



Agenda Report

April 25, 2016

TO: Honorable Mayor and City Council
FROM: Planning & Community Development Department
SUBJECT: ZONING CODE AMENDMENT: NEIGHBORHOOD DISTRICT OVERLAY ZONE (ND)

RECOMMENDATION:

It is recommended that the City Council:

- 1) Adopt the Addendum to the previously adopted Negative Declaration;
- 2) Approve the Findings for Zoning Code Amendments (Attachment A);
- 3) Approve the proposed amendments for the Neighborhood District Overlay zone (Lower Hastings Ranch) as shown in Attachment B, direct the City Attorney to prepare an ordinance amending Pasadena Municipal Code Section 17.28.090 (ND Neighborhood District Overlay), and direct staff to return to the Planning Commission for consideration of said ordinance prior to first reading by the City Council; and
- 4) Initiate an amendment to Chapter 17.28 (Overlay Zoning Districts) to create a citywide Single-Story Overlay Zone process.

PLANNING COMMISSION RECOMMENDATION:

On March 23, 2016, the Planning Commission considered proposed amendments to the Neighborhood District Overlay. The Commission voted to recommend the City Council:

- 1) Adopt the Addendum to the Negative Declaration;
- 2) Prohibit two-story construction in Lower Hastings Ranch and approve a 16-foot height limit for one-story construction;
- 3) Approve architectural standards, per staff recommendation;
- 4) Approve the Findings for Zoning Code Amendments;
- 5) Recommend creation of a single-story overlay zone process, applicable citywide; and
- 6) Approve the corresponding Findings for Zoning Code Amendments for the creation of a single-story overlay zone process.

The Commission requested that should the City Council decide to not prohibit second stories in Lower Hastings Ranch, the City Council direct staff to return to the Planning Commission to discuss appropriate second story development regulations prior to final consideration by the City Council.

As noted above, the Commission voted to support the creation of a process to establish single-story overlay zones with the following changes from what was presented by staff:

- Apply the overlay citywide, instead of just Lower Hastings Ranch;
- Reduce the percentage of the houses in a proposed overlay that must be single-story from 80 percent to 60 percent; and
- Reduce the minimum number of required owner signatures in support of the overlay from 70 percent to 51 percent.

EXECUTIVE SUMMARY:

In response to recent concerns for the potential for "mansionization" in Pasadena, and at the direction of the City Council, City staff is undertaking an effort to revise the Zoning Code development standards governing single-family residences in Pasadena. This work program involves three phases: Phase 1 (Lower Hastings Ranch), Phase 2 (non-historic, non-hillside), and Phase 3 (Hillside Overlay Districts). The proposed amendments contained in this report are a part of Phase 1; Phases 2 and 3 are in process and will be presented to the Council later this summer.

From the outreach activities conducted to-date the wide variety of comments and concerns expressed by residents of Lower Hastings Ranch can generally be placed into five categories: bulk and mass; design and style; view protection; privacy; and community notification and involvement.

In response, staff is recommending a discretionary review process (Neighborhood Development Permit), to provide for a more thorough review of specific types of construction projects and an opportunity for public notification and review. It is also recommended that a Single-Story Overlay process be created by which residents can impose on themselves a prohibition on new second stories or additions to existing second stories. Finally, a number of amendments are recommended to the development standards for floor area ratio, second floor setbacks, second floor decks and balconies, and architectural development standards. Staff recommends that final Neighborhood District ordinance changes be reviewed by the Planning Commission prior to adoption.

BACKGROUND:

The Neighborhood Overlay District (ND) was adopted in 1991 to create special development standards for single-family houses in the Lower Hastings Ranch neighborhood (Attachment C). In March 2011, the City Council amended the ND Overlay, limiting the height of front porches, establishing a maximum allowed roof pitch, and providing additional setback and height requirements for second-story additions. In September 2014, the City Council directed staff to develop a strategy to address the potential for 'mansionization' in the City's single-family neighborhoods. Staff worked with the Planning Commission to develop a three-phase strategy: Phase 1 (Lower Hastings Ranch), Phase 2 (Non-hillside, non-historic single family zones), and Phase 3 (Hillside Overlay zones).

The City Council adopted a moratorium for the Lower Hasting Ranch neighborhood in March 2015 (in effect until March 2017) which prohibits the following:

- Second story development and additions;
- Single story additions larger than 500 square feet or 20% of the existing structure's square footage;
- Single story detached accessory structures larger than 20% of the primary structure's square footage; and
- Demolition of more than 50% of exterior walls

Community Outreach

Staff employed a series of neighborhood-wide outreach efforts as part of Phase 1, such as surveys and community meetings, as well as targeted focus group meetings with the Lower Hastings Ranch Association:

December 2014

- Community meeting to discuss general concerns related to mansionization and incompatible single-family residential development.
- Surveys mailed to all single-family properties in Lower Hastings Ranch; 29 surveys were completed and returned to staff.

March-June 2015

- Eight city-wide community meetings, some of which were attended by residents of Lower Hastings Ranch.

July 2015

- Meeting with Lower Hastings Ranch Association Board members to discuss examples of mansionization as well as examples of additions and remodels that were considered to be architecturally consistent with the neighborhood.

September 2015

- Meeting with the Lower Hastings Ranch Association Board members to explore conceptual Code amendments.
- Neighborhood-wide community meeting, attended by approximately 35 residents, to discuss specific potential Zoning Code amendments.
- Driving tour with residents of Lower Hastings Ranch to identify desirable architectural elements and designs.
- Publicly-noticed informational update to the Planning Commission, outlining timeline for Phases 1 and 2 and providing a summary of outreach efforts.

January 2016

- Follow-up survey mailed to all single-family properties in Lower Hastings Ranch; 281 surveys completed and returned to staff (Attachment D).

February 2016

- Meeting with Lower Hastings Ranch Association Board members to review draft Code amendments.
- Community meeting to discuss draft Zoning Code amendments, attended by approximately 40 residents.

March 2016

- Meeting with Lower Hastings Ranch Association Board members to review draft Code amendments.
- Public Hearing - Planning Commission

PROPOSED AMENDMENTS:

Staff received a wide variety of verbal and written comments during the meetings held with the Lower Hastings Ranch Association and the community at-large, as well as written responses included with the January surveys. After reviewing the responses and feedback, staff has distilled the comments down to five categories:

- Bulk and Mass;
- Design and Style;
- View Protection;
- Privacy; and
- Community Notification and Involvement.

Staff's work on developing Zoning Code amendments, in conjunction with design staff from RRM Design who were retained as consultants, centered on responding to these five categories. The proposed Zoning Code amendments are a combination of new and revised development standards, design standards, a discretionary process designed to ensure that new one- and two-story houses, additions, and remodels are appropriately scaled and designed in relation to the surrounding neighborhood, and the initiation of a single-story overlay zone that prohibits second stories within designated boundaries. A

discussion of community concerns and the proposed standards is below. See Attachment B for a detailed list of all proposed amendments.

Discretionary Permit for Second Stories (Privacy, View Protection, Community Notification and Involvement):

Many residents commented on the impacts that new two-story houses and second story additions could potentially have on a neighborhood of predominantly single-story houses. Comments included a loss of privacy for immediate neighbors and a loss of mountain views. The existing Neighborhood Overlay District development standards address these concerns by applying additional setbacks to second floors, as well as limiting their size. In addition, staff also heard numerous concerns that neighbors were unaware of forthcoming construction projects in their neighborhood.

To address these comments, staff recommends implementing a discretionary review process, a Neighborhood Development Permit (similar to a Conditional Use Permit or Hillside Development Permit), for: 1) new two-story houses; 2) second-story additions; and 3) any additions visible from a street in Lower Hastings Ranch. This would require decision makers to make findings for approval, including a finding related to neighborhood context. Applicants would be required to submit a visual analysis of the proposed project, including the placement of 'story poles' for two-story construction. The visual analysis must demonstrate how the proposed project will appear to observers viewing the site from the public right-of-way, three houses in either direction, and from other public areas near the site.

Additionally, a discretionary process would include public notification of property owners within 500 feet of the project site, providing residents with additional knowledge of projects in their neighborhood, opportunities to provide input, and the ability to attend a public hearing on the project.

Single-Story Overlay Zone (Bulk and Mass, Design and Style, View Protection, Privacy)

One suggestion staff heard throughout the public process was to prohibit the construction of second stories, or additions to existing second stories. Reasons for this suggestion ranged from privacy concerns, blocking or obscuring mountain views, architectural discontinuity with the style of surrounding houses, and a desire to maintain the general one-story character of Lower Hastings Ranch.

While one-story homes are a typical characteristic of many Ranch-style homes contextually-designed two-story houses may be appropriate in Lower Hastings Ranch. The recommended discretionary permit process would address concerns related to two-story houses by providing neighborhood notification, more stringent review of the design by staff and findings for neighborhood context, while still allowing homeowners the option of building two-story houses and additions.

Staff has spoken with many stakeholders over the course of this project via telephone, email, and in person at various community meetings, and has also reviewed the responses given by residents who completed a mailed survey in January 2016. Based on community input at various public meetings, many residents favor a prohibition on two-story houses. However, some residents expressed a desire to maintain the option of building two-story houses and additions. The January survey results also indicate that while 56 percent of respondents favor a prohibition on second stories, still 38 percent of respondents do not favor a prohibition on two-story construction. Therefore, there is not a clear consensus.

At the February community meeting, several residents encouraged the City to consider regulations similar to those in the City of Palo Alto to prohibit two-story houses. Staff researched Palo Alto's "Single Story Overlay Combining District"; including speaking with their staff, to better understand the ordinance. The process allows a group of residents to impose single-story restrictions upon themselves and is similar to Pasadena's Landmark Districts, where a group of residents propose additional restrictions on themselves after obtaining the necessary number of signatures in support.

Staff recommends the creation of a Single-Story Overlay process citywide as a method of prohibiting second stories where there is clear community support. The benefit of this Overlay is that second stories can be prohibited in various neighborhoods throughout the City where there is a clear predominance of single story character, and where the great majority of residents support such restrictions. The process would allow the creation of an overlay zone prohibiting new second floors and additions to existing second floors; an overlay initiated by like-minded residents, and supported by a vast majority of those that would be impacted.

As recommended, the steps to create a Single-Story Overlay Zone would be as follows:

- Process is initiated by a petitioner, who must own property located in the single-story overlay district to be created.
- Petitioner prepares a map defining the boundaries of the overlay zone. The boundaries may be natural or man-made, such as streets, tract map lines, or ridgelines. This results in continuity rather than a block where some houses are inside of the overlay and others are outside.
- Petitioner must demonstrate that at least 80 percent of the houses within the proposed overlay zone are single-story.
- Petitioner must obtain signatures from at least 70 percent of the property owners within the proposed boundaries supporting the overlay zone.
- The City reviews the application, prepares a report, and presents a recommendation to the Planning Commission and ultimately City Council. If approved, the result is a zone map amendment that creates a new single-story overlay zone.
- Removal of a single-story overlay zone requires approval of at least 70 percent of the property owners within the overlay.

The process would provide a method to restrict two-story development for the Lower Hastings Ranch neighborhood, in whole or in part, at the discretion of the property owners who would be directly impacted by the prohibition.

Staff is currently developing citywide amendments as part of Phase 2 of the Mansionization work program, as well as the Hillside District amendments in Phase 3, and recommends that a Citywide Single Story Overlay zone process be considered as part of those phases.

Revised Development Standards:

Staff recommends that the City Council direct staff to return to the Planning Commission to review detailed development standards that would implement the following prior to final adoption by City Council:

Floor Area Ratio (Bulk and Mass)

To respond to comments regarding bulk and mass, or the potential for oversized two-story houses, staff recommends modifying an existing development standard that limits the floor area of a second story to 50 percent of the floor area of the first story, including the square footage of an attached garage. The modification would exclude the square footage of attached garages from this calculation, resulting in smaller second stories.

An additional measure that would respond to bulk and mass concerns is related to the maximum allowable size of all structures on a property, as a percentage of the total lot area. Given that some properties within Lower Hastings Ranch appear to have substantially sloped areas, particularly along Rim Road, residents have suggested that such steeply sloped areas be discounted from the overall lot area if they are essentially unbuildable. For example, the Hillside District Overlay Zone currently excludes all portions of a lot with a 50 percent slope or greater from the floor area calculation if a property is 10,000 square feet in size or larger. In a similar vein, staff proposes to exclude all portions of a lot with a 50 percent slope or greater from the lot area used to calculate the allowable gross floor area in the Neighborhood Overlay District, but applicable to all lots, regardless of their size.

Second Story Setbacks (Privacy)

In response to privacy comments, the current Neighborhood Overlay District standards require second story additions to have an additional front yard setback, or 'stepback', of ten feet from the first floor front wall, a side yard setback of five feet from the first floor side walls, along with an encroachment plane requirement (45 degrees from vertical, beginning six feet above the side property line) for side yard setbacks. However, the existing standards do not include a rear yard setback requirement for second story additions. Staff recommends requiring a five foot rear-yard setback requirement, measured from the first floor rear wall.

Second Floor Decks and Balconies (Privacy)

To address comments regarding privacy impacts from second-story balconies, a proposed Zoning Code amendment would require second-floor decks and balconies to be integrated and recessed within the roofline and structure of the second floor, prohibiting them from projecting outwards from a residence. This would reduce the potential for infringing on a neighbor's privacy.

Architectural Development Standards (Design and Style)

To respond to comments regarding the architectural character of Lower Hastings Ranch, staff proposes to include development standards specifying certain types of materials, elements and designs that are inconsistent with Ranch-style houses, and therefore prohibited. These development standards would apply to new single-story and two-story construction as well as additions and remodels. For example, roofing materials such as curved barrel tiles, often found on Mediterranean-style houses, are not consistent with Ranch style houses and would be prohibited. Other prohibited elements include pre-cast architectural trim, balustrades, faux columns, and ornate metal fences and railings, all of which are incongruous with traditional Ranch-style architecture.

Front Yard Fence and Wall Requirements (Design and Style)

In response to comments regarding inappropriately-designed front yard fences and walls, staff proposes to include standards related to appropriate fence and wall materials prohibiting styles that do not complement Ranch-style architecture, similar to those described above under 'Architectural Development Standards (Design and Style)'.

Informational Handouts (Community Notification and Involvement)

In addition to revising the development standards for Lower Hastings Ranch, staff will develop handouts to visually represent the Neighborhood Overlay development standards and provide examples of appropriate massing, architectural styles, and materials. These handouts would be available for the public.

REQUIRED FINDINGS:

In order to amend the Zoning Code, the City Council is required to make certain findings as set forth in Section 17.74.070.B of the PMC. As detailed in Attachment A (Findings for Zoning Code Amendments), the required findings can be made for the proposed amendment.

COUNCIL POLICY CONSIDERATION:

The proposed amendment to the Specific Plan furthers the goals and policies of the General Plan related to compatible development and appropriate scale and massing, as described in Attachment A (Findings for Zoning Code Amendments).

ENVIRONMENTAL ANALYSIS:

An initial environmental study prepared for the Zoning Code amendments in 2011 determined that there would be less than significant impacts on the environment, and a Negative Declaration was prepared (Attachment E). As part of this Lower Hastings Ranch Zoning Code Amendment, an addendum to the 2011 Negative Declaration has been prepared in compliance with Section 15164 of the California Environmental Quality Act guidelines (Attachment F). The addendum concluded that the proposed Zoning Code revisions will not result in any significant impacts, similar to the results found in the 2011 Initial Study and Negative Declaration.

FISCAL IMPACT:

There is no significant fiscal impact associated with the adoption of the proposed Zoning Code Amendments.

Respectfully submitted,



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Attachments (6):

- Attachment A – Findings for Zoning Code Amendments
- Attachment B – Proposed Neighborhood Overlay District development standards
- Attachment C – Map of Lower Hastings Ranch
- Attachment D – Survey Questions and Results
- Attachment E – Initial Study and Negative Declaration (2011)
- Attachment F – Addendum to Negative Declaration (2015)