

# Agenda Report

**TO: CITY COUNCIL**

**DATE: July 31, 2006**

**FROM: CITY MANAGER**

**SUBJECT: EXTEND THE INTERIM URGENCY ORDINANCE OF THE CITY OF PASADENA TEMPORARILY PROHIBITING THE ISSUANCE OF BUILDING, MECHANICAL, AND ELECTRICAL PERMITS IN THE B-7 ELECTRIC CIRCUIT AREA OF THE CITY (WEST OF 210 FREEWAY TO WESTERN CITY LIMIT, NORTH OF COLORADO BOULEVARD TO CHARLES STREET)**

## RECOMMENDATION

It is recommended that the City Council:

1. Find the proposed moratorium to be exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), State CEQA Guidelines Section 15060(C)(2), because the moratorium will not result in a direct or reasonably foreseeable indirect physical change in the environment; and State CEQA Guidelines Section 15262, because the project involves only feasibility or planning studies for possible future actions, which the City has not approved, adopted, or funded, and does not involve adoption of a plan that will have a legally binding effect on later activities
2. Extend the existing interim moratorium for an additional 10 months and 15 days pursuant to Government Code Section 65858 limiting new electrical connection or electrical upgrades on all parcels within the B-7 electric circuit area boundary defined in Attachment A (B-7 Area)
3. Find that (a) continued approval of new electrical construction and electrical upgrades on all parcels in the B-7 Area under the existing requirements would have a current and immediate threat to the public health, safety, or welfare pursuant to the standards and policies set forth in the General Plan and (b) an interim ordinance establishing the proposed moratorium is necessary to avoid these threats
4. Recognize that an impact on Building and Development permit exists, and authorize the Building Official, Planning Manager, and the Zoning Administrator to stay any effective building or development permit within the affected area.

5. Direct the City Attorney to prepare an extension of the interim urgency ordinance implementing this recommendation.

## **BACKGROUND**

Pasadena's electric distribution system consists of a network of electrical circuits and equipment that delivers electricity to many homes and businesses. The circuits are generally described by their voltage, either the lower voltage 4 kV or higher voltage 17 kV. The lower voltage circuits typically feed residential areas, and the 17 kV circuit serves high density areas and commercial areas. The area west of the 210 freeway to the western city limit, and north from Colorado Boulevard to Charles Street is served by a 4 kV circuit commonly referred to as B-7.

On June 21<sup>st</sup> 2006, Council introduced an ordinance for a development moratorium for a period of 45 days on all building, mechanical and electrical permits that involve new electrical construction or electrical upgrades on all parcels within the B-7 electric circuit area boundary defined in Attachment A (B-7 Area). On June 26<sup>th</sup> 2006 Council adopted Ordinance No. 7048, which implemented such a moratorium, and the ordinance became effective June 29, 2006.

Additional electrical loads resulting from new residential construction or renovations and upgrades would jeopardize the integrity of the circuit; and could cause fire, electrocution, property damage and bodily injury. Furthermore, increasing the electrical load will likely impact the ability to provide essential electric service to the City and cause long lasting outages.

The moratorium provides an opportunity to determine what infrastructure improvements are necessary and to implement them in order to provide the services that are directed by the General Plan.

Though the population total is not changing significantly in the area, electric demand increases as homeowners upgrade, add to their homes, and include many electrical appliances, such as larger air conditioning units, multiple TVs and pools, etc. That is the case in the area served by the B-7 circuit; this situation could be duplicated many times throughout Pasadena. The extent of this situation will not be known until the electric system model and analysis are completed.

PWP became aware of this condition when evaluating a new development that would require electrical service from B-7 and after reviewing the electric data information captured by its Supervisory Control and Data Acquisition system (SCADA) completed last year.

During the initial moratorium, PWP evaluated the load flow data for B-7 circuit and determined that voltage levels and conductor loading were not within acceptable reliability levels. PWP identified the following short-term solutions to resolve the overloading experienced on this circuit:

1. Balance the loading between phases of the distribution circuit;
2. Install a voltage regulator to boost voltages on the remote ends of B-7; and
3. Shift some load from the existing B-7 circuit to the adjacent ER-1 circuit.

The Electrical Distribution Master Plan recommends converting the 4 kV B-7 Circuit, along with other 4 kV circuits, to 17 kV circuits, but this is a long-term solution that cannot be implemented in the next 12 months.

Until the solution is implemented and the electrical load is alleviated from B-7, PWP recommends that a temporary moratorium be narrowed so it is only applicable to new electric service connections or an upgrade of the existing service in the area served by the 4kV B-7 circuit and be extended for another 10 months and 15 days.

Issuance of Certificate of Occupancy or final permit sign off in B-7 area may be denied as a result of this moratorium.

The extension of the moratorium (an additional 10 months and 15 days) will allow Pasadena Water and Power (PWP) to further analyze, design and implement the most appropriate short-term solution or a combination of short-term solutions. Such an implementation would alleviate the current over-loaded condition of B-7 circuit, lessen the risks of property damage and improve the circuit reliability. PWP will minimize the inconveniences to our customers such as long and frequent outages during the implementation phase.

**Applicability:**

During the period of the moratorium, the City would issue permits to parcel owners within the B-7 area with the understanding that an electrical connection to the electrical system would not be completed until PWP alleviates the electrical loads on B-7 circuit and completes the implementation of the short-term solution or solutions discussed above. Projects within the B-7 area that have been issued a permit prior to the effective date of this urgency ordinance or that are currently being reviewed may pursue the electrical construction but cannot connect to the City's distribution system until the short-term electrical upgrade of B-7 is completed.

During the period of the moratorium, permits for Temporary Power may be granted for new construction only, as long as a PWP electrical service is readily accessible and will not require more than 100 amperes electrical service. Also, permits would be issued during the moratorium on a finding that a particular parcel is not served by the B-7 circuit.

**Exceptions:** Due to the severity of this condition, staff is proposing that there be no exceptions to this policy

**Processing:**

During the period of the moratorium, the City will continue to accept applications for discretionary entitlements and plan checks, and issue development permits. However, any discretionary approvals will, as a condition of approval, note that development may not be connected to the electrical system until PWP alleviates the electrical loads on B-7 and completes the implementation of the short-term solution or solutions discussed above.

**STATE LAW REQUIREMENTS**

California law states that "[t]he legislative body of a...city..., to protect the public safety, health, and welfare, may adopt as an urgency measure an interim ordinance prohibiting any uses that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that the legislative body, planning commission or the planning department is considering or studying or intends to study within a reasonable time." (Government Code Section 65858) With legislative findings that there is a current and immediate threat to the public health, safety, and welfare the interim ordinance may be in effect for 45 days. The legislative body may extend an interim ordinance for a 10 month and 15 day period, and again for another one year period, to a total period of two years, if certain additional findings are made.

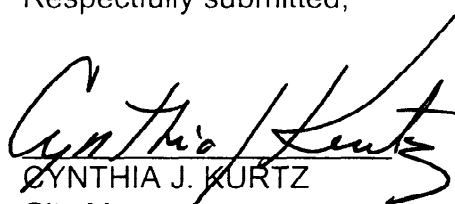
**ENVIRONMENTAL DETERMINATION**

This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act, CEQA Guidelines, Section 15060 (C)(2) because the moratorium will not result in a direct or reasonably foreseeable indirect physical change in the environment, and State CEQA Guidelines Section 15262, because the project involves only the feasibility or planning studies for possible future actions which the City has not approved, adopted, or funded, and does not involve adoption of a plan that will have a legally binding effect on later activities.


**FISCAL IMPACT**

Revenue from fees for permits and for construction tax will not be received for projects subject to the moratorium during the period of the moratorium. Receipt of property tax attributable to the construction of new projects would be delayed. The implementation of the engineering solution (s) is funded in CIP No. 3090 and 3161.

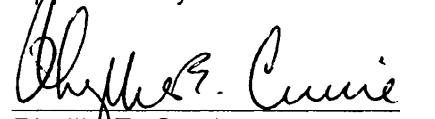
Respectfully submitted,

  
CYNTHIA J. KURTZ  
City Manager

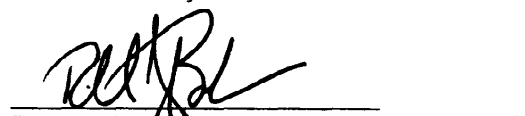
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Attachments:

- A. B-7 Circuit Boundary Area Map

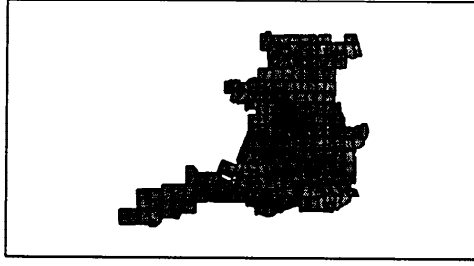
# City of Pasadena









PASADENA  
Water & Power

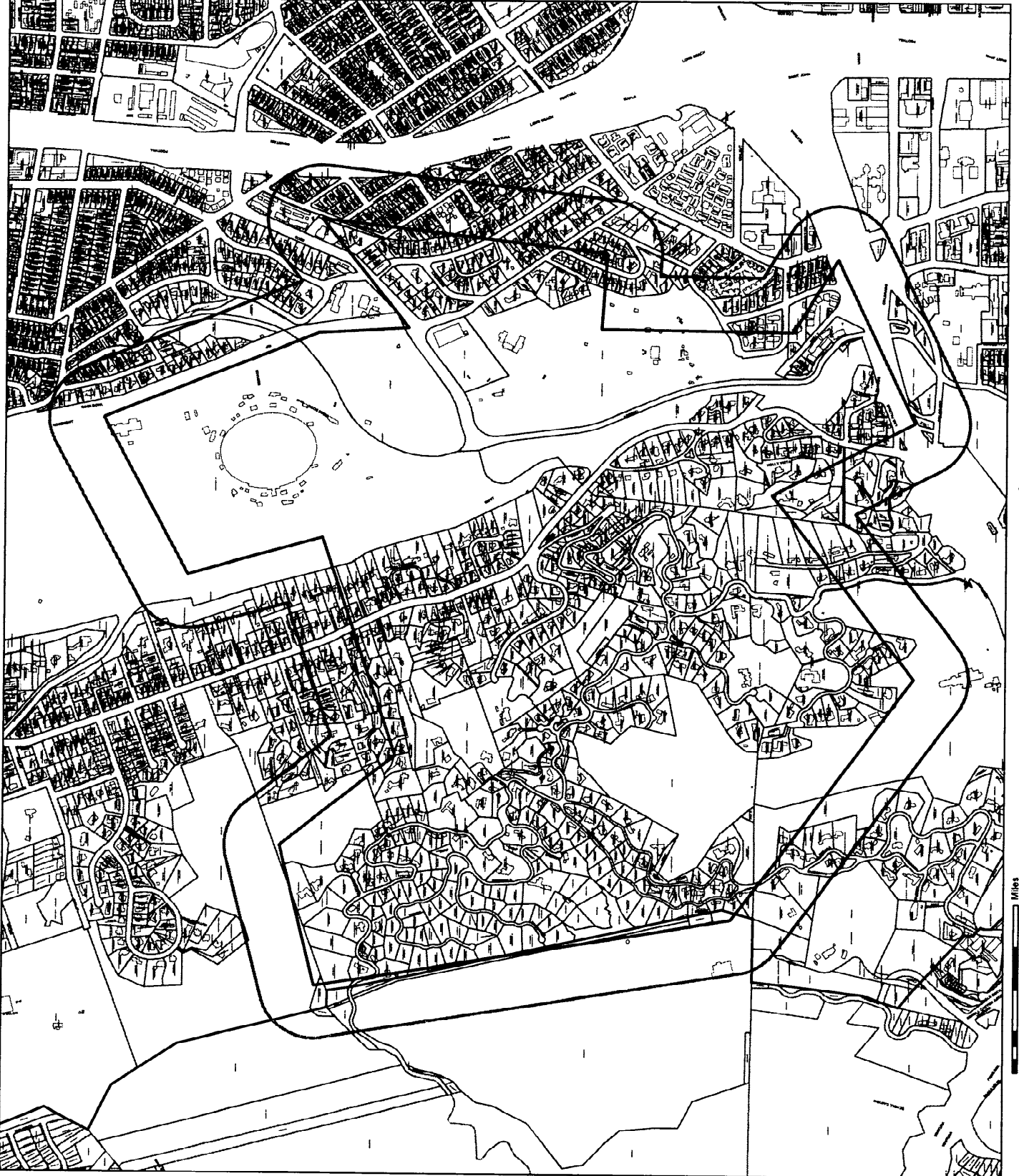


**B-7 CIRCUIT  
BOUNDARY  
AND PARCEL  
APN NUMBERS**



### Legend

-  B-7 Circuit
-  B-7 Parcels
-  B-7 500ft Buffer
-  Building Footprint
-  Assessor Parcel
-  City Boundary



Miles  
0.0576 0.15 0.225 0.3

June 05, 2006