



Ordinance Fact Sheet

TO: CITY COUNCIL **DATE:** April 7, 2014

FROM: CITY ATTORNEY

SUBJECT: AN ORDINANCE AMENDING THE ZONING CODE TO CODIFY THE LINCOLN AVENUE SPECIFIC PLAN

TITLE OF PROPOSED ORDINANCE

AN ORDINANCE OF THE CITY OF PASADENA AMENDING VARIOUS PROVISIONS OF TITLE 17 (THE ZONING CODE) TO CODIFY THE LINCOLN AVENUE SPECIFIC PLAN

PURPOSE OF ORDINANCE

This ordinance implements direction given by the Council on October 21, 2013 to prepare an ordinance codifying its adoption of the Lincoln Avenue Specific Plan.

REASON WHY LEGISLATION IS NEEDED

This legislation is needed to add a new chapter titled "Lincoln Avenue Specific Plan" to the Zoning Code, and to make other revisions to the Zoning Code that will implement the Specific Plan. While Council allotted 90 days for the drafting of the ordinance, extra time was taken by the Planning and Community Development Department and the City Attorney's Office due to the complexity of the amendment.

Please note that, in the drafting of the ordinance, staff and the City Attorney's Office reconciled an inconsistency between Section 5.4.2, "Prohibited Uses" of the Specific Plan that would have prohibited the expansion of nonconforming structures or uses, and Section 5.4.4, "Nonconforming Uses," that allowed the expansion of such uses pursuant to the existing requirements of Zoning Code Chapter 17.71, "Nonconforming Uses, Structures, and Lots." As represented to the public, the Planning Commission, and the Council throughout the review process of the Specific Plan, it was always the intention

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that nonconforming uses in the Specific Plan area would be treated the same as any other nonconforming structure or use in the City through the application of Chapter 17.71. That section of the Pasadena Municipal Code would require a variance for a modification to a nonconforming structure, and a minor conditional use permit for the modification to a nonconforming use. The ordinance, in Exhibit 2, Section 17.37.050.B, reflects this reconciliation.

PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED

The Planning & Community Development Department will implement the ordinance through the processing of requests for development within the Specific Plan area.

FISCAL IMPACT

There will not be an immediate fiscal impact as a result of this amendment to the Zoning Code. Permitting fees will be collected from any future development proposed within the Specific Plan.

ENVIRONMENTAL DETERMINATION

On October 21, 2013, the Council certified an environmental impact report for the Lincoln Avenue Specific Plan, made CEQA findings, adopted a Mitigation Monitoring and Reporting Plan, and adopted a Statement of Overriding Considerations, in compliance with the California Environmental Quality Act.

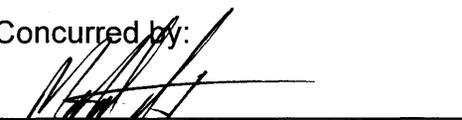
Respectfully submitted,


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