

Agenda Report

TO: CITY COUNCIL

DATE: APRIL 3, 2006

FROM: CITY MANAGER

SUBJECT: ZONING CODE AMENDMENTS INCLUDING ALLOWING WIRELESS TELECOMMUNICATION FACILITIES IN PARKS, CONVERSION OF HISTORIC STRUCTURES TO OFFICES IN THE WEST GATEWAY SPECIFIC PLAN AREA, INCREASING THE ALLOWABLE SIZE OF ACCESSORY STRUCTURES IN THE RM-12 DISTRICT AND VARIOUS OTHER AMENDMENTS INCLUDING CODIFICATION OF INTERPRETATIONS AND CORRECTIONS

RECOMMENDATION:

It is recommended that the City Council:

1. Adopt the Initial Study and the Negative Declaration (Attachment B) for the proposed Zoning Code Amendments;
2. Acknowledge the De Minimis Impact Finding on the State Fish and Wildlife Habitat (Attachment C);
3. Approval of a finding of consistency with the General Plan as contained in this report;
4. Approval of the proposed Zoning Code Amendments as contained in this report, and
5. Direct the City Attorney's office to prepare an ordinance codifying these amendments and return within 60 days for first reading.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommends approval of this Zoning Code amendment.

RECREATION AND PARK COMMISSION RECOMMENDATION:

The Recreation and Park Commission recommended approval of the proposed amendment to the Council. The Recreation and Park Commission made several recommendations to the Council regarding this amendment. They included:

- Funds be used for both maintenance and capital improvements;
- Funds generated by the use of the park for wireless facilities cannot be used to offset money from the general fund;
- There be no displacement of park activities during construction or maintenance of a wireless facility;
- Electrical meters be consolidated to the extent possible; and
- Park be restored after construction, minimize disruption of parking during construction.

BACKGROUND:

Under the previous Zoning Code, the staff would yearly group Zoning Code amendments into a single series of amendments. The intent of this was to reduce the number of public hearings. These series included amendments that would otherwise be too small individually and included policy changes as well as corrections and codifications of interpretations. This is the first series under the newly adopted Zoning Code which was adopted in February of 2005 and includes policy changes as well as corrections and codification of interpretations. The focus of this report is on the policy changes. Minor amendments, corrections, and the codification of interpretations have been included in Attachment A.

ANALYSIS:

1. Wireless Telecommunication Facilities in Parks

Currently the Zoning Code does not permit wireless communications facilities in parks (Open Space District). The intent of this amendment is to allow this use through a minor conditional use permit process, use the fees generated by wireless facilities for park maintenance and capital improvements, and minimize any potential impacts on the City's parks.

This proposal would only allow wireless communication facilities on field lights or on existing buildings. This is called a multiple-use facility in the Zoning Code. Freestanding monopoles, monopoles, and monopines would not be permitted. The current code limits the antenna array to extend up to 15 feet above the height of the field lights. An additional requirement will be added to the Zoning Code that requires all mechanical equipment associated with the tower (except any electrical meters) to be located underground in a vault or within an existing building. This is intended to minimize any impact on the park.

This amendment does not conflict with Pasadena City Charter Section 1601. That Section requires that all dedicated park land owned by the City be used for park and recreation purposes, and allows commercial uses incidental to park and recreational activities. Adding wireless facilities to the top of field lights or existing buildings will not interfere with parks and recreation uses as they will be out of the range of these activities. These facilities are also incidental to parks and recreation uses as they promote safety in the park, and the funding generated by the facilities will be used only for park purposes.

Any proposal will be reviewed initially by Public Works staff and then a recommendation for approval will be forwarded to the Recreational and Park Commission for comment and concurrence with the staff recommendation. The applicant would then proceed by applying for a Minor Conditional Use Permit (MCUP). Those general recommendations already identified by the Recreation and Park Commission would be incorporated into the MCUP process as recommended Conditions of Approval. Any further site specific recommendations from the Recreation and Park Commission would be provided to the Hearing Officer for consideration, with the exception that those issues relating to the allocation of funds. It is intended that the allocation of funds generated from these uses is best dealt with through the City's budget process.

2. Office Uses in Designated Historic Structures

Under the new Zoning Code, a new section (17.50.120 – Attachment B) was created that allows the conversion of structures of historic significance that are located in a multi-family district to be converted to an office use through the Minor Conditional Use Permit (MCUP) process. This amendment was intended to be Citywide for all multi-family zoning districts, but through an oversight did not include the West Gateway Specific Plan (WGSP) area. The proposed amendment will allow (through a MCUP) structures of historic significance to be converted to office uses in subdistricts WGSP-1a and WGSP-1b. These districts cover what is generally known as the West Campus of the former Ambassador site and are multi-family districts. This amendment will treat these districts the same as other multi-family districts within the City. It should be noted that historic structures along South Orange Grove currently qualify and can use this new provision of the Zoning Code because South Orange Grove is a multi-family district (RM-16-1).

3. Accessory Structure size in the RM-12 District

Under the new Zoning Code, accessory structure size was reduced from 800 square feet or eight percent of the lot size, whichever is larger, to 600 square feet or six percent of the lot size whichever is larger for both the RS and RM-12 zoning districts. The RM-12 district allows a maximum of two units on a lot. In this district, parking is required to be to the rear of the lot. In the past year staff has noted that several projects have been reviewed in which the owners have wanted to construct a four car garage (two spaces for each unit) and have not been able to because the code only allows 600 sq. ft. and a four car garage is about 800 square feet. The recommendation is to allow an additional 200 square feet in the RM-12 district, for parking purposes only.

4. Building Placement

The Commercial and Industrial Standards of 17.24.050 (CG, IG, and CL districts outside of Specific Plan areas) requires that buildings occupy 100 percent of the front property line and parking be located behind this building. The Code allows several exceptions to this requirement, including: for a driveway, for a multi-phased project, and for a pedestrian plaza. The Code does not address the issue of where the building is located when the lot is a double frontage lot (not a corner lot). This is an oversight from when this new provision was created. This amendment will allow the Zoning Administrator to determine which of the front yards shall serve as the primary front property line based

upon the character of the existing blockfaces. This will result in one of the frontages serving as a front yard while the other would allow for parking to front the street property line on the secondary frontage.

ENVIRONMENTAL REVIEW:

An Initial Study and Negative Declaration were prepared. Adoption of the amendment to Title 17 specifying how the City implements Section 65915 involves no potential significant impacts.

GENERAL PLAN CONSISTENCY:

The proposed revisions to the Zoning Code are consistent with the following objectives and policies of the City's General Plan.

Policy 5.1 – Urban Design Principles: Apply city-wide urban design principles to complement the scale and quality of the best architectural and urban design traditions.

Policy 5.7 – Enhanced Environment: Development should be shaped to improve the environment for the public; it should support the distinctiveness of the locality and region as well as the special characteristics of the existing fabric of the site's immediate surroundings.

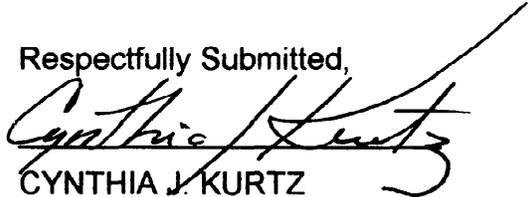
Objective 6 – Historic Preservation: Promote preservation of historically and architecturally significant buildings and revitalization of traditional neighborhoods and commercial areas.

Policy 6.3 – Adaptive Reuse: Encourage and promote the adaptive reuse of Pasadena's historic resources.

FISCAL IMPACT:

The proposed amendment is likely to increase the revenue for park maintenance and improvements.

Respectfully Submitted,



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CITY MANAGER

Prepared by:



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Reviewed by:



RICHARD BRUCKNER
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LIST OF ATTACHMENTS

ATTACHMENT A – MINOR AMENDMENTS, CORRECTIONS AND CODIFICATIONS

ATTACHMENT B – INITIAL STUDY

**ATTACHMENT C – DE MINIMIS IMPACT FINDING ON THE STATE FISH AND
WILDLIFE HABITAT**