

Introduced by Vice Mayor Masuda

ORDINANCE NO. 7273

A SECOND EXTENSION OF THE INTERIM URGENCY ORDINANCE OF THE CITY OF PASADENA TEMPORARILY LIMITING SINGLE FAMILY HOME DEMOLITION AND CONSTRUCTION IN THE NEIGHBORHOOD OVERLAY DISTRICT IN ORDER TO PRESERVE THE POTENTIAL HISTORIC CHARACTER OF THE LOWER HASTINGS RANCH NEIGHBORHOOD

WHEREAS, the City of Pasadena ("City") has adopted both the Land use and Housing Element of the General Plan; and

WHEREAS, the Land Use Element set forth policies and goals toward the improvement of the physical environment and the protection of neighborhoods; specifically "OBJECTIVE 5 - CHARACTER AND SCALE OF PASADENA: Preservation of Pasadena's character and scale, including its traditional urban form and historic character, shall be given highest priority in the consideration of future development" and "OBJECTIVE 6 - HISTORIC PRESERVATION: Promote preservation of historically and architecturally significant buildings and revitalization of traditional neighborhoods and commercial areas."

WHEREAS, residents in the Neighborhood Overlay District have repeatedly voiced concerns regarding adverse impacts of newer development on the existing neighborhood character; and

WHEREAS, in 1990 the City Council adopted Ordinance No. 6380, "An Ordinance for the City of Pasadena Placing a Moratorium on the Issuance of Building Permits for Single Family Residences in Specified Single Family Residential Districts Pending the Completion of a Zoning Study to Address the Mansionization Phenomenon," which would apply to the same properties as this ordinance, but the Council concludes that there are changed circumstances pertaining to the preservation of the potentially historic character of the

Neighborhood Overlay District since the adoption of Ordinance #6380, in that none of the residences within the Neighborhood Overlay District were more than 50 years old and historic significance was not a factor during consideration of the adoption of Ordinance #6380, but now all residences all more than 50 years old and may be historic; and

WHEREAS, at the March 2, 2015 City Council Meeting, the Council adopted Interim Urgency Ordinance No. 7256, and further extended this Ordinance on April 19, 2015, which imposed a moratorium temporarily prohibiting, within the Neighborhood Overlay District, the demolition of more than 50 percent of exterior walls of a structure; second-story development or second-story additions of any size; a single-story addition to a dwelling unit that increases the gross floor area by more than 500 square feet or 20 percent of the existing floor area of the primary structure including an attached garage, whichever is greater; and a single-story detached accessory structure that constitutes more than 20 percent of the primary structure's gross floor area including an attached garage Neighborhood Overlay District and has started analyzing potential code revisions to preserve its historic character and to address residents' concerns; and

WHEREAS, staff continues to study further regulation of demolition or substantial remodeling of existing residences that may have adverse impacts to the historic character of the established neighborhood of Lower Hastings Ranch, and more time is required to study the matter and complete the public hearing process for potential code revisions; and

WHEREAS, the City Council concludes that the City of Pasadena's historic neighborhood character is a tremendous community resource and can be diminished each time a dwelling unit is demolished or remodeled which may impact the character of the neighborhood; and therefore there remains a current and immediate threat to public health, safety and welfare because, without

extension of the moratorium, the established and potentially historic character of the Lower Hastings Ranch neighborhood could be adversely impacted by demolition of existing structures, or new remodeling that is incompatible with the established and potentially historic neighborhood character; and

WHEREAS, pursuant to California Government Code Section 65858, and in order to protect the public health, safety and welfare, the City Council may extend an interim urgency ordinance prohibiting any uses that may be in conflict with a contemplated general plan or zoning proposal that the City intends to study, and is currently studying, within a reasonable time.

NOW THEREFORE, the People of the City of Pasadena ordain as follows:

SECTION 1. This ordinance, due to its length and the 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

Ordinance No. 7273 extends until March 3, 2017 a temporary prohibition, within the Neighborhood Overlay District, on the demolition of more than 50 percent of exterior walls of a structure; second-story development or second-story additions of any size; a single-story addition to a dwelling unit that increases the gross floor area by more than 500 square feet or 20 percent of the existing floor area of the primary structure including an attached garage, whichever is greater; and a single-story detached accessory structure that constitutes more than 20 percent of the primary structure's gross floor area including an attached garage. This ordinance will not apply to additions of any size that are not visible from a public street; and development projects that have been issued a building permit as of the effective date of the proposed moratorium. A map showing the affected parcels is attached to the full text of

the ordinance and is on file in the City Clerk's Office. This ordinance may be further extended after a duly noticed public hearing.

Ordinance No. 7273 shall take effect upon publication."

SECTION 2. This ordinance extends until March 3, 2017, the temporary prohibition within the Neighborhood Overlay District of the demolition of more than 50 percent of exterior walls of a structure; second-story development or second-story additions of any size; a single-story addition to a dwelling unit that increases the gross floor area by more than 500 square feet or 20 percent of the existing floor area of the primary structure including an attached garage, whichever is greater; and a single-story detached accessory structure that constitutes more than 20 percent of the primary structure's gross floor area including an attached garage. During the effectiveness of this ordinance, the City will complete a review of the existing development standards to preserve the established and potentially historic character of the Neighborhood Overlay District and determine the appropriate code revisions to address this matter. The City will take into consideration the goals and policies established in the City's Land Use Element and Zoning Code, to determine the extent to which the City can further regulate development in the Neighborhood Overlay District. A map showing the affected parcels is attached hereto and incorporated herein as Attachment 1.

SECTION 3. This ordinance shall not apply to the following categories of applications:

- a. Additions of any size that are not visible from a public street; and
- b. Development projects that have been issued a building permit as of the effective date of the proposed moratorium.

SECTION 4. The provisions of this ordinance shall expire at the end of the day on March 3, 2017.

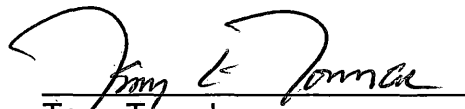
SECTION 5. This ordinance is additional to and supplemental to, and shall not affect, except as specifically provided herein, any provision of the Pasadena Municipal Code, which shall be operative and remain in full force and effect without limitation with respect to all such land uses.

SECTION 6. The City Council hereby declares that, should any section, paragraph, sentence, phrase, term or word of this ordinance, hereby adopted, be declared for any reason to be invalid, it is the intent of the City Council that it would have adopted all other portions of this ordinance irrespective of any such portion declared invalid.

SECTION 7. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published by title and summary.

SECTION 8. This ordinance shall take effect upon publication.

Signed and approved this 1st day of February,
2016.


Terry Tornek
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 1st
day of February, 2016, by the following vote:

AYES: Councilmembers Gordo, Hampton, Kennedy, Madison,
Wilson, Vice Mayor Masuda, Mayor Tornek

NOES: None

ABSENT: Councilmember McAustin

ABSTAIN: None

Date Published: February 4, 2016
Pasadena Journal



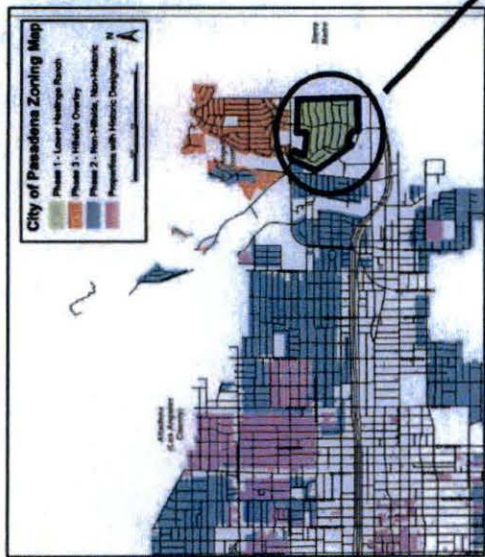
Mark Jernsky
City Clerk

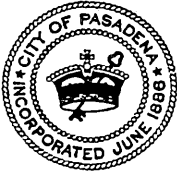
APPROVED AS TO FORM:



Theresa E. Fuentes
Assistant City Attorney

Attachment 1: Proposed Lower Hastings Ranch Moratorium Area





Ordinance Fact Sheet

TO: CITY COUNCIL

DATE: January 25, 2016

FROM: CITY ATTORNEY

SUBJECT: A SECOND EXTENSION OF URGENCY ORDINANCE TEMPORARILY LIMITING SINGLE FAMILY DEMOLITION AND CONSTRUCTION IN LOWER HASTINGS RANCH

TITLE OF PROPOSED ORDINANCE

A SECOND EXTENSION OF THE INTERIM URGENCY ORDINANCE OF THE CITY OF PASADENA TEMPORARILY LIMITING SINGLE FAMILY HOME DEMOLITION AND CONSTRUCTION IN THE NEIGHBORHOOD OVERLAY DISTRICT IN ORDER TO PRESERVE THE POTENTIAL HISTORIC CHARACTER OF THE LOWER HASTINGS RANCH NEIGHBORHOOD

PURPOSE OF ORDINANCE

This ordinance extends the moratorium approved by Council on March 2, 2015, and extended by Council on April 19, 2015, for one year, or until March 3, 2017. The moratorium prohibits the following: demolition of more than 50 percent of exterior walls of a structure; second-story development or second-story additions of any size; a single-story addition to a dwelling unit that increases the gross floor area by more than 500 square feet or 20 percent of the existing floor area of the primary structure including an attached garage, whichever is greater, and a single-story detached accessory structure that constitutes more than 20 percent of the primary structure's gross floor area including an attached garage. The moratorium does not apply to additions that are not visible from a public road, as well as any project that had been issued a building permit as of March 5, 2015.

REASON WHY LEGISLATION IS NEEDED

Within the Neighborhood Overlay District there remains a current and immediate threat to public health, safety and welfare because without the moratorium, the established and potentially historic character of the Lower Hastings Ranch neighborhood could be adversely impacted by demolition of existing structures, or new remodeling that is

MEETING OF 02/01/2016
~~01/25/2016~~

AGENDA ITEM NO. 24 13

incompatible with the established and potentially historic neighborhood character. In particular, and after researching the properties within Lower Hastings Ranch, staff has concluded that a portion of the neighborhood may be eligible for landmark district designation, generally bounded by Shadow Grove Road to the north, Fairmeade Road to the south, Cliff Drive to the West, and Michillinda Avenue to the East. Staff is studying this sub-area in greater depth to further identify contributing and non-contributing properties. If this extension is not approved and as a result the urgency ordinance would expire on March 2, 2015, building permits issued thereafter could negatively impact such properties.

PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED

The Planning and Community Development Department will continue to implement the proposed ordinance as requests for permits subject to the moratorium are sought.

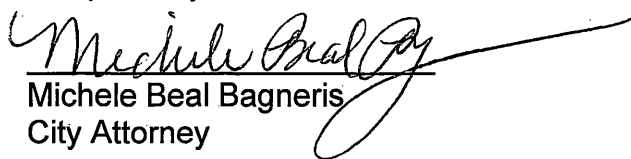
FISCAL IMPACT

There will not be an immediate fiscal impact as a result of this temporary moratorium.

ENVIRONMENTAL DETERMINATION

On this same date, the Council found this ordinance to be exempt from the California Environmental Quality Act (CEQA Guidelines Sections 15061(b)(3) and 15262 because the interim ordinance does not have the potential for causing a significant effect on the environment and 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.

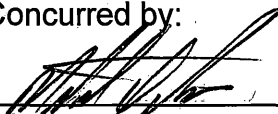
Respectfully submitted,


Michele Beal Bagneris
City Attorney

Prepared by:


Theresa E. Fuentes
Assistant City Attorney

Concurred by:


Michael Beck
City Manager

Introduced by Vice Mayor Masuda

ORDINANCE NO. 7273

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WHEREAS, the City of Pasadena ("City") has adopted both the Land use and Housing Element of the General Plan; and

WHEREAS, the Land Use Element set forth policies and goals toward the improvement of the physical environment and the protection of neighborhoods; specifically "OBJECTIVE 5 - CHARACTER AND SCALE OF PASADENA: Preservation of Pasadena's character and scale, including its traditional urban form and historic character, shall be given highest priority in the consideration of future development" and "OBJECTIVE 6 – HISTORIC PRESERVATION: Promote preservation of historically and architecturally significant buildings and revitalization of traditional neighborhoods and commercial areas."

WHEREAS, residents in the Neighborhood Overlay District have repeatedly voiced concerns regarding adverse impacts of newer development on the existing neighborhood character; and

WHEREAS, in 1990 the City Council adopted Ordinance No. 6380, "An Ordinance for the City of Pasadena Placing a Moratorium on the Issuance of Building Permits for Single Family Residences in Specified Single Family Residential Districts Pending the Completion of a Zoning Study to Address the Mansionization Phenomenon," which would apply to the same properties as this ordinance, but the Council concludes that there are changed circumstances pertaining to the preservation of the potentially historic character of the

Neighborhood Overlay District since the adoption of Ordinance #6380, in that none of the residences within the Neighborhood Overlay District were more than 50 years old and historic significance was not a factor during consideration of the adoption of Ordinance #6380, but now all residences all more than 50 years old and may be historic; and

WHEREAS, at the March 2, 2015 City Council Meeting, the Council adopted Interim Urgency Ordinance No. 7256, and further extended this Ordinance on April 19, 2015, which imposed a moratorium temporarily prohibiting, within the Neighborhood Overlay District, the demolition of more than 50 percent of exterior walls of a structure; second-story development or second-story additions of any size; a single-story addition to a dwelling unit that increases the gross floor area by more than 500 square feet or 20 percent of the existing floor area of the primary structure including an attached garage, whichever is greater; and a single-story detached accessory structure that constitutes more than 20 percent of the primary structure's gross floor area including an attached garage Neighborhood Overlay District and has started analyzing potential code revisions to preserve its historic character and to address residents' concerns; and

WHEREAS, staff continues to study further regulation of demolition or substantial remodeling of existing residences that may have adverse impacts to the historic character of the established neighborhood of Lower Hastings Ranch, and more time is required to study the matter and complete the public hearing process for potential code revisions; and

WHEREAS, the City Council concludes that the City of Pasadena's historic neighborhood character is a tremendous community resource and can be diminished each time a dwelling unit is demolished or remodeled which may impact the character of the neighborhood; and therefore there remains a current and immediate threat to public health, safety and welfare because, without

extension of the moratorium, the established and potentially historic character of the Lower Hastings Ranch neighborhood could be adversely impacted by demolition of existing structures, or new remodeling that is incompatible with the established and potentially historic neighborhood character; and

WHEREAS, pursuant to California Government Code Section 65858, and in order to protect the public health, safety and welfare, the City Council may extend an interim urgency ordinance prohibiting any uses that may be in conflict with a contemplated general plan or zoning proposal that the City intends to study, and is currently studying, within a reasonable time.

NOW THEREFORE, the People of the City of Pasadena ordain as follows:

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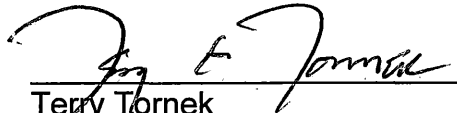
the ordinance and is on file in the City Clerk's Office. This ordinance may be further extended after a duly noticed public hearing.

Ordinance No. 7273 shall take effect upon publication."

SECTION 2. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published by title and summary.

SECTION 3. This ordinance shall take effect upon publication, and shall remain in effect until March 3, 2017 from the date of adoption, in accordance with California Government Code Section 65858.

Signed and approved this 1st day of February, 2016.


Terry Tornek
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 1st day of February, 2016, by the following vote:

AYES: Councilmembers Gordo, Hampton, Kennedy, Madison, Wilson, Vice Mayor Masuda, Mayor Tornek

NOES: None

ABSENT: Councilmember McAustin

ABSTAIN: None

Date Published: February 4, 2016
Pasadena Journal


Mark Jomsky
City Clerk

APPROVED AS TO FORM:


Theresa E. Fuentes
Assistant City Attorney

THE PASADENA JOURNAL NEWS
1541 N. Lake Ave. Suite A
Pasadena, CA 91104
626-798-3972

This space is for Clerk's filing Stamp

PROOF OF PUBLICATION
(2025.5 C.C.P.)

STATE OF CALIFORNIA
County of Los Angeles

City of Pasadena
ORDINANCE NO. 7273

I am a citizen of the United States and a resident of the County of aforesaid. I am the Principal clerk of the printer of the Pasadena Journal, a newspaper of general circulation printed and published weekly in the County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, under the date of April 16, 1991, Case Number C013336, that the notice of which is annexed is a printed copy (set in type not smaller than nonpareil) has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dated to-wit,
February 4, in the year 2016

SEE ATTACHED

I certify and declare under penalty perjury that the foregoing is true and correct

Dated at Pasadena, California, February 11, 2016


Signature

Ruthie Hopkins

PROOF OF PUBLICATION

CITY ORDINANCE

Introduced by Vice Mayor Masuda

ORDINANCE NO. 7273

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publication."

SECTION 2. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published by title and summary.

SECTION 3. This ordinance shall take effect upon publication, and shall remain in effect until March 3, 2017 from the date of adoption, in accordance with California Government Code Section 65858.

Signed and approved this 1st day of February, 2016.

Terry Tornek
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 1st day of February, 2016, by the following vote:

AYES:	Councilmembers Gordo, Hampton, Kennedy, Madison, Wilson, Vice Mayor Masuda, Mayor Tornek
NOES:	None
ABSENT:	Councilmember McAustin
ABSTAIN:	None

Mark Jomsky
City Clerk

Date Published: February 4, 2016
Pasadena Journal