

# Agenda Report

TO: CITY COUNCIL DATE: NOVEMBER 7, 2005  
 FROM: CITY MANAGER  
 SUBJECT: ZONING MAP AND GENERAL PLAN AMENDMENT FOR THE  
 RM-16 SECTION OF GARFIELD HEIGHTS

## RECOMMENDATION

It is recommended that, following a public hearing, the City Council:

- Adopt the Environmental Negative Declaration for the zone change and General Plan amendment listed below (Attachment 4); approve the De Minimis Impact Finding on the State Fish and Wildlife Habitat (Attachment 5); and direct the City Clerk to file a Notice of Determination and a Certificate of Fee Exemption for the California Department of Fish And Game, with the Los Angeles County Recorder (Attachment 6).
- Find that the proposed zone change and General Plan amendment are consistent with the goals, objectives, and policies of the General Plan and the findings required in Section 17.74.070 of the Pasadena Municipal Code.
- Determine that remaining sites identified in the adopted 2000-2005 Housing Element are adequate to accommodate the city's share of the regional housing need for the planning period pursuant to Government Code Section 65584.
- Change the zoning in the Southern section of the study area (see Figure 1) from Multi-Family Residential RM-32 to Multi-Family Residential RM-16 and amend the corresponding General Plan designation from Medium-High Density Residential (0-32 dwelling units / net acre) to Medium Density Residential (0-16 dwelling units / net acre).
- Direct the City Attorney to prepare an ordinance amending the official zoning map of the City of Pasadena established by Section 17.20.040 of the Pasadena Municipal Code in the manner described above.

## PLANNING COMMISSION RECOMMENDATION

The Planning Commission considered the zone changes and General Plan amendments on September 21, 2005, and recommended that the City Council approve the amendments, as recommended above.

## **NORTHWEST COMMISSION**

On September 13, 2005 the Northwest Commission voted to disapprove the recommendation to rezone the study area. The Commission's concerns centered on whether the zone changes would be the most effective way of providing affordable housing. The Commission expressed that the most certain way of providing affordable housing was to rely on the affordable units required by the Inclusionary Housing Ordinance in new developments. Furthermore, the Commission expressed that keeping the existing zoning would provide more affordable units than the proposed zoning.

## **EXECUTIVE SUMMARY**

The Garfield Heights Neighborhood Association requested the City to down-zone the areas along Adena Street and North Los Robles Avenue due to concerns over the possible negative side effects of increased density and the incompatible design of new high density projects next to single family areas. In response, the Planning Commission initiated a zone change study. The study examined the issues of compatibility, the existing density levels, the presence of non-conforming lot sizes and width, and the character of Los Robles Ave. Based on the study and input from the community, staff recommends changing the zoning and General Plan designation of the South Section from Multi-Family Residential RM-32 to Multi-Family Residential RM-16.

## **BACKGROUND**

In response to a written request from the Garfield Heights Neighborhood Association to down-zone areas adjacent to the Landmark District, the Planning Commission, on May 11, 2005, initiated a zone change study for the Adena Street portion of the study area. Later, on June 22, the Commission expanded the size of the study area to include three pieces: the North, South, and Mountain sections. At its July 27 meeting the Commission reviewed a preliminary recommendation from staff. After meeting with the neighborhood, staff presented their recommendations to the Northwest and Planning Commissions.

## **ANALYSIS**

### **DESCRIPTION OF STUDY AREA:**

The 39 parcels which make up the study are zoned City of Gardens Residential Multi-Family RM-32. This allows for multi-family development at a density of 32 units per acre. The General Plan designates the land use as Medium-High Density Residential (0-32 dwelling units / acre).

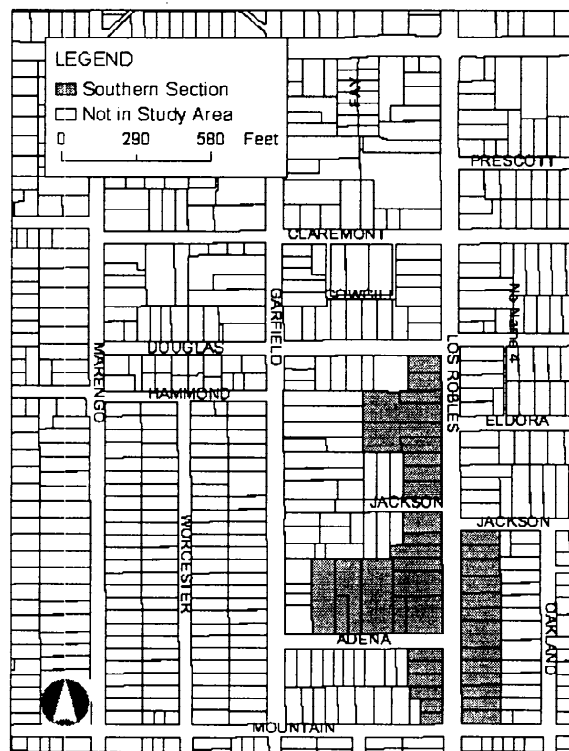


Figure 1: This map shows the study area

**DENSITY:** Half of the properties have a density less than 16 units/acre (current zoning allows 32 units/acre) and 40 percent have one or two units. Despite the fact that this area has been zoned for multi-family structures since the mid 1903s, it has undergone little increase in density. The City has completed a number of zone down-zonings in the Northwest area. For more detailed information on the existing density of the study area see Attachments One and Three.

**LOT SIZE:** The median lot size (8,276 sq ft) in the study area is smaller than what code requires for new RM-32 lots (10,000 sq ft). In these types of situations development is allowed to occur on lots smaller than the size deemed ideal by the Code. By changing the zoning in the South section to RM-16, the median lot size will exceed the code requirement (7,200 sq ft) and new developments will be better proportioned to the lots. For more information see the table in Attachment Three.

**LOT WIDTH:** The existing RM-32 zoning requires new lots to be at least 60 feet in width; the proposed RM-16 zoning requires new lots to be 55 in width. The median lot width, however, is 50 feet. By changing the zoning, more lots in the South section will conform to the Code and thus development that occurs on these lots will be better proportioned to the lot's width. The reason for this is that development regulations (height, setback, density, etc.) are often tied to the minimum lot width.

**CHARACTER:** This is not a typical multi-family area where large apartment/condo style buildings line the street. More than 60% of the buildings on Los Robles have a single-family character (e.g. a single-family house, a single-family house converted to multi-family housing, or a single-family house with multi-family housing in the rear). So, while in general the consolidation of lots in multi-family areas makes development much more efficient, lot consolidation would impact the neighborhood character. See Attachment Two for more information on the building types in the study area.

Additionally, the average (median) width of lots facing Los Robles Avenue is 50 feet. If lots are consolidated in order to create multi-family development at 32 units per acre, the scale and width of the new buildings could be dramatically different than the existing. By down-zoning, the likelihood for lot consolidation will decrease and the potential for preserving the neighborhood's character will increase.

**BUFFERING AND COMPATIBILITY:** The existing zoning allows for the construction of multi-family structures built at a density of 32 units per acre directly adjacent to single-family districts. In some cases in the existing Code, buildings could be built to the property line. This limited amount of separation may seem too small to owners of adjacent single-family homes. Partially due to the concern of how building height and setbacks affect adjacent single-family zones, the City is proposing to revise portions of the City of Gardens ordinance.

**AFFORDABLE HOUSING:** Based on the current zoning, if all the lots were built to their maximum capacity, City regulations would require the construction of 21 affordable units (or the payment of an in lieu fee). If the zoning is changed as proposed by staff, in theory, the number of additional affordable units would be reduced to seven. However the numbers above could be misleading in three ways. First, the theoretical maximum build out on existing lots is unlikely given the historical significance of some sites (e.g. 985 N. Los Robles Ave.); and the existing density of some sites, 393 Adena Street for

instance, already exceeds the maximum density. Second, given the development regulations, not all developments may be built to their maximum density. Third, the numbers do not account for the effect lot consolidation could have on increasing the provision of affordable housing.

In this discussion of affordable housing one key figure is unknown - the percentage of housing that is currently offered at an affordable rate. The reason why this is important is that if 30% of the units in the area are currently offered at an affordable rate and new developments only provide 15% affordable housing, then keeping the existing development would more likely keep affordable housing.

**HOUSING SUPPLY:** One of the effects of down-zoning an area is the reduction in the potential housing supply. If the existing zoning were maintained, an additional 122 units could be created. By adopting staff's recommendation, an additional 29 housing units could be built. These numbers could be misconstrued for the same three reasons described earlier in the Affordable Housing section of this report.

### **CONSISTENCY WITH GENERAL PLAN**

Staff is recommending to change the General Plan designations on the Land Use Diagram. Even so, this change is consistent with the objectives and policies found in the General Plan.

#### ***Land Use Element***

***Objective 1 – TARGETED DEVELOPMENT:*** Direct higher-density development away from Pasadena's residential neighborhoods and into targeted areas, creating an exciting urban core with diverse economic, housing, cultural and entertainment opportunities.

***Policy 1.9 – Other Geographical Areas:*** Limit development outside targeted development areas.

The proposed re-zoning will not reduce the density of development in areas earmarked for higher densities. The areas designated for higher densities (referred to in the above objective and policy as "targeted areas" and "targeted development area") are the specific plan areas.

***Objective 5 – CHARACTER AND SCALE OF PASADENA:*** Preservation of Pasadena's character and scale, including its traditional urban design form and historic character, shall be given highest priority in the consideration of future development.

***Policy 5.4 – Neighborhood Character and Identity:*** Urban design programs, including principles and guidelines, shall recognize, maintain and enhance the character and identity of existing residential and commercial neighborhoods.

***Policy 5.9 – Contextual and Compatible Design:*** Urban design programs shall ensure that new development shall respect Pasadena's heritage by requiring that new development respond to its context and be compatible with the traditions and character of Pasadena, and shall promote orderly development which is compatible with its surrounding scale and which protects the privacy, and access to light and air of surrounding properties.

The proposed re-zoning will assist in assuring that new developments preserve Pasadena's character and scale. By changing the zoning, different development regulations will be applied to new construction, which will allow for more generous setbacks and lower heights.

***Housing Element***

*Policy 1.1 – Preserve the character, scale, and quality of established residential neighborhoods.*

See discussion under Policy 5.9 of the Land Use Element

*Policy 1.10 – Promote the preservation of the existing affordable housing stock.*

The affect of this down-zoning on affordable housing can not be known with certainty. New development is more likely to occur under the existing zoning. Of those new developments that will have ten or more units, they will be required to comply with the City's Inclusionary Housing Ordinance. However, that scenario needs to be balanced with the likelihood that more development will displace more renters, the possibility that this area already provides a level of affordable housing greater than the 15% set aside found in the Inclusionary Housing Ordinance, and the fact that less than 9 of the 39 parcels within the study area would need to comply with Inclusionary Housing Ordinance.

*Policy 2.1 – Encourage the production of housing appropriate to all economic segments of the population, including lower-, moderate- and upper-income housing, to maintain a balance community.*

See the discussion under Policy 1.10

**CONSISTENCY WITH THE ZONING CODE**

An amendment to the General Plan's diagram and the Official Zoning Map may be approved only after first finding that:

*§17.74.070 (A) (1) The proposed amendment is in conformance with the goals, policies, and objectives of the General Plan; and*

See the discussion of General Plan consistency above.

*§17.74.070 (A) (2) The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.*

Since this zone change and General Plan amendment is consistent with the General Plan, as written above, and the General Plan is the statement of the public interest; therefore it will not be detrimental to the public interest. Reducing the allowed density will not cause any harm to the health, safety, or welfare of the City. Further, any project proposed under the new zoning would require City approvals (ranging from building permits to design review) which allow for the review of these projects' affect on the health, safety, and welfare of the surrounding community.

§17.74.070 (A) (3). *For General Plan diagram amendments only, the site is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision or utilities) for the requested/anticipated land uses/developments.*

By changing the zoning categories more lots will be in conformance with the lot size and width requirements set by the code. This allows for future construction to occur on lots that are closer in size and width of the ideal lot size, thus allowing for the type of development envisioned by the Code.

### **FINDINGS FOR STATE LAW**

Since 2003, local jurisdictions are required to assess any reduction in potential density on a parcel to determine whether it will affect the jurisdiction's capacity for its share of the regional housing need (i.e., RHNA). If adequate capacity remains then the jurisdiction may approve the reduction but only with two written findings: (1) that the reduction is consistent with the general plan, including the housing element; and, (2) that the remaining sites are adequate for the jurisdiction's share of regional housing need. For the zone change that is proposed in the study area, the two findings should be made.


The zone change is consistent with the city's General Plan, according to the analysis above in this report. The City's remaining sites are adequate for development of the City's share of regional housing need. The 2000-2005 Housing Element analyzed sites both in multifamily residential districts and also in districts that allow both residential and commercial uses, including the seven specific plan areas. Within the residential districts alone, the element established a remaining capacity of 2,899 units. The proposed zone change would reduce this capacity within the City's residential districts by a maximum of 93 units, from 122 to 29 within the study area itself. According to the Element, the remaining capacity of 2,806 units, not including the potential within the specific plan areas and other commercially zoned districts, is adequate to meet the city's RHNA of 1,777 for the period through 2005.

### **FISCAL IMPACT**

The immediate fiscal impact resulting from this zone change and General Plan amendment is staff time. No fees were paid in order to process this request.

The long term fiscal impacts are unknown. If implemented, the development potential for this area will decline. This could mean a reduction in property value and a loss in permit fees. However there appears to be a phenomenon of converting multi-family units back to single-family homes. It could be argued that by helping to retain the character and scale of the neighborhood and by assisting in historic preservation property values, and thus revenues, could rise.

Respectfully submitted,

  
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Director of Planning and Development

Attachments:

1. Density Level Map
2. Building Type Map
3. Density Levels & Average Lot Size Table
4. Negative Declaration and Environmental Initial Study
5. Certificate of Fee Exemption: De Minimis Impact Finding
6. Notice of Determination