

Ordinance Fact Sheet

TO: City Council

DATE: January 7, 2002

FROM: City Attorney

SUBJECT: Zoning Code Amendment for Research and Development uses

TITLE OF PROPOSED ORDINANCE:

AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17, "THE ZONING CODE," OF THE PASADENA MUNICIPAL CODE, TO INCLUDE THE USE CLASSIFICATIONS "RESEARCH AND DEVELOPMENT – OFFICE AND RESEARCH AND DEVELOPMENT – NON-OFFICE" INTO THE LAND USE SCHEDULES FOR THE CO, CL, CG, IG, CD, DISTRICTS AND TO ALLOW THROUGH A MINOR CONDITIONAL USE PERMIT FOR THIS USE TO EXCEED THE HEIGHT LIMIT BY 10 FEET AND TO EXCEED THE MAXIMUM ALLOWABLE APPURTENANCE COVERAGE BY UP TO 50 PERCENT.

PURPOSE OF ORDINANCE:

This ordinance implements amendments approved by the City Council on November 19, 2001. Changes include the addition of two new "research and development" land use classification in the CO, CL, CG, IG and CD zoning districts. In addition, modifications to the development standards for this land use have been created to allow a Minor Conditional Use permit process to be used to consider minor changes in the building height and appurtenance coverage on the roof. Through this minor conditional use permit process, the height may be increased by 10 feet and the appurtenance coverage may be increased to up to 50 percent roof coverage. The notification for this minor conditional use permit will be 300 feet.

REASON WHY LEGISLATION IS NEEDED:

An ordinance is needed to implement the zoning code updates related to research and development improvements as approved by the City Council.

PROGRAM, DEPARTMENTS, OR GROUPS AFFECTED:

The Planning and Development Department would implement the proposed ordinance.

MEETING OF 1/7/2002

AGENDA ITEM NO. 9.A.1.

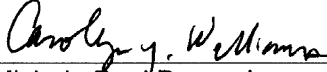
FISCAL IMPACTS:

The fiscal impacts were reviewed at the City Council on November 19, 2001. At that time the Council report noted that expanding the applicability of both the current construction tax and enterprise zone waivers will represent lost potential revenue to the general fund. However, the amendments to the zoning code are not expected to have measurable fiscal impact.

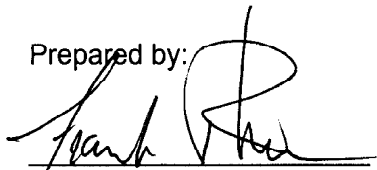
ENVIRONMENTAL:

Through an initial study, the environmental impacts were reviewed by the City Council on November 19, 2001. At that time the Council approved staff's recommendation that a Negative Declaration is appropriate.

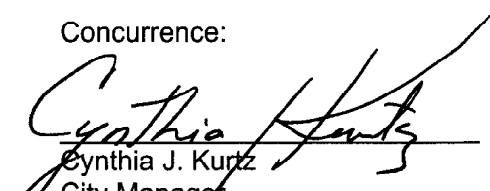
Respectfully Submitted,

for 
Michele Beal Bagneris
City Attorney

Prepared by:


Frank L. Rhemrev
Assistant City Attorney

Concurrence:


Cynthia J. Kurtz
City Manager

Introduced by Councilmember

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17, "THE ZONING CODE," OF THE PASADENA MUNICIPAL CODE, TO INCLUDE THE USE CLASSIFICATIONS "RESEARCH AND DEVELOPMENT - OFFICE AND RESEARCH AND DEVELOPMENT - NON-OFFICE" INTO THE LAND USE SCHEDULES FOR THE CO, CL, CG, IG, CD, DISTRICTS AND TO ALLOW THROUGH A MINOR CONDITIONAL USE PERMIT FOR THIS USE TO EXCEED THE HEIGHT LIMIT BY 10 FEET AND TO EXCEED THE MAXIMUM ALLOWABLE APPURTENANCE COVERAGE BY UP TO 50 PERCENT.

SECTION 1. This ordinance due to its length and/or cost of publication will be published by title and summary as permitted by Section 508 of the Charter. The approved summary of this ordinance is as follows:

"Summary

The purpose of this ordinance is to create incentives for research and development uses. This ordinance adds the use classifications, research and development-office and research and development-non-office to the various commercial zoning districts. The use will be permitted in the CG and IG districts but conditionally permitted in the CO and CL districts. The ordinance allows for such uses to proceed through a minor conditional use permit to allow the height limit to be exceeded by up to 10 feet for the purpose of accommodating a higher floor to ceiling height for specialized equipment needs. Such a conditional use permit will not allow for increased floor area. Additionally, research and development uses may through a minor conditional use permit to cover up to 50 percent of the roof with mechanical equipment. Currently the code allows 25 percent. Any minor conditional use permit processed for the above two purposes would be required to be noticed at 300 feet.

SECTION 2. Section 17.28.020 of said code is amended as follows:

(a) By amending the schedule entitled, "**CO, CL, AND CG COMMERCIAL DISTRICTS: LAND USE REGULATIONS**", as shown in Exhibit 1, attached hereto and incorporated by this reference.

(b) By adding a new paragraph "(NN)" under the heading "**CO, CL, AND CG COMMERCIAL DISTRICTS: ADDITIONAL LAND USE REGULATIONS**," to read as follows:

"(NN) See Chapter 17.64, Research and Development."

SECTION 3. Section 17.32.020 of said code is amended as follows:

(a) By amending the schedule entitled, "**IG DISTRICT: LAND USE REGULATIONS**", as shown in Exhibit 2, attached hereto and incorporated by this reference.

(b) By adding a new paragraph, "AA" under the heading, "**IG DISTRICT: ADDITIONAL LAND USE REGULATIONS**," to read as follows:

"(AA) See Chapter 17.64, Research and Development."

SECTION 4. The schedule entitled, "**CD DISTRICT: LAND USE REGULATIONS PART I AND PART II**", of Section 17.33.040 of said code is amended as shown in Exhibit 3, attached hereto and incorporated by this reference.

SECTION 5. Table 17.33.050, entitled, "**CD CENTRAL DISTRICT: ADDITIONAL LAND USE REGULATIONS**" is amended by adding the following:

"(FF) See Chapter 17.64, Research and Development."

SECTION 6. The schedule entitled, "**WEST GATEWAY SPECIFIC PLAN AREA - LAND USE REGULATIONS**", of Section 17.46.050 of said code is amended as shown in Exhibit 4, attached hereto and incorporated by this reference.

SECTION 7. The schedule entitled, "**EAST PASADENA SPECIFIC PLAN DISTRICT - LAND USE REGULATIONS**", of Section 17.47.060 of said code is amended as shown in Exhibit 5, attached hereto and incorporated by this reference.

SECTION 8. Chapter 17.64 entitled, "**SITE REGULATIONS**," is amended by adding the following new subsection:

"17.64.360 Research and Development.

The following applies to research and development - office and research and development - non-office. A minor conditional use permit is required to exceed the height limit or appurtenance coverage under these provisions.

A. Height Limit. The height limit may be exceeded by a maximum of 10 feet in order to accommodate additional mechanical equipment between floors. No additional floor area is permitted.

B. Appurtenances. The allowable appurtenance roof coverage may exceed up to 50 percent of a building's roof.

C. Notification. A minor conditional use permit notice under this provision shall be mailed and posted within 300 feet of the site boundaries."

SECTION 3. This ordinance shall take effect upon 30 days of its publication.

Signed and approved this _____ day of _____, 2002.

Bill Bogaard
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council on the City of Pasadena at its regular meeting held on _____, 2002, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Published:

Jane L. Rodriguez
City Clerk

APPROVED AS TO FORM:

Frank Rhemrev
Assistant City Attorney

EXHIBIT 1 – Amendment Regarding Research and Development

CO, CL AND CG DISTRICTS: LAND USE REGULATIONS (Continued)					
Use Classifications	CO	CL CL-2	CL-1	CG CG-1	Additional Use Regulations
Personal Improvement Services		P	P	P	
Personal Services		P	P	P	
Professional, Business and Trade					
Schools		P	P	P	
Research and Development – Office	P	P	P	P	(NN)
Research and Development – Non-Office	C	C	C	P	(NN)
Recycling Centers:					(AA)
Small Collection Facilities	P	P	P	P	
Large Collection Facilities				C	
Restaurants:		P	P	P	(BB)
With Beer and Wine Service		C	C	C	
With Full Alcohol Service		C	C	C	
With Live Entertainment		P	P	P	
Restaurants, Take-Out:		C	C	P	(BB)(CC)
With Beer and Wine Service		C	C	C	
With Full Alcohol Service		C	C	C	
With Live Entertainment		P	P	P	
Retail Sales	C	P	P	P	
Secondhand Clothing and Appliance					
Sales				P	(DD)
Single-Room Occupancy				P	(EE)
Swap Meets				C	
Vehicle/Equipment Sales, Leasing and Services:					
Automobile Rentals		C	C	P	
Commercial Off-Street Parking	P	P	P	P	
Service Stations		C	C	C	(Q)(FF)
Vehicle/Equipment Repair				P	(GG)
Vehicle/Equipment Sales, Leasing and Rentals				P	(GG)
Vehicle Storage		C	C	C	
Visitor Accommodations:					
Bed and Breakfast Inns	C	P	P	P	(G)
Hotels and Motels				P	(G)(HH)
Warehousing and Storage:			C	C	
Small-Scale		P	P	P	
Wireless Telecommunications					
Antenna Facility:					
Minor	MC	MC	MC	MC	(II)
Major	C	C	C	C	(II)
Industrial					(D)(F)(L)(M)(N)
Industry, Restricted:			C	C	
Small-Scale		P	P	P	

Underlined language added.

EXHIBIT 2 – Amendment Regarding Research and Development

IG DISTRICT: LAND USE REGULATIONS (Continued)		
Use Classifications	IG	Additional Use Regulations
Commercial		
Communications Facilities:	P	
Small Scale	P	
Drive-Thru Businesses	C	(A)
Emergency Shelters	MC	
Firearms Sales	C	
Food Sales:	P	
With Beer and Wine Sales	C	
With Full Alcohol Sales	C	
Horticulture, Limited	P	
Laboratories	P	
Maintenance and Repair Services		
Mini-Mall	C	(Q)
Mortuaries	P	
Nurseries	C	
Offices:		
Business and Professional	P	
Medical	P	
Personal Improvement Services	P	
Personal Services	P	
Professional, Business and Trade		
<u>Research and Development – Office</u>	P	(AA)
<u>Research and Development – Non-Office</u>	P	(AA)
Recycling Centers:		(R)
Small Collection Facilities	P	
Large Collection Facilities	C	
Restaurants:	P	(J)
With Beer and Wine Service	C	
With Full Alcohol Service	C	
With Live Entertainment	P	
Restaurants, Take-Out:	P	(J)(O)
With Beer and Wine Service	C	
With Full Alcohol Service	C	
With Live Entertainment	P	
Retail Sales	P	
Secondhand Clothing and Appliance Sales	P	
Swap Meets	C	
Vehicle/Equipment Sales, Leasing and Services:		
Automobile Rentals	P	
Commercial Off-Street Parking	C	
Service Stations	C	(K)(P)
Vehicle/Equipment Repair	P	
Vehicle/Equipment Sales, Leasing and Rentals	P	
Vehicle Storage	C	

Underlined language added.

Exhibit 3 – Amendment for Research and Development

CD DISTRICT: LAND USE REGULATIONS
PART I (Continued)

(1) (2) (3) (4) (5) SOUTH LAKE AVENUE

Use Classifications	OLD PASADENA		COLORADO BOULEVARD		CIVIC CENTER		LAKE/CORDOVA		2		3		4			5	7			ADDITIONAL LAND USE REG.
	P	C	P	C	P	C	P	C	B	C	A	B	A	B	C	D	A	B	C	
Maintenance and Repair Services	P		P		P		P		MC	MC	MC	MC	MC	MC	MC					
Mini-Malls		C		C		C		C	C	C	C	C	C	C	C	C				(P)
Offices:																				
Business and Professional	P		P		P		P		P	P	P	P	P	P	P	P				(V)
Medical	P		P		P		P		P	P	P	P	P	P	P	P				
Pawnshops	C																			
Personal Improvement Services	P		P		P		P		P	P	P	P	P	P	P	P				
Personal Services	P		P		P		P		P	P	P	P	P	P	P	P				
Professional, Business and Trade Schools	P		P		P		P		P	P	P	P	P	P	P	P				
<u>Research and Development – Office</u>	P		P		P		P		P	P	P	P	P	P	P	P				(FF)
<u>Research and Development – Non-Office</u>	P		P		P		P		P	P	P	P	P	P	P	P				(FF)
Recycling Centers:																				
Small Collection Facilities	MC		MC		MC		MC		MC	MC	MC	MC	MC	MC	MC	MC				(T)
Restaurants:	P		P		P		P		P	P	P	P	P	P	P	P				(G)
With Beer and Wine Service	C		C		C		C		C	C	C	C	C	C	C	C				
With Full Alcohol Service	C		C		C		C		C	C	C	C	C	C	C	C				
With Live Entertainment	P		P		P		P		P	P	P	P	P	P	P	P				(G)
Restaurants, Take-Out	P		P		P		P		P	P	P	P	P	P	P	P				
With Beer and Wine Service	C		C		C		C		C	C	C	C	C	C	C	C				
With Full Alcohol Service	C		C		C		C		C	C	C	C	C	C	C	C				
With Live Entertainment	P		P		P		P		P	P	P	P	P	P	P	P				
Retail Sales	P		P		P		P		P	P	P	P	P	P	P	P				

Underlined language added.

Exhibit 3 – Amendment for Research and Development

Use Classifications	CD DISTRICT: LAND USE REGULATIONS PART II (Continued)															
	(6)	(7)	(7A)	(8)	(9)	(10)	(11)	(12)	(13)	(13A)	(14)	(15)	(16)	ADDITIONAL LAND USE REGS.		
	GREEN STREET	PASADENA TOWN	BELEVUE-PLEASANT	LOS ROBLES-CORDOVA	ARROYO PARKWAY	CENTRAL PARK	WEST DOWNTOWN	CALIFORNIA-FAIR OAKS	WALNUT STREET	NORTH OAKLAND	NORTH LAKE AVENUE	MEMORIAL PARK	COLORADO-LOS ROBLES			
Maintenance and Repair Services	P				P		P	P			P	P				
Mini-Malls	C			C	C	C	C	C			C	C	C		(P)	
Mortuaries																
Nurseries					P		P	P								
Offices:																
Business and Professional	P	C(2)	C(1)	P	P	P	P	P(1)	P	P	P	P	P	P	(V)	
Medical	P			P	P	P	P	P(1)	P	P	P	P	P	P		
Personal Improvement Services	P			P	P	P	P	P			P	P	P	P		
Personal Services	P			P	P	P	P	P			P	P	P	P		
Professional, Business and Trade Schools	P			P	P	P	P	P	P	P	P	P	P	P		
<u>Research and Development – Office</u>	P			P	P	P	P	P	P	P	P	P	P	P	<u>(FF)</u>	
<u>Research and Development – Non-Office</u>	P			P	P	P	P	P	P	P	P	P	P	P	<u>(FF)</u>	
Restaurants:	P			P	P	P	P	P	P	P	P	P	P	P		
With Beer and Wine Service	C			C	C	C	C	C	C	C	C	C	C	C		
With Full Alcohol Service	C			C	C	C	C	C	C	C	C	C	C	C		
With Live Entertainment	P			P	P	P	P	P	P	P	P	P	P	P		
Restaurants, Take-Out:	P			P	P	P	P	P	P	P	P	P	P	P		
With Beer and Wine Service	C			C	C	C	C	C	C	C	C	C	C	C		
With Full Alcohol Service	C			C	C	C	C	C	C	C	C	C	C	C		
With Live Entertainment	P			P	P	P	P	P	P	P	P	P	P	P		
Recycling Centers																

Underlined language added.

Exhibit 4 – Amendment for Research and Development

Use Classification	By Zoning District					See Additional Regulations In
	Commercial ⁶	WGSP -1A	WGSP -1B	WGSP -1C	WGSP -2	
Ambulance Services						C
Auto Washing and Detailing Businesses						
Small-Scale ⁷			P			P
Banks and Savings & Loans			P			P
With Walk-Up Service ⁸			P			P
Catering Services ³						P
Commercial Entertainment ³	E					E
Commercial Filming	C	C	C	C	C	Section 17.64.120 and Chapter 17.94 Chapter 17.90
Commercial Printing, Limited			P			P
Communication Facilities:						C
Small-scale			P			P
Emergency Shelters						MC
Food Sales: ^{9,10}			P			P
With Beer and wine			C			C
With Full Alcohol Sales			C			C
Laboratories	C		C			P
Maintenance and Repair Services						P
Nurseries						P
Offices:						
Business and Professional ¹⁰	P	C	P	C		P
Personal Improvement Services ⁹			P			P
Personal Services ⁹			P			P
Professional, Business and Trade School ¹¹	C	C	C	C		P
Research and Development – Office	<u>P</u>	<u>C</u>	<u>P</u>	<u>C</u>		<u>P</u>
Recycling Centers:						
Small Collection Facilities			MC			MC
Restaurants: ¹²	P		P			P
With Beer and Wine Service	C		C			C
With Full Alcohol Service	C		C			C
With Live Entertainment	P		P			P

Additional Land Use Regulations:

⁶ In WGSP-1C, new nonresidential projects, and the nonresidential portion of mixed use projects that exceed 25,000 square feet of gross floor area shall obtain a conditional use permit pursuant to Chapter 17.88. Projects with a master development plan approved pursuant to Chapter 17.98, government offices, tenant improvements and projects that are on the approved capital improvement budget shall be exempt from this requirement.

⁷ Small-scale auto washing and detailing businesses shall meet additional land use regulations (P) and (T) of Section 17.28.020.

⁸ The Department of Public Works and transportation shall review the location of the walk-up service to ensure minimal interference with vehicular and pedestrian traffic.

⁹ In WGSP-3, food sales, retail sales, personal improvement services, personal services, restaurants and take-out restaurants are limited to 7,500 square feet of floor area per individual business.

¹⁰ Commercial uses in WGSP-1B shall be no more than 120 feet front the Green Street property line.

¹¹ In WGSP-1B, food sales are limited to the block surrounded by Colorado Boulevard on the north, St. John Avenue on the east, Greet Street on the south and Terrace Drive on the west.

¹² Outdoor dining areas shall be defined by landscaping or other barrier as approved by the zoning administrator.

Exhibit 5 – Amendment to Title 17 (Recycling Facilities)

EAST PASADENA SPECIFIC PLAN – LAND USE REGULATIONS

Commercial Printing	P	P	C	P	P	C	P	P	P	P			
Commercial Printing, Limited		P	P	P	C	C							
Commercial Recreation		C	C	C	C	C							IG(H)(X)(P); CG, CL (P)(U)(V)
Communications Facilities	P	P	P	P	P	P							
Small Scale	P	P	P	P	P	P							
Drive-Thru Businesses	C	C	C	C	C	C							IG(A); CG, CL(Y)
Emergency Shelters	MC	MC	MC	MC	MC	MC							
Firearm Sales	C	C	C	C	C	C							
Food Sales		P	P	P	P	P							
W/Beer & Wine Sales		C	C	C	C	C							
W/Full Alcohol Sales		C	C	C	C	C							
Horticulture, Limited	P			P	P	P							
Laboratories	P	P	P	P	P	P							
Maintenance & Repair Services	P	P	P	P	P	P							
Mini-Malls		C	C	C	C	C							CL, CG(Z)
Mortuaries	P	P	P	P	P	P							
Nurseries		P	C	C	C	C							
Offices:													
Business & Professional	P	P	P	P	P	P							
Medical	P	P	P	P	P	P							
Pawnshops		P											
Personal Improvement Services	P	P	P	P	P	P							
Personal Services	P	P	P	P	P	P							
Professional, Business &													
Trade Schools	P	P	P	P	P	P							
Recycling Centers													
Small Collection Facilities	MC	MC	MC	MC	MC	MC							IG(R); CG, CO, CL(AA)
Large Collection Facilities	C	C	C	C	C	C							
Research & Development- Office	P	P	P	P	P	P							
Research and Development- Office	P	P	P	P	P	P							(FF)
Research and Development- Non-Office	P	P	P	P	P	P							(FF)

Underlined language added.

Exhibit 5 – Amendment to Title 17 (Recycling Facilities)

EAST PASADENA SPECIFIC PLAN – LAND USE REGULATIONS

Industrial													IG(E)(F)(T); CO, CL, CG(D)(F)(L)(M)(N)
Industry, Standard ⁴	P					P							
Industrial, Restricted	P	C				P	C						
Small-Scale	P	P				P	P						
Live/Work Units ⁵	C	C	C			C	C						
Wholesale, Distrib. & Storage	P	C				P	C						
Small-Scale	P	P				P	C						
Research & Development -- Lab	P	P	G			P	G						
Accessory													
Accessory Uses	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	
Accessory Antenna Array	P	P	P	P	P	P	P						
Home Occupations	P	P	P	P	P	P	P						IG(Y); CO, CL, CG (JJ)
Temporary													
Animal Shows	TC	TC				TC	TC						IG(M); CG(KK)
Auto Washing	P	P	P			P	P						
Circuses & Carnivals	TC	TC	TC	TC	TC	TC	TC						IG(M); CL, CG(KK)
Farmers' Market	TC	TC	TC	TC	TC	TC	TC	TC	TC	TC	TC	TC	IG(M); CO, CL, CG(KK)
Filming, Short-Term	C	C	C	C	C	C	C						
Filming, Long-Term	P	P	P	P	P	P	P						
Live Entertainment	TC	TC	TC	TC	TC	TC	TC						IG(M); CL, CG(KK)
Religious Assembly	TC	TC	TC	TC	TC	TC	TC						IG(M); CL, CG(KK)
Retail Sales, Outdoor	TC	TC	TC	TC	TC	TC	TC						IG(M); CL, CG(KK)
Seasonal Merchandise Sales	P	P	P	P	P	P	P						IG(W); CL, CG, (LL)
Street Fairs	P	P	P	P	P	P	P						CO, CL, CG(KK)

Scored language deleted.