

ORDINANCE NO. 1013

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROSEMEAD, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, FOR THE APPROVAL OF PLANNED DEVELOPMENT 22-01 AND ZONE CHANGE 22-01, AMENDING THE ZONING MAP OF THE SUBJECT SITE FROM SINGLE FAMILY RESIDENTIAL (R-1) TO PLANNED DEVELOPMENT (P-D) ZONE. THE SUBJECT SITE IS LOCATED AT 8601 MISSION DRIVE (APNS: 5389-009-029, 030, AND 031)

WHEREAS, on February 17, 2022, Mission Villas, LLC submitted entitlement applications for the construction of 37 residential units; and

WHEREAS, 8601 Mission Drive is located in the R-1 zone; and

WHEREAS, Rosemead Municipal Code Section 17.24.040 and 17.152.060 provides the criteria for a planned development; and

WHEREAS, Rosemead Municipal Code Section 17.152.060 provides the purpose and criteria for a zone change; and

WHEREAS, Sections 65800 & 65900 of the California Government and Rosemead Municipal Code Sections 17.24.040 and 17.152.040 authorizes the Planning Commission provide a written recommendation and reasons for the recommendation to the City Council whether to approve, approve in modified form, or deny the general plan amendment and planned development; and

WHEREAS, in September 2022, an Initial Study was undertaken for the purpose of deciding whether the "project" may have a significant effect on the environment. On the basis of the analysis within the Initial Study, the City has concluded that the project will not have a significant effect on the environment with the incorporation of mitigation measures and has therefore prepared a Mitigated Negative Declaration.

WHEREAS, on December 19, 2022, the Planning Commission held a duly noticed and advertised public hearing to receive oral and written testimony relative to Zone Change 22-01 and Planned Development 22-01; and

WHEREAS, on December 29, 2022, eighty-two (82) notices were sent to property owners within a 300-foot radius from the subject property and to person(s) who have filed a written request with the City's Clerk Office. In addition, the notice was posted at six (6) public locations, on-site, published in the Rosemead Reader, and filed with the Los Angeles County Clerk, specifying the availability of the application, plus the date, time, and location of the public hearing for Planned Development 22-01 and Zone Change 22-01, pursuant to California Government Code Section 65091(a)(3); and

WHEREAS, the City Council held a duly noticed public hearing on January 10, 2023, to consider the approval of Zone Change 22-01 and Planned Development 22-01; and

WHEREAS, the City Council fully studied the proposed Zone Change 22-01 and Planned Development 22-01 and considered all public comments; and

WHEREAS, the City Council, having final approval authority over this project, has reviewed and considered all comments received during the public review period prior to the approval of this project.

THE CITY COUNCIL OF THE CITY OF ROSEMEAD HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The CITY COUNCIL HEREBY FINDS AND DETERMINES that facts do exist to justify approving Planned Development Review 22-01 in accordance with Rosemead Municipal Code Section 17.24.040 and 17.152.060(B) as follows:

A. The proposed amendment is consistent with the General Plan and any applicable specific plan.

FINDING: According to the General Plan and Zoning Ordinance Consistency Table in the General Plan, the P-D zone is a corresponding zoning district to the Medium Density Residential land use designation. For this reason, the proposed amendment is consistent with the General Plan. In addition, the subject site is not located in a specific plan area.

B. The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

FINDING: The P-D district is intended to provide for developments that are characterized by innovative use and design concepts. This zone provides for a new development to offer amenities, quality, design excellence and other similar benefits to the community and not be inhibited by strict numerical development standards. The subject site is located in a residential neighborhood and will continue as a residential use, therefore, the development of 37 residential units will not be detrimental to the public interest, health safety, convenience, or welfare of the City.

The City has completed an Initial Study/Draft Mitigated Negative Declaration for the proposed project pursuant to Section 15070(b) of the California Environmental Quality Act (CEQA). The Initial Study was undertaken for the purpose of deciding whether the "project" may have a significant effect on the environment. On the basis of the analysis within the Initial Study, the City has concluded that the project will not have a significant effect on the environment with the incorporation of mitigation measures and has therefore prepared a Draft Mitigated Negative Declaration.

C. The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.

FINDING: The P-D zone is intended to provide for developments that are characterized by innovative use and design concepts. The minimum area for a P-D project is one acre. The subject site consists of three vacant parcels totaling approximately 3.378 acres of land. In addition, the proposed development would be in compliance with the applicable development standards of the Rosemead Zoning Code.

D. The affected site is physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use(s) and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

FINDING: The P-D zone is designated to accommodate various types of development such as residential developments. The minimum lot area for a P-D project is one acre. The subject site consists of three vacant parcels totaling approximately 3.378 acres of land. The proposed development would be in compliance with the applicable development standards of the Rosemead Zoning Code.

A trip generation and vehicle miles traveled (VMT) screening analysis was prepared for the project by Environmental Planning Development (EDP) Solutions, Inc. The technical memorandum evaluated the trip generation and need to prepare a level of service (LOS) or vehicle miles traveled (VMT) analysis for the proposed project based on the City of Rosemead's Transportation Study Guidelines for VMT and LOS Assessment. If a project meets one of the following three criteria listed in the Rosemead's Transportation Study Guidelines for VMT and LOS Assessment, then the VMT impact of the project would be considered less than significant and no further analysis would be required. The proposed project was able to satisfy Screening Criteria 2 – Low VMT Area. The City Engineer has reviewed the VMT analysis and on-street parking evaluation and found it acceptable and the VMT analysis has been included into in the Mitigated Negative Declaration.

SECTION 2. The CITY COUNCIL HEREBY FINDS AND DETERMINES that facts do exist to justify approving Zone Change 22-01 in accordance with Rosemead Municipal Code Section 17.152.060(B) as follows:

A. The amendment is internally consistent with all other provisions of the General Plan.

FINDING: The proposed zone change will amend the Zoning Map of the subject site from the R-1 to P-D zone. In addition, the proposed amendment will change the land use designation of the subject parcel from Low Density Residential to Medium Density Residential. According to the General Plan and Zoning Ordinance Consistency Table in the General Plan, the P-D zone is a corresponding zoning district to the Medium Density Residential land use designation. For this reason, the proposed amendment is consistent with the General Plan. In

addition, the subject site is not located in a specific plan area.

B. The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

FINDING: The existing zone of the subject site is R-1. The subject site consists of three vacant parcels totaling approximately 3.378 acres of land. The proposed amendment would change the zone from R-1 to P-D for the construction of 37 residential units. The subject site is located in residential neighborhood and will continue as a residential use, therefore, will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

The City has completed an Initial Study/Draft Mitigated Negative Declaration for the proposed project pursuant to Section 15070(b) of the California Environmental Quality Act (CEQA). The Initial Study was undertaken for the purpose of deciding whether the "project" may have a significant effect on the environment. On the basis of the analysis within the Initial Study, the City has concluded that the project will not have a significant effect on the environment with the incorporation of mitigation measures and has therefore prepared a Draft Mitigated Negative Declaration.

C. The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.

FINDING: The proposed amendment would change the zone from R-1 to P-D for the construction of 37 residential units. The P-D zone is intended to provide for developments that are characterized by innovative use and design concepts. The minimum area for a P-D project is one acre. The subject site consists of three vacant parcels totaling approximately 3.378 acres of land. In addition, the proposed development would be in compliance with the applicable development standards of the Rosemead Zoning Code.

D. The affected site is physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use(s) and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

FINDING: The subject site is located in a residential neighborhood and will continue as a residential use, therefore, the zone change to a P-D zone is physically suitable for a 3.378 acre site. The subject site is currently surrounded by a majority of residential uses. The proposed residential units would not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

In addition, a trip generation and vehicle miles traveled (VMT) screening analysis was prepared for the project by Environmental Planning Development (EDP) Solutions, Inc. The technical memorandum evaluated the trip generation and need to prepare a level of service (LOS) or vehicle miles traveled (VMT) analysis for the proposed project based on the City of Rosemead's

Transportation Study Guidelines for VMT and LOS Assessment. If a project meets one of the following three criteria listed in the Rosemead's Transportation Study Guidelines for VMT and LOS Assessment, then the VMT impact of the project would be considered less than significant and no further analysis would be required. The proposed project was able to satisfy Screening Criteria 2 – Low VMT Area. The City Engineer has reviewed the VMT analysis and on-street parking evaluation and found it acceptable and the VMT analysis has been included into in the Mitigated Negative Declaration.

SECTION 3. The City Council **HEREBY AMENDS** the City's Zoning Map to change the zone of 8601 Mission Drive from R-1 to P-D.

SECTION 4. Severability. The City Council hereby declares that, should any provision, section, subsection, paragraph, sentence, clause, phrase, or word of this Ordinance or any part thereof, be rendered or declared invalid or unconstitutional by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, such decision or action shall not affect the validity of the remaining section or portions of the Ordinance or part thereof. The City Council hereby declares that it would have independently adopted the remaining provisions, sections, subsections, paragraphs, sentences, clauses, phrases, or words of this Ordinance irrespective of the fact that any one or more provisions, sections, subsections, paragraphs, sentences, clauses, phrases, or words may be declared invalid or unconstitutional.

SECTION 5. Publication. The City Clerk shall certify to the adoption of this Ordinance and shall publish a summary of this Ordinance and post a certified copy of the full Ordinance in the office of the City Clerk at least five days prior to the adoption and within 15 days after adoption of the Ordinance, the City Clerk shall publish a summary of the Ordinance with the names of the Council Members voting for and against the Ordinance. This Ordinance shall take effect thirty (30) days after the date of its adoption.

SECTION 6. Effective Date. This Ordinance shall take effect thirty (30) days after its adoption.

PASSED, APPROVED, AND ADOPTED this 24th day of January, 2023.

Sean Dang, Mayor

APPROVED AS TO FORM:

ATTEST:

Rachel H. Richman, City Attorney

Ericka Hernandez, City Clerk

Exhibit:

A. Conditions of Approval

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF ROSEMEAD)

I, Ericka Hernandez, City Clerk of the City of Rosemead, County of Los Angeles, State of California, hereby attest to the above signature and certify that Ordinance No. 1013 was first introduced at the regular meeting of January 10, 2023 by first reading. Said Ordinance was approved and adopted by the City Council of the City of Rosemead at a regular meeting held on the 24th day of January, 2023, by the following vote:

AYES: ARMENTA, CLARK, DANG, LOW, LY

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

Ericka Hernandez, City Clerk

EXHIBIT “A”

GENERAL PLAN AMENDMENT 22-01, ZONE CHANGE 22-01 PLANNED DEVELOPMENT REVIEW 22-01, AND TENTATIVE TRACT MAP 83705 (EXHIBIT “A” OF CITY COUNCIL RESOLUTION 2023-02, CITY COUNCIL RESOLUTION 2023-04, AND ORDINANCE 1013)

**8601 MISSION DRIVE
(APNS: 5389-009-029, 030, AND 031)**

CONDITIONS OF APPROVAL JANUARY 10, 2023

Standard Conditions of Approvals

1. General Plan Amendment 22-01, Zone Change 22-01 Planned Development Review 22-01, and Tentative Tract Map 83705 (“Project”) are approved for the construction of 37 residential units, in accordance with the preliminary plans marked Attachment “I”, dated December 5, 2022. Any revisions to the approved plans must be resubmitted for the review and approval of the Planning Division.
2. The following conditions must be complied to the satisfaction of the Planning Division prior to final approval of the associated plans, building permits, occupancy permits, or any other appropriate request.
3. The conditions listed on this exhibit shall be copied directly onto any development plans subsequently submitted to the Planning and Building Divisions and the Public Works Department.
4. Approval of Project shall not take effect for any purpose until the applicant(s) have filed with the City of Rosemead (“City”) a notarized affidavit stating that he/she is aware of and accepts all of the conditions of approval as set forth in the letter of approval and this list of conditions within ten (10) days from the City Council approval date.
5. The on-site public hearing notice posting shall be removed by the end of the 10-day appeal period of Project.
6. Project is approved for a period of one (1) year. The applicant(s) shall commence the approved project or request an extension within 30 calendar days prior to expiration. The one (1) year initial approval period shall be effective from the Planning Commission approval date. For the purpose of this petition, project commencement shall be defined as beginning the permitting process with the Planning and Building Divisions, so long as the project is not abandoned. If Project has been unused, abandoned, or discontinued for a period of one (1) year, it shall become null and void.
7. The City Council hereby authorizes the Planning Division to make and/or approve minor

modifications to the project and to these conditions of approval.

8. Project is granted or approved with the City and its Planning Commission and City Council retaining and reserving the right and jurisdiction to review and to modify the permit, including the conditions of approval based on changed circumstances. Changed circumstances include, but are not limited to, the modification of the use, a change in scope, emphasis, size, or nature of the use, or the expansion, alteration, reconfiguration, or change of use. This reservation of right to review is in addition to, and not in lieu of, the right of the City, its Planning Commission, and City Council to review and revoke or modify any permit granted or approved under the Rosemead Municipal Code for any violations of the conditions imposed on Project.
9. The applicant(s) shall defend, indemnify, and hold harmless the City of Rosemead or its agents, officers, and employees from any claim, action, or proceeding against the City of Rosemead or its agents, officers, or employees to attack, set aside, void, or annul, an approval of the Planning Commission and/or City Council concerning the project, which action is brought within the time period provided by law.
10. The applicant(s) shall comply with all Federal, State, and local laws relative to the approved use, including the requirements of the Planning, Building, Fire, Sheriff, and Health Departments.
11. Building permits will not be issued in connection with any project until such time as all plan check fees and all other applicable fees are paid in full. Prior to issuance of building permits, any required school fees shall be paid. The applicant shall provide the City with written verification of compliance from the applicable school districts.
12. The numbers of the address signs shall be at least six (6) inches tall with a minimum character width of 3/4 inch, contrasting in color and easily visible at driver's level from the street. Materials, colors, location, and size of such address numbers shall be approved by the Community Development Director, or his/her designee, prior to installation.
13. The hours of construction shall be limited from 7:00 a.m. to 8:00 p.m., Monday through Saturday. No construction shall take place on Sundays or on any federal holiday. The applicant shall abide by the noise control sections of the Rosemead Municipal Code.
14. The Building and Safety Division, Planning Division, and Engineering Division shall have access to the project site at any time during construction to monitor progress.
15. All requirements of the Building and Safety Division, Planning Division, and Engineering Division shall be complied with prior to the final approval of the proposed construction.
16. All ground level mechanical/utility equipment (including meters, back flow prevention devices, fire valves, A/C condensers, furnaces, and other equipment) shall be located away from public view or adequately screened by landscaping or screening walls so as not to be seen from the public right-of-way.

17. All new roof-top appurtenances and equipment shall be adequately screened from view to the satisfaction of the Planning Division. Such equipment shall not exceed the height of the parapet wall. There shall be no mechanical equipment located on the sides of the building.
18. The parking area, including handicapped spaces, shall be paved and re-painted periodically to City standards to the satisfaction of the Planning Division. In accordance with the Rosemead Municipal Code, all designated parking stalls shall be double striped. Such striping shall be maintained in a clear, visible, and orderly manner to the satisfaction of the Planning Division.
19. Violations of the conditions of approval may result in citation and/or initiation of revocation proceedings.

Project Specific Conditions of Approval

20. The applicant shall enter into an agreement with the City of Rosemead to ensure that four units are designated as affordable, including the use of the City's Down Payment Assistance Program. The agreement shall be reviewed and approved by the City prior to the issuance of Building Permits.
21. Development Impact Fees shall be paid prior to issuance of the final Certificate of Occupancy for the project.
22. All property that is vacant, under construction, or being demolished shall be totally enclosed around the perimeter by a fence that is a minimum of six (6) feet in height as measured from adjacent property, subject to the approval of the Community Development Director or other designated officials. The following requirements shall be satisfied:
 - a. The required fence shall be adequately constructed from chain-link, lumber, masonry or other approved materials. The fence shall be entirely self-supporting and shall not encroach or utilize structures or fencing on any adjacent property without prior written approval of the adjacent property owner.
 - b. The fence shall be installed prior to the initiation of any construction or demolition and shall be continuously maintained in good condition.
 - c. Signs stating "PRIVATE PROPERTY, NO TRESPASSING" shall be posted on the fence.
23. A final wall/fence plan shall be submitted to the Planning Division for review and approval prior to the issuance of building permits. All walls and/or fences height shall comply with the requirements in the Rosemead Municipal Code and shall match or complement the residential buildings in color, material, and design.
24. A final landscape and irrigation plan shall be submitted to the Planning Division for review and approval prior to the issuance of building permits. The landscape and irrigation plan shall comply with the City's Water Efficient Landscape Ordinance and with the Guidelines for Implementation of the Water Efficient Landscape Ordinance and include a sprinkler system with automatic timers and moisture sensors.

25. All parking spaces comply with the currently applicable section of the Rosemead Municipal Code. All covered parking spaces shall be free and clear with no obstruction.
26. Prior to the issuance of Building permits, the Developer shall develop a comprehensive Construction Management Plan, subject to the review and approval of the Planning Division, Building and Safety Division, and Public Works Department. The Construction Management Plan shall address security of site and equipment, noise, vibrations, traffic control, parking, debris removal, staging, dust control, sanitary facilities, and other potential construction impacts, as well as other details involving the means and methods of completing the project, including the construction equipment route. The City has the authority to require modifications and amendments to the Construction Management Plan as deemed necessary throughout the course of the project and until the final inspection.
27. A construction notice shall be mailed to residents within a 300' radius from the project site to inform them of the commencement of construction. The notice shall be mailed ten days prior to commencement.
28. Any exterior lighting shall be fully shielded and directed downwards as to not project over the property lines of the subject site.
29. Prior to issuance of any building permit related to this project, the Applicant shall prepare Covenant Conditions and Restrictions (CC&R's) or other similar recorded instrument indicating how and who will maintain proposed common areas. The CC&R's shall be prepared by the Applicant and approved by the City Attorney and shall include the following statements: "This statement is intended to notify all prospective property owners of certain limitations on construction to residential dwellings contained in this planned development project. Any necessary modifications or additions must be reviewed on a case-by-case basis and approved or denied by the Community Development Director or his/her designee at his/her discretion". The CC&R's will cover all aspects of property maintenance of the common areas, including but not limited to driveways, fencing, landscaping, lighting, parking spaces, open space and recreational areas. All applicable City Attorney fees shall be at the responsibility of the applicant.
30. The applicant shall include provisions in the CC&R's to provide maintenance of all building improvements, on-grade parking and landscaping, and maintenance of the driveway, in a manner satisfactory to the Planning Division, and in a form acceptable to the City Attorney.
31. The subdivider shall include provisions in the CC&R's to require regular trash pickup service at least once a week for the residential trash bins. All residential trash bins shall remain within the development. No residential trash bins shall be placed in the public right-of-way at any time.
32. Planning Division approval of sign plans must be obtained prior to obtaining building permits and/or installation for any signs.

Public Works Conditions of Approval

General

33. Copy all conditions of approval and the Planning decision letter onto all permit plan sets.
34. The proposed project is subject to LID and NPDES requirements. Developer shall integrate LID strategies into the site design. Grading Plans will not be approved until the LID requirements have been met.
35. The following note shall be added to the final plans: "A record drawing shall be submitted to the City, before the release of the permit, that delineates and incorporates all modifications that were approved and incorporated during construction."
36. The approved building address(s) shall be painted on the curb to the City's standard as required by the Public Works Inspector before the final inspection.
37. Rehabilitate existing AC street pavement along the property frontage to the centerline of the street or pay an in-lieu fee equal to the estimated cost of street rehabilitation based on the Los Angeles County Land Development Division Bond Calculation Sheets to the satisfaction of the City Engineer or designee. Rehabilitation includes existing and new traffic control devices including but not limited to pavement markers, striping, and markings to the satisfaction of the City Engineer. All striping and markings shall be a minimum of two coats of thermoplastic paint. This work is to be performed or the in-lieu fee shall be paid prior to the issuance of the final Certificate of Occupancy for the project.
38. Any trenching asphalt or concrete pavement or street or sidewalk removal related to the project repair shall match the existing surfaces and as directed by the City Engineer or his designee. New pavement thickness shall be one inch greater than the existing.
39. Dedicate street R/W to match the ultimate R/W condition.
40. The required street improvements shall include those portions of roadways contiguous to the subject property and include:
 - a. Reconstruct existing and construct new driveway approaches with current ADA bypass requirements per SPPWC, latest edition. No portion of the driveway and/or parkway shall encroach to the frontage of the adjacent property. Remove and replace relocated driveway approaches with sidewalk and curb and gutter.
 - b. Remove and reconstruct all damaged and/or off-grade curbs, gutters, ADA ramps, driveway approaches, and sidewalks.
41. Details shown on the tentative map are not necessarily approved. Any details which are inconsistent with requirements of ordinances, general conditions of approval, or City

Engineer's policies must be specifically approved in the final map or improvement plan approvals.

42. A final tract map prepared by, or under the direction of a Registered Civil Engineer authorized to practice land surveying or a Licensed Land Surveyor, must be processed through the City Engineer's office before being filed with the County Recorder.
43. A preliminary subdivision guarantee is required showing all fee interest holders and encumbrances. An updated title report shall be provided before the final parcel map is released for filing with the County Recorder.
44. The final tract map shall be based on a field survey, and monuments shall be set to permanently mark parcel map boundaries, street centerlines and lot boundaries to the satisfaction of the City Engineer. The basis of bearing used for the field survey required for the final map shall include two survey well monuments found or set. The City Engineer may waive this requirement upon petition should this be impractical. Well monuments shall be set in accordance with Standard Plan No. S08-001.
45. Final tract map shall be filed with the County Recorder and one (1) Mylar copy of the filed map shall be submitted to the City Engineer's office. Certificate of Occupancy will not be issued until the City has received the PDF and Mylar copy of the filed map.
46. Comply with all requirements of the Subdivision Map Act.
47. Approval for filling of this land division is contingent upon approval of plans and specifications mentioned below.
48. The City reserves the right to impose any new plan check and/or permit fees approved by City Council subsequent to tentative approval of this map.
49. Prior to the recordation of the final map, grading and drainage plans must be approved to provide for contributory drainage from adjoining properties as approved by the City Engineer, including the dedication of the necessary easements.
50. A grading and drainage plan must provide for a drainage system to the public street, to a public drainage facility, or by means of an approved drainage easement.
51. Historical or existing stormwater flow from adjacent lots must be received and directed by gravity to the public street, to a public drainage facility, or an approved drainage easement.
52. Prepare and submit hydrology and hydraulic calculations for the sizing of all proposed drainage devices. The analysis shall also determine if changes in the post-development versus pre-development conditions have occurred. The analysis shall be stamped by a California

State Registered Civil Engineer and prepared per the Los Angeles County Department of Public Works Hydrology Method.

53. All grading projects require an Erosion Control Plan as part of the grading plans. A grading permit will not be issued until and Erosion Control Plan is approved by the Engineering Department.
54. If the project disturbs greater than one acre, a Storm Water Pollution Plan is required. A Notice of Intent (NOI) shall be filed with the State Water Resources Control Board. When submitting the SWPPP for the City's review, please include the NOI and the Waste Discharger Identification (WDID) number.
55. Adjust, relocate, and/or eliminate lot lines, lots, streets, easements or other physical improvements to comply with ordinances, policies, and standards in effect on the date the City determined the application to be complete all to the satisfaction of the Public Works Department.
56. Submit a LID plan and comply with all NPDES requirements.
57. When applicable, a \$2,000.00 fee will be required for each storm drain catch basin adjacent to the property to retrofit pursuant Los Angeles River Trash TMDL requirements.
58. Show clearly all existing lot lines and proposed lot lines on the plans.
59. Provide a complete boundary and topographic survey.
60. Show any easement on the plans as applicable.
61. Print all Project Conditions of Approval on all plan sets.

Traffic

62. The curb lane on both sides of Mission Drive along the project frontage is not wide enough to allow on-street parking.
63. Left turn access to the project site on Mission Drive shall be prohibited. Left turn out of the project site on Mission Drive shall also be restricted. The applicant shall submit a Means and Methods to achieve this result to the satisfaction of the City Engineer.
64. The project shall delineate where guest parking is expected.
65. The applicant should submit a Trip Generation Table that shows the amount of New Traffic to be generated by this site and justification that this project is able to screen from preparing a project level VMT analysis (preliminary test indicated that this project is eligible to be

screened as in a LOW VMT area but textual justification that proposed land use is similar to surrounding conditions). Following City of Rosemead Transportation Study Guidelines for Vehicle Miles Traveled and Level of Service Assessment.

Sewer

66. If applicable, approval of this land division is contingent upon providing a separate house sewer lateral to serve each lot of the land division.
67. Conduct a sewer capacity study per the Los Angeles County Department of Public Works Guidelines of existing sewer facilities that serve the proposed development. The developer shall either pay in-lieu fees equal to the estimated cost (based on Los Angeles County Land Development Division Bond Calculation Sheets) of the proposed development's percentage of the design capacity of the existing sewer system prior to the issuance of building permits or provide sewer improvements to deficient sewer segments serving the subject property to the satisfaction of the City Engineer.
68. Based on the project sewer analysis and the design capacity conditions of the existing sewer system in relation to the proposed project, sewer main/trunk line improvements and/or in-lieu fees shall be required.
69. All existing laterals to be abandoned shall be capped at the public right of way to the satisfaction of the City Engineer and the Building Official of the City of Rosemead.

Utilities

70. All power, telephone, cable television, and all utilities to the project and adjacent to the project shall be installed and relocated underground.
71. Any utilities that conflict with the development shall be relocated at the developer's expense.
72. Provide a street lighting plan and parking lot lighting plan.

Water

73. Prior to the filing of the final map, there shall also be filed with the City Engineer, a statement from the water purveyor indicating compliance with the Fire Chief's fire flow requirements.
74. Water hydrant, water meter box and utilities box shall be located 8 feet away from parkway trees and 3 feet away from driveway approach.

LA County Fire Department Conditions of Approval

Final Map Requirements

75. Access as noted on the Tentative and the Exhibit Maps shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 503 of the Title 32 (County of Los Angeles Fire Code), which requires an all-weather access surface to be clear to sky.
76. The Private Driveways proposed as private streets for access throughout the development shall be labeled as "Private Driveway" on the Final Map. The portion of the private driveway intended for fire apparatus access shall be identified as "Fire Lane" on the Final Map. All widths and dimensions shall be clearly delineated with a reciprocal access agreement is required for all private driveways. Compliance required prior to Final Map clearance.
77. The Final Map shall be submitted to our office for review and approval prior recordation.

Water

78. Install one new public fire hydrant. Location: Mission Drive, as shown on the approved Tentative Map dated 03/02/2022.
79. Install two private on-site fire hydrants as shown on the approved Tentative Map dated 03/02/2022.
80. The required fire flow for this project is 1000 gpm for 2 hours at 20 psi.
81. All fire hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal, and shall be installed in accordance with the County of Los Angeles Fire Code.

Mitigation Measure Conditions

Biological Resources

82. **Migratory Bird Treaty Act** - Prior to commencement of grading activities, the City Building Department, shall verify that in the event that vegetation and tree removal activities occur within the active breeding season for birds (February 1–September 15), the Project applicant (or their Construction Contractor) shall retain a qualified biologist (meaning a professional biologist that is familiar with local birds and their nesting behaviors) to conduct a nesting bird survey no more than 3 days prior to commencement of construction activities. The nesting survey shall include the Project site and areas immediately adjacent to the site that could potentially be affected by Project-related construction activities, such as noise, human activity, and dust, etc. If active nesting of birds is observed within 100 feet of the designated construction area prior to construction, the qualified biologist shall establish an appropriate buffer around the active nests (e.g., as much as 500 feet for raptors and 300 feet for non-raptors [subject to the recommendations of the qualified biologist]), and the buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests.

Cultural Resources/Tribal

83. **Archaeological Monitoring** - The Applicant shall retain a qualified archaeologist to perform archaeological monitoring and the archaeologist shall be present during initial ground-disturbing activities (e.g., site preparation and grading) to identify and assess any known or suspected archaeological and/or cultural resource. The qualified archaeologist shall develop a Cultural Resources Management Plan to address the details, timing, and responsibility of all archaeological and cultural resource activities that occur on the Project site. The plan shall include a scope of work, project grading and development scheduling, pre-construction meeting (with consultants, contractors, and monitors), a monitoring schedule during all initial ground-disturbance related activities, safety requirements, and protocols to follow in the event of previously unknown cultural resources discoveries that could be subject to a cultural resources evaluation. The plan shall be submitted to the City and the Consulting Tribe(s) for review and comment, prior to final approval by the City.
84. **Native American Monitoring** - Prior to the commencement of any ground disturbing activity at the Project site, the Project applicant shall retain a Native American Monitor approved by the Gabrieleño Band of Mission Indians-Kizh Nation. A copy of the executed contract shall be submitted to the City of Rosemead Planning and Building Department prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Tribal monitor shall only be present on-site during the construction phases that involve ground-disturbing activities. Ground disturbing activities are defined by the Tribe as activities that may include, but are not limited to, pavement removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the Project area. The Tribal Monitor shall complete daily monitoring logs that shall provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when all ground-disturbing activities on the Project site are completed, or when the Tribal Representatives and Tribal Monitor have indicated that all upcoming ground-disturbing activities at the Project site have little to no potential to impact Tribal Cultural Resources.

Upon discovery of any Tribal Cultural Resources, construction activities shall cease in the immediate vicinity of the find (not less than the surrounding 100 feet) until the find can be assessed. All Tribal Cultural Resources unearthed by Project activities shall be evaluated by the qualified archaeologist and Tribal monitor approved by the Consulting Tribe. If the resources are Native American in origin, the Consulting Tribe shall retain it/them in the form and/or manner the Tribe deems appropriate, for educational, cultural and/or historic purposes. If human remains and/or grave goods are discovered or recognized at the Project site, all ground disturbance shall immediately cease, and the county coroner shall be notified per Public Resources Code Section 5097.98, and Health & Safety Code Section 7050.5. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). Work may continue on other parts of the Project site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5[f]). If a non-Native American resource is determined by the qualified archaeologist to constitute a "historical resource" or "unique archaeological resource," time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in

accordance with CEQA Guidelines Section 15064.5(f) for historical resources and PRC Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.

85. **Human Remains** - Should human remains be discovered during Project construction, the Project would be required to comply with State Health and Safety Code Section 7050.5, which states that no further disturbance may occur in the vicinity of the body until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission, which will determine the identity of and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD must complete the inspection within 48 hours of notification by the NAHC.

Paleontological

86. **Incidental Discoveries** - Prior to issuance of a grading permit, the City of Rosemead Planning Department shall verify that all Project grading and construction plans and specifications state that in the event that potential paleontological resources are discovered during excavation, grading, or construction activities, work shall cease within 50 feet of the find until a qualified paleontologist (i.e., a practicing paleontologist that is recognized in the paleontological community and is proficient in vertebrate paleontology) from the City or County List of Qualified Paleontologists has evaluated the find and established a protocol for addressing the find, in accordance with federal and state regulations. Construction personnel shall not collect or move any paleontological materials and associated materials. If any fossil remains are discovered, the paleontologist shall make a recommendation if monitoring shall be required for the continuance of earth moving activities, and shall provide such monitoring if required.

Noise

87. **Construction Vibration** - Project plans and specifications shall include the requirement that that operation of any heavy equipment shall be prohibited within 15 feet of existing residences to the north and east. If heavy equipment is necessary within 15 feet of existing structures, the following measures shall be implemented:
- a. Identify structures that could be affected by ground-borne vibration and would be located within 15 feet of where heavy construction equipment would be used. This

task shall be conducted by a qualified structural engineer as approved by the City's Director of Community Development or designee.

- b. Develop a vibration monitoring and construction contingency plan for approval by the City's Director of Community Development, or designee, to identify structures where monitoring would be conducted; set up a vibration monitoring schedule; define structure-specific vibration limits; and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions. Construction contingencies such as alternative methods or equipment that would generate lower vibration levels would be identified for when vibration levels approached the limits.
- c. At a minimum, monitor vibration during initial demolition activities. Monitoring results may indicate the need for more intensive measurements if vibration levels approach the 0.2 PPV (in/sec) threshold.
- d. When vibration levels approach the 0.2 PPV (in/sec) limit, suspend construction and implement contingencies identified in the approved vibration monitoring and construction contingency plan to either lower vibration levels or secure the affected structures.

Aesthetics

88. **Light and Glare** - Pursuant to Municipal Code Chapter 17.88, exterior lighting shall be of low intensity and shielded so that light will not spill out onto surrounding properties or Project above the horizontal plane.

Air Quality

89. **Rule 402** - The construction plans and specifications shall state that the Project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 402. The Project shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.
90. **Rule 403** - The construction plans and specifications shall state that the Project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 403, which includes the following:
- a. All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.
 - b. The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered, with complete coverage of disturbed areas, at least 3 times daily during dry weather; preferably in the mid-morning, afternoon, and

after work is done for the day.

- c. The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less.

- 91. **Rule 1113** - The construction plans and specifications shall state that the Project is required to comply with the provisions of South Coast Air Quality Management District Rule (SCAQMD) Rule 1113. Only “Low-Volatile Organic Compounds” paints (no more than 50 gram/liter of VOC) and/or High Pressure Low Volume (HPLV) applications shall be used.

Energy

- 92. **California Energy Code Compliance** - The Project is required to comply with the 2019 California Energy Code as included in the City’s Municipal Code (Chapter 12.24) to ensure efficient use of energy. California Energy Code specifications are required to be incorporated into building plans as a condition of building permit approval.

Geology

- 93. **California Building Code** - The Project is required to comply with the California Building Code as included in the City’s Municipal Code Chapter 15.04 to preclude significant adverse effects associated with seismic hazards. California Building Code related and geologist and/or civil engineer specifications for the Project are required to be incorporated into grading plans and specifications as a condition of Project approval.
- 94. **SWPPP** - Prior to grading permit issuance, the Project developer shall have a Stormwater Pollution Prevention Plan (SWPPP) prepared by a QSD (Qualified SWPPP Developer) in accordance with the City’s Municipal Code Chapter 13.16 Stormwater Management and Discharge Control and the Los Angeles County RWQCB NPDES Storm Water Permit Order No. R4-2012- 0175. The SWPPP shall incorporate all necessary Best Management Practices (BMPs) and other NPDES regulations to limit the potential of erosion and polluted runoff during construction activities. Project contractors shall be required to ensure compliance with the SWPPP and permit periodic inspection of the construction site by City of Rosemead staff or its designee to confirm compliance.

Water Quality

- 95. **Stormwater Pollution Prevention Plan** - Prior to grading permit issuance, the Project developer shall have a Stormwater Pollution Prevention Plan (SWPPP) prepared by a Qualified SWPPP Developer (QSD) in accordance with the City’s Municipal Code Chapter 13.16 and the Los Angeles Regional Water Quality Control Board National Pollution Discharge Elimination System (NPDES) Storm Water Permit Order No. R4-2012-0175 (MS4 Permit). The SWPPP shall incorporate all necessary Best Management Practices (BMPs) and other NPDES regulations to limit the potential of erosion and polluted runoff during construction activities. Project contractors shall be required to ensure compliance with the SWPPP and permit periodic inspection of the construction site by the City of Rosemead staff

to confirm compliance.

96. **Water Quality Management Plan** - Prior to grading permit issuance, the Project applicant shall have a Water Quality Management Plan (WQMP) approved by the City for implementation. The Project shall comply with the City's Municipal Chapter 13.16 and the Municipal Separate Storm Sewer System (MS4) permit requirements in effect for the Regional Water Quality Control Board (RWQCB) at the time of grading permit to control discharges of sediments and other pollutants during operations of the Project.

Noise

97. **Construction Hours** - Per Municipal Code Chapter 8.36, construction and demolition activities may only occur between the hours of 7:00 a.m. and 8:00 p.m. on weekdays, including Saturday. Construction activities should not take place at any time on Sunday or a federal holiday. No person shall operate or allow the operation of any tools or equipment used in construction, drilling, repair, or alteration or demolition work outside of these hours to prevent noise disturbances.
98. **Best Construction Practices** - In addition to compliance with the City's Municipal Code allowed hours of construction of 7:00 a.m. to 8:00 p.m., Monday through Saturday, excluding Sunday and holidays, the following recommendations would reduce construction noise to the extent feasible:
- a. The Project construction contractor should equip all construction equipment, fixed or mobile, with properly operating and maintained noise mufflers, consistent with manufacturer's standards.
 - b. The Project construction contractor should locate staging areas away from off-site sensitive uses during the later phases of Project development.
 - c. The Project construction contractor should place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the Project site whenever feasible.

Public Services

99. **School Fees** - Prior to the issuance of a building permit, the applicant shall provide payment of the appropriate fees set forth by the applicable school districts related to the funding of school facilities pursuant to Government Code Section 65995 et seq.

Utilities

100. **Solid Waste** - As required by Municipal Code Chapter 8.32, Section 8.32.010 of the 2016 California Green Building Standards Code, and AB 341 the Project shall implement a Waste Management Plan to ensure that the construction and operational diversion requirements would be met.