as the subdivision is for a mapping action only. 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). Further, there are no features that distinguish this project from others in the exempt class and the project is in compliance with the California Environmental Quality Act, and is determined to be exempt.
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 subdivision and proposed project will be consistent with uses on the block and in the vicinity. The proposed subdivision will comply with the minimum lot area and width requirements for new parcels in the RM-16 zoning district. The multi-family residential project has been designed in compliance with the applicable Zoning Codes, with the exception to the required front yard setback, and architectural design requirements. The project provides appropriate open space, ventilation, light, and circulation within the site, consistent with requirements of the Zoning Code. Therefore, the proposed improvements are not likely to cause serious health problems. The development is within the maximum density allowed for the site. The six 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 consolidate two parcels into one land lot and to create six air parcels will comply with the applicable standards of Title 16. The Tentative Tract Map was prepared by a registered engineer, obtained a map number assigned by the County, references the locations of adjacent streets and other public properties, identifies easements, and references means of vehicular access. Copies of the Tentative Tract Map were provided to relevant reviewers including the Water and Power Department, Housing Department, Public Works Department, Design and Historic Preservation Division and the Building and Safety Division as required by Title 16. The proposed project complies with the land use designation under the General Plan.
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 provide standards that will require the applicant to connect to public sewer. Compliance with this requirement will be verified as a part of the building permit process. The Water and Power Department reviewed the proposal and determined that water service can be provided. The Public Works Department reviewed the proposal and has required that the project be connected to public sewer.
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, because no public easements traverse the site.

**ATTACHMENT B
CONDITIONS OF APPROVAL FOR MINOR VARIANCE #11956
AND TENTATIVE TRACT MAP #84046**

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, September 6, 2023", 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, September 6, 2023":
 - a. Minor Variance: To allow a 25'-6" front yard setback, where a minimum 39'-10" is required; and,
 - b. Tentative Tract Map #84046: To allow for the consolidation of two land parcels (APN's 5746-010-036 and 5746-010-037) into one and for the creation of six air parcels for residential condominium purposes. The creation of the six (6) air parcels shall occur substantially as shown on the submitted plans, except as modified herein and shall comply with the applicable land use regulations and development standards of the Pasadena Municipal Code subject to the approval of the Hearing Officer.
3. Time Limits and Extensions:
 - a. The right granted under the Minor Variance 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 Zoning Code Section 17.64.040.C (Time Limits and Extensions – Extensions of Time).
 - b. In accordance with Section 16.18.060.A of the Pasadena Municipal Code, the exercise of the right granted under this application must be commenced within two years of the effective date of the approval. It shall expire and become void, unless an extension of time is approved in compliance with Section 16.18.060 of the Municipal Code.
4. The applicant shall receive written final approval of the addresses that will be assigned to each proposed parcel/unit prior to recordation of map. Final approval of the addresses shall come from the Addressing Coordinator. For additional information please contact the Addressing Coordinator at (626) 744-4622.
5. Any change to these conditions of approval may require the modification of this Minor Variance or a new Minor Variance.
6. The applicant or successor in interest shall meet the applicable code requirements of all City Departments.
7. The final decision letter and conditions of approval shall be incorporated in the submitted building plans as part of the building plan check process.

8. The proposed project, Activity Number **ZENT2022-00096**, 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 Jennifer Driver, Current Planning Section, at jdriver@cityofpasadena.net or (626) 744-6756 to schedule an appointment for the Final Zoning Inspection.

Planning Division

9. The common area portions of the site shall be maintained and kept in good condition at all times.
10. The applicant shall satisfy the requirements of Zoning Code Chapter 17.46 (Parking and Loading) prior to the issuance of a Building Permit.
11. All exterior mechanical equipment shall be architecturally screened from view of the public right-of-way in a manner subject to review and approval by the Zoning Administrator and Design and Historic Preservation staff.
12. All landscape and walkway lighting shall be directed downward to minimize glare.
13. 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.
14. All proposed fencing and/or walls shall comply with Zoning Code Section 17.40.180 (Walls and Fences).
15. 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).
16. At no time shall construction activities, including, but not limited to, construction materials, vehicles and equipment, obstruct access to vehicular driveways of adjacent properties.
17. 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

18. Governing Codes:

- a. Comply with the Current Edition of California Building Code, California Electrical Code, California Plumbing Code, California Mechanical Code, California Energy Code, California Green Building Standard Code and 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.
- b. All construction documents shall be prepared by a **registered design professional**; stamp and sign all plans
- c. Important: **New 2022 Codes will be in effect starting on January 1st 2023.**

19. Building Code Analysis:

- a. Provide a Building Code Analysis on the title sheet. Include the code(s) information for each building proposed: Descriptive scope of work, occupancy, assessor's parcel number, number of stories, type of construction, fire sprinklers, floor area, height, and allowable floor area.

20. Best Management Practices:

- a. Photocopy to plans and complete the BEST MANAGEMENT PRACTICE page 1 (form must be signed). Photocopy any other applicable pages and cross reference the location at the site plan, i.e. the material storage, the concrete waste management, etc. These forms can be found at <https://www.cityofpasadena.net/planning/wp-content/uploads/sites/30/Best-Management-Practice.pdf?v=1660257256461>

21. Property Line Survey Required.

- a. Per City of Pasadena Policy property line survey is required for:
 - i. **New construction.**
 - ii. Auxiliary buildings and additions where setback is less than 5'-0" to property line.
 - iii. All buildings where specific Zoning Division Variance is issued for approved setbacks and whether newly constructed or altered.

22. Soils Report Required.

- a. A soils engineer report is required for:
 - i. **All new constructed single and multi-family residential, commercial, and industrial buildings.**
 - ii. An addition to a commercial or industrial building.
 - iii. Second (2nd) story addition to existing one-story building.
 - iv. Hillside construction, i.e. decks, retaining walls, and swimming pools.

23. Green Code:

- a. Photocopy to plans and complete the 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE WITH CITY OF PASADENA AMENDMENTS FORMS. These forms are being provided attach and can be found at <https://www.cityofpasadena.net/planning/building-and-safety/bs-applications-forms/#informational-handouts>

24. Low Impact Development (LID):

- a. Low Impact Development (LID) **may** be required for this project. Refer to the City of Pasadena link for further information on the requirements and submittal process: <https://www.cityofpasadena.net/planning/wp-content/uploads/sites/30/Form-PC.pdf?v=1660258029980>.

25. Means of Egress (Exiting), Natural Light & Ventilation:

- a. 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 as applicable.
- b. Provide and specify at least one operable exterior opening in basements, habitable attics, and every sleeping room with the minimum clear opening requirements for an **emergency escape and rescue opening** on the plans or schedule.
- c. Provide a minimum of 8 percent for **natural lighting** and 4 percent for **natural ventilation** of the floor area of all habitable rooms/areas. Provide a window/door schedule.

26. Fire and Smoke Protection Features:

- a. Show materials, systems and assemblies used for structural fire resistance and fire-resistance-rated construction separation of adjacent spaces to safeguard against the spread of fire and smoke within a building and the spread of fire to or from buildings.

27. Accessibility:

- a. Provide compliance with accessibility per CBC Chapter 11A and 11B accordingly.
- b. Provide an analysis for the minimum required units and parking spaces. Label the accessible units/parking spaces.

28. Required Plans and Permit(s):

- a. In addition to architectural plans, provide Structural, Shoring, Plumbing, Mechanical, Electrical plans, PV systems and grading plans as required. No deferred submittal.
- b. Separate permits are required for the following: Mechanical, Electrical, Plumbing, Fire Sprinkler, Demolition, Block walls, others.

- c. New ePermitting services. Visit the city website at:
<https://www.cityofpasadena.net/planning/permit-center/permit-center-online/>

Addressing

29. General Comments: The address for the newly proposed six-air parcel project with six dwellings will be determined based on the pedestrian path of travel from the public right of way leading up to the main front door entrance into each of the proposed residence. In the case of this site, it is comprised of two parcels, whose current addresses are formally known as 91 and 101 North Oak Avenue respectively. Therefore, the addresses more than likely change to reflect the access point of the new dwellings. Based on the current layout of the homes, the addresses could tentatively be assigned as 91-101 N. Oak Avenue. However, no address shall be determined until the drawings for the project are completed and submitted for plan check subsequently.

Once it is established that there is a need for a new address, it will be determined once we have received the 8 ½ x 11" site map showing the main entrance into the proposed residence. The site map must comply with the following:

- a. Site map must be 8 1/2" x 11" in size (not a reduction of submitted site plan).
- b. Site map must show all public right of ways, including any alleys or streets in clear print and bold with North Arrow clearly labeled.
- c. Identify all structures and the location of the driveways on the parcel area that includes the neighboring buildings. Show where the main front door entrance of the proposed building will be located as well as the existing buildings in the vicinity.
- d. Site map must show the pedestrian path of travel from the public sidewalk leading up to the main front door entrance into the proposed building will be located as well as the existing buildings in the vicinity.
- e. Site map must be accompanied with a completed Address Application and addressing fee per address requested.

Once a building permit has been issued, the letter that authorizes the applicant to utilize the address will be issued. Please note that a letter will not be issued until after all the requirements listed below are met and only after the building permit has been issued. Copies of the address assignment letter will be sent to the relevant agencies within and outside of the City of Pasadena.

30. Governing Codes: Pasadena Municipal Code Chapter 12.20 Building Numbering.

31. Estimated Fees: If applicable, the address fees will be determined after receiving the aforementioned site map, addressing application and associated fees are received. The fees per address are estimated to be \$301 per address assignment, not including a 3% Records management fee surcharge.

Public Works Department

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

The applicant shall submit the application, plan and processing fee, associated with processing the license agreement, at least three to four (3-4) months prior to the issuance of any permits. An approved license agreement will allow the applicant to install and maintain the private improvements within the public right-of-way with conditions.

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

All steel rods in every tie-back unit shall be relieved of all tension and stresses, and any portion of soldier beams and any portion of the tie-backs located be removed entirely from the public right-of-way. A monthly monitoring report stamped and certified by a licensed surveyor shall be submitted to indicate that the deflection from any piles or soldier beams does not exceed one inch. Upon completion of construction, the developer or his contractor shall remove all tie-back rods within the public right-of-way. The removal shall be documented by a report certified by a licensed deputy inspector. The report shall be submitted to the City for review and approval. The applicant will be charged a penalty of \$7,000 for each tie-back rod not removed from the public right-of-way. For temporary tie-backs or shoring, the maximum width of the license area fronting the development frontage(s) shall only extend to the centerline of the public right-of-way.

35. The applicant shall comply with any Department of Transportation conditions in regards to sidewalk widths. The applicant shall construct new concrete sidewalk for all the conditioned

dedicated areas in accordance with Standard Plans S-421. The applicant shall be responsible for all the costs required to complete the dedication. The dedication document and processing fee shall be submitted to this office, at least three to four (3-4) months prior to the issuance of any permits. The dedication documents shall be executed and recorded prior to the issuance of the Certificate of Occupancy.

36. 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.
37. 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.
38. 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.
39. 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.
40. 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.
41. 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/>
42. 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.

43. 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.
44. The applicant shall at minimum provide the following within a designated TPZ: mulching, irrigation, and protective fencing.
45. 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.
46. 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.
47. 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.
48. 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.
49. In order to ensure that the developer maintains a clean and safe site during the construction phase of development, the applicant shall place a \$20,000 refundable deposit with the

Department of Public Works prior to the issuance of any permit. This deposit 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, street trees, curb, gutter, and sidewalk, either directly or indirectly, by the construction on this site. This deposit may also be used for charges due to damage to existing street trees and for City personnel to review traffic control plans and maintain traffic control.

50. 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.
51. 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.
52. In addition to the above conditions, the requirements of all applicable Pasadena Municipal Code (PMC) will apply and be implemented during the corresponding plan review and permitting. They may include but not limited to:
 - a. Sidewalk Ordinance - Chapter 12.04
 - b. Sewer Facility Charge – Chapter 4.53
 - c. Residential Impact Fee – Chapter 4.17
 - d. City Trees and Tree Protection Ordinance - Chapter 8.52
 - e. Construction and Demolition Waste Ordinance - Chapter 8.62
 - f. Holiday Moratorium of activities within public right-of-way – Chapter 12.24.100

Department of Transportation

53. Entry Gate(s): Any parking entry gate shall be setback a minimum 20' from the property line. The gate must be included on the site plan and approved by the Department of Transportation prior to the issuance of the first permit for construction (demolition, grading, or building).
54. Traffic Impact Fee: The Traffic Reduction and Transportation Improvement Fee (Ordinance No. 7076) will apply to all net new residential, retail, industrial, and office developments.

55. Construction Staging & Traffic Management: Prior to the start of construction or the issuance of any permits, the applicant shall submit a Construction Staging & Traffic Management Plan to the Department of Public Works for review and approval. This plan shall show the impact of the various construction stages on the public right-of-way including street occupations, parking space relocation agreements, closures, detours, staging areas, and routes of construction vehicles entering and exiting the construction site. Permitted hours for construction vehicles (delivery, haul) may be limited to the hours between 9:00 AM – 3:00 PM.

Water Division

56. Water Mains:

- a. Pasadena Water and Power (PWP), Water Division can serve water to this project. There is a 6-inch ductile iron water main in Oak Avenue, installed under Work Order 6613 in 1996. This water main is located approximately 20 feet east of the west property line of Oak Avenue.

57. Moratoriums:

- a. Verify with Public Works Department regarding any street construction moratorium affecting this project.

58. Water Pressure:

- a. The water pressure at this site is approximately 70 psi.

59. Water Service:

- a. PWP records reflect a ¾-inch water service (#16609) from 1996 serving the property. 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. Additionally, 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.

60. Water Division Requirements:

- a. 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.
- b. The Water Division will install the service tap, lateral, water meter and designate the distribution main and service tap.

- c. All services not in use must be abandoned at the distribution main at the applicable rate.
- d. For subdivided lots with one unit behind the existing, show easement documentation and assessor parcel map showing the subdivision.
- e. 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 and any services 50 years and older require abandonment.

61. Cross Connection Requirements for Domestic Services:

- a. 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.
- b. There shall be no taps between the meter and the backflow assembly.
- c. 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.
- d. 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.
- e. 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.
- f. 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.
- g. All water services shall be protected from cross connections by means of approved backflow prevention techniques and assemblies.
- h. An administrative fee of \$180.94 will be charged for each backflow prevention assembly installed.

62. Cross Connection Requirements for Fire Service (if required):

- a. The fire service requires a detector meter and back-flow prevention assembly.

- b. The assembly shall be located in a readily accessible location for meter reading, test and maintenance.
- c. All fire sprinkler systems require installation of an approved double check valve backflow prevention assembly at the sprinkler lateral off the domestic system.
- d. 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.
- e. 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.
- f. If PWP is to provide DCDA for fire service, PWP will install Wilkins, model 450 DA.
- g. Choose from one of the below listed options and incorporate into the fire sprinkler plans.
 - i. Option 1:
 - (1) Detector meter located on double check detector check assembly (DCDA) outside the structure on private property.
 - (a) 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.
 - (b) 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.
 - ii. Option 2:
 - (1) 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.
 - (a) The Water Division will install the service tap, lateral, detector water meter and designate the distribution main and service tap.
 - (b) 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.

63. All Other Cross Connection Requirements:

- a. 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.

64. Residential Water Metering Requirements:

- a. 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."

The following submetering options are available for PWP customers:

i. Option 1:

(1) Individual metering located on the parkway.

- (a) 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.

ii. Option 2:

(1) Individual metering located on private property.

- (a) 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.

iii. Option 3:

(1) Submetering by third party vendor located on private property.

- (a) 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.

65. Fire Flow and Fire Hydrants:

- a. 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 is one fire hydrant in close proximity to the project. Fire hydrant number 916-26 is located on the west curb of Oak Avenue, approximately 175 feet south of Gladys Street.

If you would like to request for a fire flow test, please contact Linette Vasquez at (626) 744-7064.

66. Fire Hydrants Details:

