



Ordinance Fact Sheet

TO: CITY COUNCIL

DATE: OCTOBER 16, 2006

FROM: CITY ATTORNEY

SUBJECT: AN ORDINANCE AMENDING THE ZONING MAP AND ZONING CODE, TO ESTABLISH PLANNED DEVELOPMENT-32 (ROSE AVENUE)

TITLE OF PROPOSED ORDINANCE

AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE OFFICIAL ZONING MAP AND THE ZONING CODE (TITLE 17) OF THE CITY OF PASADENA ESTABLISHED BY SECTION 17.20.020 OF THE PASADENA MUNICIPAL CODE TO CREATE PLANNED DEVELOPMENT 32 (ROSE AVENUE) AND ESTABLISH DEVELOPMENT STANDARDS

PURPOSE OF ORDINANCE

This ordinance implements and codifies the zoning map amendment and zoning code amendment approved by the City Council on August 14, 2006. The purpose of this ordinance is to reclassify the property from RS-1 (Single-Family Residential, one unit per acre) to PD-32 (Planned Development-32, Rose Avenue) as shown in the exhibit attached to the ordinance.

REASON WHY LEGISLATION IS NEEDED

This legislation is needed to amend the Zoning Code and Zoning Map in order to allow for the establishment of a new planned development, and for construction according to the development standards set forth in the planned development.

PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED

The Planning and Development Department will implement the proposed ordinance.

MEETING OF 10/16/2006

AGENDA ITEM NO. 9.A.1.

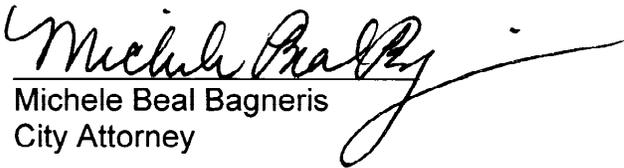
FISCAL IMPACT

The developer has paid fees for the required discretionary actions. Permitting fees will be collected from any future development proposed on the site.

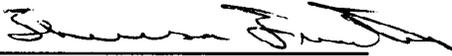
ENVIRONMENTAL

A Mitigated Negative Declaration was prepared and approved for the project in conformance with the requirements of the California Environmental Quality Act (CEQA).

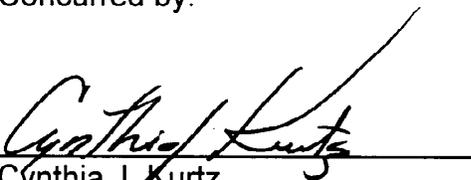
Respectfully submitted,


Michele Beal Bagneris
City Attorney

Prepared by:


Theresa Fuentes
Deputy City Attorney

Concurred by:


Cynthia J. Kurtz
City Manager

Introduced by: _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE OFFICIAL ZONING MAP AND THE ZONING CODE (TITLE 17) OF THE CITY OF PASADENA ESTABLISHED BY SECTION 17.20.020 OF THE PASADENA MUNICIPAL CODE TO CREATE PLANNED DEVELOPMENT 32 (ROSE AVENUE) AND ESTABLISH DEVELOPMENT STANDARDS

The People of the City of Pasadena ordain as follows:

SECTION 1. This ordinance, due to its length and corresponding cost of publication will be published by title and summary as permitted by Section 508 of the Pasadena City Charter. The approved summary of this ordinance is as follows:

“SUMMARY

This proposed ordinance will amend the official zoning map of the City of Pasadena to create “Planned Development 32 – Rose Avenue,” and establish development standards for this Planned Development. A map showing these modifications is attached to the full text of the ordinance and is on file in the City Clerk’s Office.

Ordinance No. _____ shall take effect 30 days from its publication.”

SECTION 2. The official map of the City of Pasadena as established by Section 17.20.020 is amended by modifying the boundaries of certain zoning districts established therein as follows:

By reclassifying from the RS-1 (Single-family Residential, one unit per acre) to PD-32 (Planned Development – Rose Avenue), as shown on the map entitled “1000 Rose Avenue, Planned Development - 32 (PD – 32)” attached hereto as Exhibit A and incorporated herein by this reference as if fully set forth herein, and on file in the City Clerk’s office of the City of Pasadena.

SECTION 3. The Zoning Code (Title 17) of the Pasadena Municipal Code is amended by adding “Planned Development -32 - Rose Avenue” to Appendix A. The development standards set forth in Exhibit B, attached hereto, are hereby established for “Planned Development -32 - Rose Avenue”.

SECTION 4. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published by title and summary.

SECTION 5. This ordinance shall take effect 30 days from its publication.

Signed and approved this _____ day of _____, 2006.

Bill Bogaard
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its meeting held this _____ day of _____, 2006, by the following vote:

AYES:

NOES:

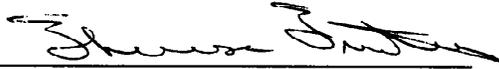
ABSENT:

ABSTAIN:

Published:

JANE L. RODRIGUEZ, CMC
CITY CLERK

APPROVED AS TO FORM:

A handwritten signature in black ink, appearing to read "Theresa E. Fuentes", written over a horizontal line.

Theresa E. Fuentes
Deputy City Attorney

TEF Ordinances/Resolutions/Rose Ave PD ordinance

EXHIBIT A

1000 Rose Avenue Planned Development-32 (PD-32)

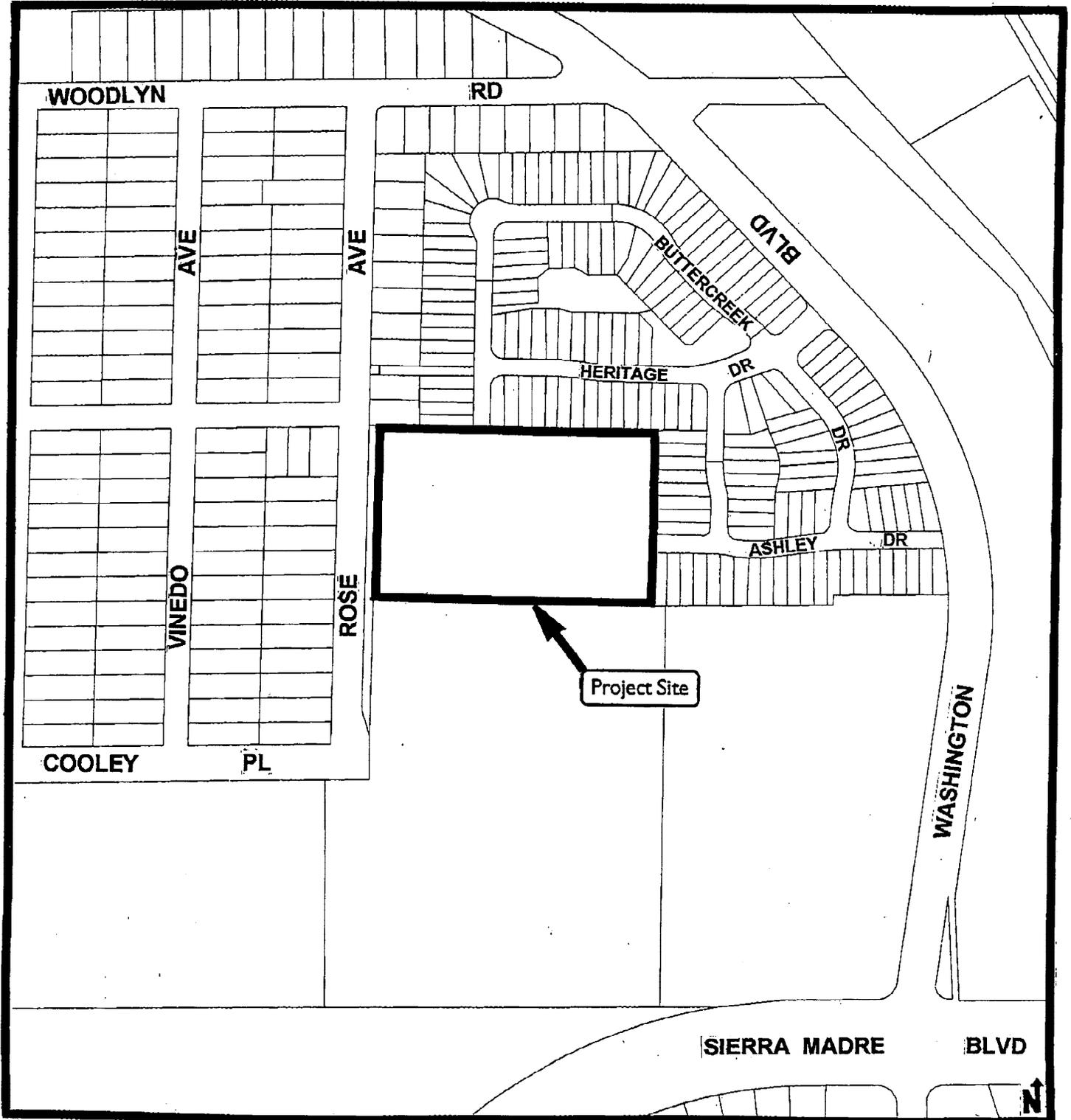


Exhibit B

**Development Standards
For Planned Development – 32
Rose Avenue**

Planning

1. The site plan to be submitted for building permits shall substantially conform to the site plan dated March 28, 2006, except as modified if applicable. A detailed site plan/floor plan for review and approval by the Zoning Administrator shall be submitted prior to the issuance of a building permit.
2. The site shall be limited to residential uses and other accessory uses related to the single family residential uses as determined by the Zoning Administrator.
3. The maximum number of dwelling units shall not exceed 35 units nor 7.3 units per acre.
4. The lots fronting Rose Avenue shall be at least 5,000 square feet in area.
5. All other lots in the project shall be at least 4,140 square feet in area.
6. Floor Area Ratio for lots fronting Rose Avenue shall be limited to a maximum of 46% of the total lot area.
7. Floor Area Ratio for other parts of the project shall be limited to a maximum of 63% of the total lot area.
8. The minimum side yard setback from the Rose Avenue property line shall be 20 feet.
9. The front yard for all lots in the project shall be a minimum of 15 feet in depth; and when garages open to the street, the front yard shall be a minimum of 18 feet in depth (measurement is to be taken from the rear of the sidewalk or carriage walk to the garage door or wall plane, facing the street).
10. The side yard setback for all of the lots within the subdivision shall be a minimum of 5 feet, with the exception of lot 10, which has a 4 foot side yard setback only along one side of the garage .
11. There shall be a corner side yard setback of 10 feet minimum along all corner lots in the interior of the project, except lot 13 where four feet is allowed.
12. There shall be a minimum rear yard setback of 20 feet for all lots with garages located along the front elevation, except where garages are located in the rear yard, 5 feet will be required to the rear property line.

13. On lot 13, relocate the garage with the second story studio element from the rear yard to the front elevation.
14. The following yard encroachments will be allowed:
 - a. Unenclosed porches and balconies may project into a front setback a maximum of 5 feet.
 - b. Rotundas may project into a front setback a maximum of 3 feet.
 - c. Chimneys may project 24 inches for a maximum of 10 feet along the wall which it projects.
15. All mechanical equipment shall not be closer than 5 feet from a property line, in accordance Section 17.40.150 of the Pasadena Municipal Code, unless an alternate location or minor change is approved by the Planning Director.
16. No building within the Planned Development shall exceed 30 feet in height, with a top plate height of 23 feet, except for chimneys which may project 2 feet above the ridge line.
17. On houses with the garage in the rear, windows shall not be provided along the rear elevation of the second story above the garage.
18. The applicant shall submit a landscaping plan for review and approval by the Zoning Administrator.
19. The developer shall comply with the City's Tree Protection Ordinance.
20. The retaining wall along the south side of the development shall have vines such as Jasmine or Creeping Fig) growing over it to soften its appearance. The height of proposed walls and fences shall comply with Section 17.40.180 A. and B.– Walls and Fences for RS (Single Family) zoning districts.
21. All driveway entrances shall be paved with concrete.
22. Two covered parking spaces shall be provided for each residential unit of the site. All covered parking spaces shall be equipped with automatic garage door openers. A minimum of 12 guest parking spaces shall be provided for the project.
23. Accessory structures shall be limited to trellises, terraces, patio covers, gazebos a pool or hot tub, and related equipment, location in accordance with the provisions of the Zoning Code.
24. All construction activity, including equipment operation shall conform to Section 9.36110 of the Pasadena Municipal Code.

25. a. The project shall comply with chapter 17.42 of the Pasadena Municipal Code, Inclusionary Housing Ordinance. On August 14, 2006, the City Council approved a request by the developer to reimburse payment of In-Lieu Fees in the event developer provides Inclusionary Units Off-site within a 24 month period commencing at issuance of a building permit. The specific terms and conditions of the approved request shall be identified in a formal agreement entered into by and between the developer and the City of Pasadena.
- b. The project shall comply with all other regulations of the Zoning Code as deemed required.
26. a. The entrances to the project and the building frontages on Rose Avenue shall remain open and with no solid walls to prevent the appearance of a gated community.
- b. The applicant shall submit a preliminary plan which attempts to maximize on-street parking on Street 'A', reorganize the curb bump outs to flow and undulate more naturally, and maximize variation in house plan prior to building permit issuance.
- c. The Housing Division will work with the developer to find and produce affordable housing as opposed to paying the In Lieu Inclusionary fee.

Public Works

27. The developer shall execute a deed restriction which treats the new private streets in the development as private driveways to be maintained by the Home Owners Association (HOA) and property owners, and that the City will not maintain the private driveways, including but not limited to pavement, curb, gutter, sidewalk, drainage system, street lighting, trees, landscaping, and other related improvements. The HOA's conditions, covenants, and restrictions (CC & R's) shall be submitted to the Department of Public Works for review and approval. The developer or the HOA shall furnish to the Department a copy of the recorded HOA's CC & R's prior to the issuance of a Certificate of occupancy.
28. The applicant shall dedicate to the City easements for public utility, sanitary sewer, and ingress and egress purposes. The exact width and limits of the easements shall be determined by the Department of Public Works.
29. The applicant shall construct improvements for the private streets in the development, including concrete sidewalk, curb ramps, curb and gutter, storm drain system, pavement, street lights and "private street" signs, trees, and other related necessary work as determined by the Department of Public Works. Private streets shall be constructed with minimum one percent grades. A 3 1/2 foot wide concrete sidewalk shall be constructed on both sides throughout the subdivision as determined by the Department of Public Works. The concrete sidewalks shall have two percent cross slopes. At the driveway aprons to the single-family homes, the concrete sidewalk shall be constructed to comply with ADA requirements. Curb ramps shall be constructed at the intersection of

private streets where there is a 3 1/2 wide sidewalk. Trees, fire hydrants, and street lights shall not be installed in the sidewalk area, but behind the sidewalks. Utility boxes shall not be installed in the driveway aprons.

30. The applicant shall close any unused drive approach with standard concrete curb, gutter and sidewalk and shall repair any existing or newly damaged curb, gutter and sidewalk along the Rose Avenue frontage prior to the issuance of a Certificate of Occupancy. Existing street trees shall be protected using the City's Tree Protection Standards available from the Parks and Natural Resources Division (744-4514).
31. Rose Avenue was slurry sealed in November 2004, and is a moratorium street. If damaged, the street shall be cold milled and then resurfaced with 0.1 foot thick overlay upon completion of the construction of the development. The limits of the resurfacing along the frontage of the subject property shall be based upon the damage to the pavement prior to and during the construction of the development, and as determined by the Department of Public Works.
32. The main entrances/exits on Rose Avenue shall be constructed as a standard street intersection consisting of curbs, gutters, wheelchair ramps with truncated domes, striping, and signage as approved by the City Engineer. The curb radius shall be 25 feet. A special texturing treatment shall be installed on the private street to delineate it as private.
33. The applicant shall install "private street" signs at the main entrances/exits on Rose Avenue. Approval of the "private street" signs, including the locations for the signs, by both the Departments of Public Works and Transportation will be required prior to the installation of the signs.
34. The applicant shall plant street trees, quantity to be determined by the Department of Public Works, on the private streets and Rose Avenue and install and permanently maintain an irrigation system for the trees. The trees shall be planted a minimum of three feet behind the sidewalk. Locations will be finalized in the field by the Department of Public Works. Trees must meet the City's tree stock standards and be planted according to the details provided by the Parks and Natural Resources Division. The trees shall be approved by the Forestry Supervisor prior to the issuance of a Certificate of Occupancy. Plans for the irrigation system shall be prepared by a landscape architect registered in the State of California and submitted to the Department for review and approval.
35. The applicant shall submit to the Department of Public Works a grading and drainage plan and hydrology study for review and approval prior to the issuance of a building permit. The grading and drainage plan and the hydrology study

shall be prepared by a licensed civil engineer registered in the State of California. The hydrology study shall include calculations for the quantities of storm water runoff for the pre-development and post development conditions and how drainage will be handled.

36. On-site drainage shall be connected by a storm drain pipe to the existing City maintained storm drain system located in the Pasadena High School property along the south side of the proposed development that runs from Rose Avenue to Washington Boulevard. If easements are necessary for the storm drain connections, it is the applicant's responsibility to obtain the easements to be dedicated to the City from the Pasadena High School. The exact widths and limits of the easements, if needed, shall be determined by the Department of Public Works. The applicant shall be responsible for all the costs required to obtain and complete the easement dedications. Approval from the City Council will be required to complete the easement dedications. The storm drain connections shall be privately maintained by the property owners and HOA of the development. The City will not maintain the private storm drain connections.
37. If the proposed improvement drains to the drive approaches at the main entrances/exits on Rose Avenue, the applicant shall construct side opening concrete culvert inlets to be located immediately upstream of the drive approaches. The culverts shall discharge to the street at an approved angle. Calculations shall be submitted showing that the street has the capacity to safely carry the flow of water from the site.
38. The applicant shall install a street lighting system for the private streets. The type, hardware, and locations shall be approved by the Department of Public Works.
39. If the existing street lighting system along the project frontages is in conflict with the proposed development and or drive approaches at the main entrances/exits on Rose Avenue, it is the responsibility of the applicant to relocate the affected street lights, including conduits, conductors, electrical services, pull boxes and miscellaneous appurtenant work in a manner that complies with the requirements and receives the approval of the Department of Public Works.
40. The applicant shall pay the City \$1,865 for a site specific sewer capacity study, and for the applicant's share of the Citywide Sewer Master Plan study. The City has completed the site specific study and determined that the existing sewer system can accommodate the subject project.
41. Each residential parcel shall be connected to the public sewer by a method approved by the Department of Public Works. Sewer mains shall be eight-inch diameter vitrified clay pipe and installed in the public utility easements. The house sewer connections shall be six-inch diameter vitrified clay or cast iron pipe with a minimum slope of two percent.

42. The applicant is responsible for design, preparation of plans and specifications, and construction of all required public improvements. Plans for the above improvements shall be prepared by an engineer, registered in the State of California. Upon submission of improvement plans to the Department 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 and will be based upon the estimated cost for the Department to do the work.
43. The applicant shall submit the following plan and form which can be obtained from the Recycling Coordinator, (626) 744-4721, of the Department of Public Works for approval prior to the request for a demolition permit:
 - a. C & D Recycling & Waste Assessment Plan – Submit plan prior to issuance of the permit. A list of Construction and Demolition Recyclers can be obtained from the Recycling Coordinator.
 - b. Monthly reports must be submitted throughout the duration of the project.
 - c. 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. This deposit is fully refundable upon compliance with Chapter 8.62 of the Pasadena Municipal Code. A non-refundable Administrative Review fee is also due prior to permit issuance and the amount is based upon the type of project.

44. Past experience has indicated that projects such as this tend to damage the abutting street improvements with the heavy equipment and truck traffic that is necessary during construction. Additionally, the City has had difficulty in requiring developers to maintain a clean and safe site during the construction phase of development. Accordingly, the applicant shall place a \$20,000 deposit with the Department of Public Works prior to the issuance of a building or grading permit. This deposit is subject to refund or additional billing, and is a guarantee that the applicant will keep the site clean and safe, and will make permanent repairs to the abutting street improvements that are damaged, including striping, slurry seal/resurfacing, curb, gutter, and sidewalk, either directly or indirectly, by the construction on this site. The deposit may be used for any charges resulting from damage to street trees. A processing fee will be charged against the deposit.
45. Upon submission of the final tract map to the City for approval by the City Council, the applicant shall supply the City with 24 copies of the final map, and pay a flat fee of \$100 to have appropriate record quality copies of the recorded

map made by the City for public record purposes and a deposit (based on the current General Fee Schedule) to cover the cost of processing the final map. Currently, the County of Los Angeles Department of Public Works is utilizing the computer to update and digitize the countywide land use base. If the tract map is prepared using a computerized drafting system, it is recommended that the applicant's engineer submit a map in digital graphic format with the final Mylar map to the County of Los Angeles Department of Public Works for recordation and to the City of Pasadena Department of Public Works for incorporation into its GIS land use map. The City of Pasadena's GIS Coordinate System must be used for the digital file.

46. The applicant's engineer shall be required to set boundary monuments on the proposed subdivision per Pasadena Municipal Code, Section 16.24.060, and furnish to the City a set of original field notes.
47. 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 will apply to the proposed project:

- Sidewalk Ordinance - Chapter 12.04 of the Pasadena Municipal Code (PMC)
In accordance with Section 12.04.031, entitled "Abandoned Driveways" of the PMC, the applicant shall close any unused drive approach with standard concrete curb, gutter and sidewalk. In addition, the applicant shall repair any existing or newly damaged sidewalk along the Holliston Avenue and Locust Street frontages prior to the issuance of a Certificate of Occupancy or any building permit for work in excess of \$5,000 pertaining to occupancy or construction on the property in accordance with Section 12.04.035, 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 approval of the Urban Forestry Advisory Committee.
- Stormwater Management and Discharge Control Ordinance – Chapter 8.70 of the PMC
This project is subject to the requirements of the City's Storm Water and Urban Runoff Control Regulation Ordinance which implements the requirements of the Regional Water Quality Control Board's Standard Urban Storm Water Mitigation Plan (SUSMP). Prior to the issuance of any demolition, grading or construction permits for this project, the developer shall submit a detailed plan indicating the method of SUSMP compliance.

Information on the SUSMP requirements can be obtained from the Permit Center's webpage at:

<http://www.cityofpasadena.net/permitcenter/plansubreq/cndord.asp>.

- **New 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 can be obtained at the Permit Center's webpage at:
<http://www.cityofpasadena.net/permitcenter/FEES/fees.asp>. The applicant shall make a payment based on the applicable Residential Impact Fee Structure. Payment of the fee to the City shall be made at the Permit Center at 175 North Garfield Avenue.
- 48. All construction designs and plans shall be submitted to and approved by the Fire Department prior to the issuance of any building permits.
- 49. The applicant, or successor in interest, shall comply with any conditions adopted as part of any required approval as well as the code requirements from other departments.
- 50. If the City of Pasadena and the Pasadena Unified School District do not construct the temporary partial cul-de-sac improvement, according to the agreement pursuant to the July 2006 Pasadena High School Pick-Up Drop-Off Program, the applicant will be required to pay his fair share contribution toward this improvement, prior to the Certificate of Occupancy.