

Ordinance Fact Sheet

TO: CITY COUNCIL

DATE: December 4, 2006

FROM: CITY ATTORNEY

SUBJECT: AN ORDINANCE AMENDING TITLE 17 TO MAKE MINOR AMENDMENTS TO THE HILLSIDE OVERLAY DISTRICT

TITLE OF PROPOSED ORDINANCE

AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17 (THE ZONING CODE), HILLSIDE OVERLAY DISTRICT (CHAPTER 17.29) AND GLOSSARY (CHAPTER 17.80), VARIOUS MINOR AMENDMENTS AND CLARIFICATIONS

PURPOSE OF ORDINANCE

This ordinance implements and codifies the Zoning Code amendments approved by the City Council on September 25, 2006, to make minor "clean up" clarifications to the Hillside Overlay District.

REASON WHY LEGISLATION IS NEEDED

This legislation is needed to amend the Zoning Code to provide clarification on slope measurements, calculations, and findings.

PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED

The Planning and Development Department will implement the proposed ordinance through modifications to the Zoning Code and processing of subsequent building requests on the affected properties, as well as through implementation of the companion Guidelines.

FISCAL IMPACT

There will not be an immediate fiscal impact as a result of this amendment to the Zoning Code.

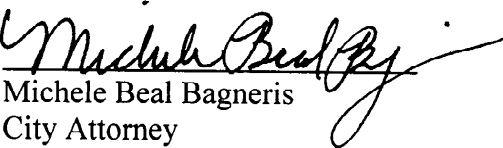
MEETING OF 12/04/2006

AGENDA ITEM NO. 9.A.4.

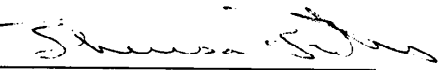
ENVIRONMENTAL DETERMINATION

A Negative Declaration was prepared and approved for the project in conformance with the requirements of the California Environmental Quality Act (CEQA).


Respectfully submitted,


Michele Beal Bagneris
City Attorney

Prepared by:


Theresa Fuentes
Deputy City Attorney

Concurred by:


Cynthia J. Kurtz
City Manager

For

Introduced by: _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17 (THE ZONING CODE), HILLSIDE OVERLAY DISTRICT (CHAPTER 17.29) AND GLOSSARY (CHAPTER 17.80), VARIOUS MINOR AMENDMENTS AND CLARIFICATIONS

The People of the City of Pasadena ordain as follows:

SECTION 1. Pasadena Municipal Code, Title 17, Article 2, Chapter 17.29, Section 17.29.050, Subsection D, Paragraph 1 is amended to read as follows:

“1. The "top edge" of the Arroyo is the highest existing grade elevation at the point where the natural gradient inclines downward at a slope greater than 2:1 50 percent in the mapped area. On a site with multiple slope banks, the "top edge" shall be considered the point farthest from the floor of the Arroyo Seco. The applicant shall provide a complete topographic map of the site for purposes of locating the "top edge" of the Arroyo for each specific site.”

SECTION 2. Pasadena Municipal Code, Title 17, Article 2, Chapter 17.29, Section 17.29.060, Subsection A, Paragraph 3, is amended to read as follows:

“3. For lots of 10,000 square feet or over, all portions of the lot with a 2:1 50 percent slope or greater shall be deducted from the lot area used for calculating maximum allowable gross floor area.”

SECTION 3. Pasadena Municipal Code, Title 17, Article 2, Chapter 17.29, Section 17.29.060, Subsection A, Paragraph 4, is amended to read as follows:

“4. Regardless of the lot area, the maximum FAR for a lot with an average slope exceeding 15 percent shall be further reduced in compliance with the following formula:

$$F = (B) (1 - (C - 0.15) / 2)$$

$$F = (B) (1 - ((C - 0.15) / 2))$$

SECTION 4. Pasadena Municipal Code, Title 17, Article 2, Chapter 17.29, Section 17.29.080, Subsection J, is amended to read as follows:

“J. Floor area ratio adjustment for flat lots. Through the Hillside Development Permit process, on lots in the RS-4 HD and RS-6 HD zones with an average slope of less than 15 percent, an applicant may apply for an adjustment to the floor area ratio requirements ~~for their lot~~. The average slope shall be determined following the development standard in Section 17.29.050 J. If approved, the maximum permissible floor area ratio for such lots is the same as the base single-family non-hillside ~~zones~~ district (30 percent of lot size + 500 square feet). An adjustment may be approved by the Review Authority only if the following three criteria are met:” (The remainder of this Subsection remains unchanged.)

SECTION 5. Pasadena Municipal Code, Title 17, Article 2, Chapter 17.29, Section 17.29.090, is amended as follows:

a. By amending Subsection C as follows:

“C. Permit requirement - Second floor additions. A Hillside Development Permit in compliance with Section 17.29.080 (Hillside Development Permit) shall be required to authorize a second-floor addition to an existing dwelling. The Hearing Officer may approve the permit only after first making the findings required by Section 17.61.050 for Conditional Use Permit approval and the finding contained in 17.29.080.F.2. Other types of proposed development shall comply with the permit requirements of the base zoning district.”

b. By amending Subsection D, Paragraph 3, subparagraph b as follows:

“b. Roof slope. Roof slope shall be a minimum of ~~2:12~~ six percent.”

SECTION 6. Pasadena Municipal Code, Title 17, Article 2, Chapter 17.80, Section 17.80.020, is amended to include the following definition in the correct alphabetical sequence: “Slope. The inclined ground surface of fill, excavation, or natural terrain, the inclination of which is expressed as a percentage. Slope percent is computed by dividing the vertical distance by the horizontal distance multiplied by one hundred. See Figure 8-7 - Slope Calculation. See also “Grade, Existing” or “Grade, Finished.””

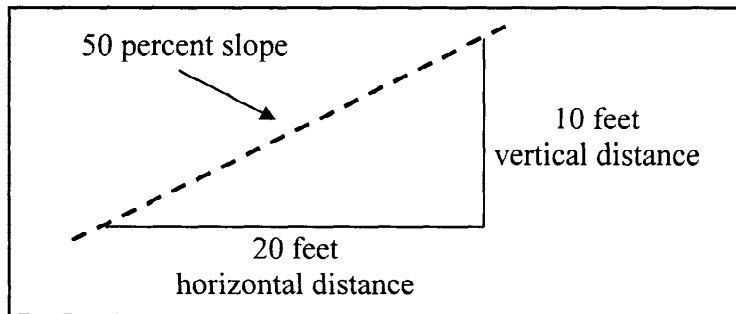


Figure 8-7 – Slope Calculation

SECTION 7. Pasadena Municipal Code, Title 17, Article 6, Chapter 17.61, Section 17.61.050, Subsection H, Paragraph 1, is amended to read as follows:

“1. The proposed use is allowed with a Conditional Use Permit (Major and Minor) or Hillside Development Permit within the applicable zoning district and complies with all applicable provisions of this Zoning Code;”

SECTION 8. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published by title and summary.

SECTION 9. This ordinance shall take effect 30 days from its publication.

Signed and approved this _____ day of _____, 2006.

Bill Bogaard
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its meeting held this _____ day of _____ 2006, by the following vote:

AYES:

NOES:

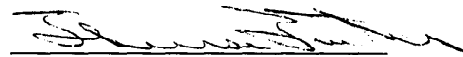
ABSENT:

ABSTAIN:

Date Published:

Jane L. Rodriguez, CMC
City Clerk

Approved as to form:



Theresa E. Fuentes
Deputy City Attorney