

ATTACHMENT B
CONDITIONS OF APPROVAL

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MODIFICATION TO CONDITIONAL USE PERMIT #6222**

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

1. The proposed project shall substantially conform to the site plan submitted with this application and dated "Approved at Hearing June 7, 2021", except as modified herein.
2. The approval of this application authorizes the improvements within the Arroyo Seco Area, which include those improvements identified in the plans stamped "Approved at Hearing June 7, 2021", including, but not limited to:
 - a) construction of a new diversion weir and intake in the same location as the existing structure,
 - b) construction of an engineered roughened channel in the section of stream directly downstream of the diversion structure,
 - c) replacement of existing Ponds 1 and 2, and Basins 1 and 2, with Basin A, and
 - d) construction of six new spreading basins.
3. In accordance with Section 17.64.040 of the Pasadena Municipal Code, the exercise of the right granted under this application must be commenced within three years of the effective date of the approval. This approval is eligible for two one-year extensions. Each one year extension is required to be reviewed and approved by the Hearing Officer at a noticed public hearing. In order for a project to be eligible for a time extension, the applicant is required to submit the required fee and time extension application to the Permit Center prior to the expiration date of the land use entitlement.
4. Pursuant to Chapter 17.61.040.J (Post-Approval Procedures) of the Zoning Code, the Zoning Administrator can call for a review of the approved conditions if it can be reasonably shown that there are grounds for revocation or modification of this Conditional Use Permit. These conditions may be modified or new conditions may be added to reduce any impacts of the use.
5. Any change to these conditions of approval or expansion of the use shall require the modification of this Conditional Use Permit or a new Conditional Use Permit.
6. The applicant or successor in interest shall meet the applicable code requirements of all other City Departments.
7. The applicant or successor in interest shall retain a Mitigation Monitoring Coordinator (Mitigation Coordinator) with experience on large construction projects to serve as a liaison to between the development/construction team and the City. The Mitigation Coordinator will monitor the implementation of the Mitigation Monitoring and Reporting Program as specified in the project Environmental Impact

Report or Mitigated Negative Declaration, and prepare and submit written weekly reports to the Condition/Mitigation Monitoring Coordinator of the City of Pasadena. The format of the written reports is subject to approval by the Code Compliance Manager.

Planning Division

8. The applicant or successor in interest shall meet all of the mitigation measures of the Final Environmental Impact Report.
9. The project shall adhere to the City regulations governing hours of construction, noise levels generated by construction and mechanical equipment, and the allowed level of ambient noise as specified in Chapter 9.36 of the Pasadena Municipal Code.
10. The applicant shall satisfy all applicable requirements of the United States Army Corps of Engineers; the State of California Regional Water Quality Control Board, Los Angeles Region; and the State of California Department of Fish and Wildlife; and provide evidence of compliance to the satisfaction of the Zoning Administrator.
11. If construction will occur within the Los Angeles County Flood Control District easement, the applicant shall secure any applicable permit from the Los Angeles County Flood Control District; and provide evidence of compliance to the satisfaction of the Zoning Administrator.
12. The project should seek stream flows that maximize percolation in the streams and habitats, to the extent possible.
13. The project should make renewed efforts to identify and understand the fish status within the streams and seek to support its habitat.
14. The applicant should provide a means to recover additional runoff water for diversion to the Raymond Basin.
15. A communication plan shall be developed by the Water and Power Department. The purpose of the communication plan is to provide interested parties the status of the project.

Public Works Department

16. Approval from the Urban Forestry Advisory Committee (UFAC) for the proposed tree removal/tree planting on this project. Please contact Michael King, Urban Forestry, at (626) 744-9846 or MKing@cityofpasadena.net , for more details.
17. In addition to the above condition, the requirements of the following ordinance may apply to the proposed project:

City Trees and Tree Protection Ordinance - Chapter 8.52 of the PMC

The ordinance provides for the protection of specific types of trees on private property as well as all trees on public property. No street trees in the public right-of-way shall be removed without the support of the Urban Forestry Advisory Committee. No trees shall be damaged by the proposed construction, if a City tree is damaged, the applicant may be liable for the assessed value of the tree. Refer to <https://www.cityofpasadena.net/public-works/parks-and-natural-resources/urban-forestry/> for guidelines and requirements for tree protection.

18. 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.

The applicant shall protect all existing public facilities and maintain the right of way in good clean condition during the construction. If any damage is proven to be caused by the subject development, the applicant is responsible for replacing and/or repairing the facilities to the satisfaction of the City, prior to the issuance of Certificate of Occupancy.