

# Ordinance Fact Sheet

**TO:** CITY COUNCIL                      **DATE:** December 6, 2010  
**FROM:** CITY ATTORNEY  
**SUBJECT:** SECOND EXTENSION OF TIME FOR CERTAIN LAND USE PERMITS  
AND ENTITLEMENTS

## TITLE OF PROPOSED ORDINANCE

**A SECOND EXTENSION OF INTERIM, UNCODIFIED ORDINANCE NO. 7180 OF THE CITY OF PASADENA AMENDING TITLE 17 (THE ZONING CODE) TO AUTHORIZE A ONE-YEAR EXTENSION FOR CERTAIN PLANNING PERMITS AND LAND-USE ENTITLEMENTS WITH EXPIRED TIME EXTENSIONS**

## PURPOSE OF ORDINANCE

As directed by Council at its meeting on November 15, 2010, the City Attorney's Office prepared an ordinance that extends, for the second time, the authority given to the Director of Planning by uncodified Ordinance No. 7180 to extend the expiration date for an approved land use permit or entitlement.

## REASON WHY LEGISLATION IS NEEDED

The economic crisis which originally created severe impediments to the financing of new construction at the time that Ordinance No. 7180 was adopted continued into the spring of 2010, and on April 26, 2010, the City Council extended the authority of the Planning Director granted under Ordinance No. 7180. While economic recovery is underway, the availability of financing to complete projects remains limited. This ordinance would again extend the time which the Director could give such projects to seek financing or get through the current economic conditions without concern over the time limits running on their land use approvals. As a result, these projects could have a positive impact on the local economy through the employment of construction industry personnel, the purchase of materials and supplies, and the payment of regulatory fees and taxes.

12/13/2010  
MEETING OF 12/06/2010  
AGENDA ITEM NO. 16 ~~35~~ 36

**PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED**

The Planning Department will implement the proposed ordinance.

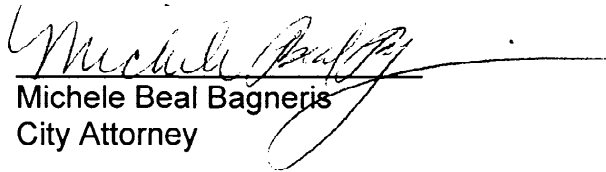
**FISCAL IMPACT**

The proposed ordinance would not have a direct fiscal impact on the City, but has the potential to result in indirect payment of fees for permits, inspection and property taxes if projects that would otherwise be stalled or abandoned are able to secure permits and complete construction.

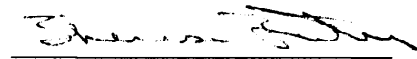
**ENVIRONMENTAL DETERMINATION**

The second extension of Ordinance No. 7180 is exempt from the California Environmental Quality Act pursuant to Public Resources Code Section 21080(b)(9) and State CEQA Guidelines Section 15321 (Enforcement Actions by Regulatory Agencies).

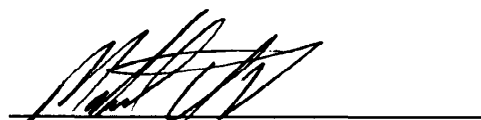
Respectfully submitted,

  
Michele Beal Bagneris  
City Attorney

Prepared by:

  
Theresa E. Fuentes  
Assistant City Attorney

Concurred by:

  
Michael J. Beck  
City Manager

0000082726C031

Introduced by: \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**A SECOND EXTENSION OF INTERIM, UNCODIFIED ORDINANCE NO. 7180 OF THE CITY OF PASADENA AMENDING TITLE 17 (THE ZONING CODE) TO AUTHORIZE A ONE-YEAR EXTENSION FOR CERTAIN PLANNING PERMITS AND LAND-USE ENTITLEMENTS WITH EXPIRED TIME EXTENSIONS**

**WHEREAS**, on October 12, 2009, the City Council of the City of Pasadena adopted Ordinance No. 7180 which granted the Director of Planning the authority to extend the expiration dates for certain approved land use permits or entitlements; and

**WHEREAS**, the economic crisis which originally created severe impediments to the financing of new construction at the time that Ordinance No. 7180 was adopted continued, and on April 26, 2010, the City Council extended the authority granted to the Planning Director under Ordinance No. 7180; and

**WHEREAS**, economic recovery is underway, but the availability of financing to complete projects remains limited and continues to hamper completion of projects; and

**WHEREAS**, the City of Pasadena Zoning Code (at §17.64.040.B) authorizes the Planning Director to approve a one-year extension of planning permits and land-use entitlements if the Director determines that the findings and conditions of the original approval still apply, and that the permittee has a good-faith, present intent to commence the proposed project; and

**WHEREAS**, time extensions for approximately 12 planning permits and land-use entitlements are scheduled to expire in calendar year 2011; and

**WHEREAS**, an ability to extend planning permits and land-use entitlements beyond their existing time limits could result in developers continuing to work on these projects until market conditions are more favorable for financing and leasing, and would also allow projects to comply with the regulations in place at the time of their initial approvals, without the delay and expense of renewing entitlements to address changing regulations; and

**WHEREAS**, these projects, if they were to proceed, could positively impact the local economy through the employment of construction-industry personnel, the purchase of materials and supplies during construction and operation, the payment of regulatory fees and taxes, the employment and/or housing of local residents after project completion, and the avoidance of a blighted appearance and safety concerns at an abandoned or partially completed construction site; and

**WHEREAS**, on these bases, the City Council finds that a temporary extension of existing time limits for permit approvals will benefit the City as a whole.

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

**SECTION 1.** The provisions of this ordinance shall extend on an interim basis the existing time limits for permit approvals in §17.64.040.B.4 of the Municipal Code for an additional one-year extension as set forth below.

**SECTION 2.** After the effective date of this ordinance, applicants with planning permits and land-use entitlements may submit a written request to the Planning Director for the additional one-year extension authorized herein.

**SECTION 3.** The existing findings for time extensions set forth in §17.64.040.B of the Municipal Code shall apply to these requests.

**SECTION 4.** The interim authority of the Planning Director to extend planning permits and land-use entitlements beyond the existing time extension specified in §17.64.040.B.4 shall expire on December 31, 2011.

**SECTION 5.** The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published in full text.

**SECTION 6.** This ordinance shall take effect 30 days from its publication.

Signed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
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 \_\_\_\_\_ day of \_\_\_\_\_, 2010, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Date Published:

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Mark Jomsky, CMC  
City Clerk

APPROVED AS TO FORM:



Theresa E. Fuentes  
Assistant City Attorney

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