

Agenda Report

TO: CITY COUNCIL **DATE:** DECEMBER 4, 2006

FROM: CITY MANAGER

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA
ADOPTING GUIDELINES FOR THE IMPLEMENTATION OF
NEIGHBORHOOD COMPATIBILITY IN THE HILLSIDE OVERLAY
DISTRICT

RECOMMENDATION

It is recommended that the City Council adopt a Resolution to provide guidelines for the implementation of Neighborhood Compatibility in the Hillside Overlay District.

BACKGROUND

This resolution creates guidelines for the implementation of the Neighborhood Compatibility guideline of the Hillside Overlay District as approved by the City Council on September 25, 2006. The City Council directed staff to develop such guidelines because of concerns resulting from applications processed since the development standards for the Hillside District overlay were revised in 2004.

These guidelines will provide direction to applicants, staff, and decision makers when determining if a proposed project satisfies the intent of the Neighborhood Compatibility section of the Hillside Overlay District, specifically how the 500-foot code-defined 'neighborhood' may be appropriately modified and when a proposed project may be permitted to exceed the maximum size as calculated by the Neighborhood Compatibility guideline.

Specifically, the guidelines for modifying the neighborhood allow for the consideration of properties within the 500-foot radius neighborhood that are in other jurisdictions, other zoning districts, or are separated from the site by a significant manmade or natural feature. Also, the guidelines for exceeding the Neighborhood Compatibility maximum size consider the Ridgeline Protection and View Protection standards of the Hillside District overlay as well as the average floor ratio in the neighborhood.

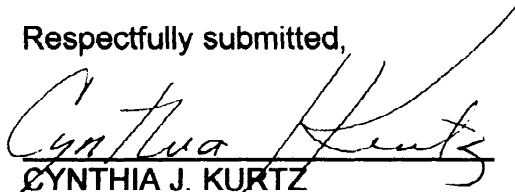
ENVIRONMENTAL DETERMINATION

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

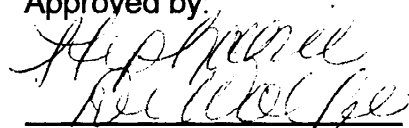
FISCAL IMPACT

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

Respectfully submitted,


CYNTHIA J. KURTZ
City Manager

Approved by:


for Richard J. Bruckner
Director of Planning and Development

Prepared by:


David Sinclair
Associate Planner

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA
ADOPTING GUIDELINES FOR THE IMPLEMENTATION OF NEIGHBORHOOD
COMPATIBILITY IN THE HILLSIDE OVERLAY DISTRICT**

WHEREAS, the City Council of the City of Pasadena has indicated its desire for guidelines to govern the implementation of the Neighborhood Compatibility guideline of the Hillside Overlay District of the City of Pasadena Zoning Code; and

WHEREAS, the City Council finds that the guidelines to govern the implementation of the Neighborhood Compatibility guideline of the Hillside Overlay District of the City of Pasadena Zoning Code are in conformance with the goals, policies, and objectives of the General Plan; and

WHEREAS, the City Council finds that the guidelines to govern the implementation of the Neighborhood Compatibility guideline of the Hillside Overlay District of the City of Pasadena Zoning Code would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City; and

WHEREAS, duly noticed public hearings were held by the Planning Commission on June 14, 2006, June 28, 2006 and July 12, 2006, regarding proposed guidelines to govern the implementation of the Neighborhood Compatibility guideline of the Hillside Overlay District of the City of Pasadena Zoning Code; and

WHEREAS, a duly noticed public hearing was held by the City Council on September 25, 2006 regarding proposed guidelines to govern the implementation of the Neighborhood Compatibility guideline of the Hillside Overlay District of the City of Pasadena Zoning Code; and

WHEREAS, the City Council found that the proposed guidelines to govern the implementation of the Neighborhood Compatibility guideline of the Hillside Overlay District of the City of Pasadena Zoning Code are exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15061(b)(3).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Pasadena hereby adopts the guidelines to govern the implementation of the Neighborhood Compatibility guideline of the Hillside Overlay District of the City of Pasadena Zoning Code, as depicted in Exhibit "A", attached hereto and incorporated herein by reference.

Adopted at the regular meeting of the City Council on the _____ day of _____, 2006, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

JANE L. RODRIGUEZ, CMC
CITY CLERK

APPROVED AS TO FORM:



THERESA E. FUENTES
DEPUTY CITY ATTORNEY

EXHIBIT A
GUIDELINES FOR THE IMPLEMENTATION OF SECTION 17.29.060(D)
(NEIGHBORHOOD COMPATIBILITY GUIDELINE) OF THE HILLSIDE OVERLAY
DISTRICT OF THE CITY OF PASADENA ZONING CODE.

I. Guidelines for Modifying the “Neighborhood”

The 500-foot ‘neighborhood’, as defined by the Neighborhood Compatibility guideline (Section 17.29.060(D) of the Hillside Overlay District, may be modified, on a case-by-case basis, based on any or all of the following criteria:

- A. Properties within 500 feet are not in Pasadena.
- B. Properties within 500 feet are not in Hillside Overlay district.
- C. Properties within 500 feet are not in RS district, or in a different RS district.
- D. Properties within 500 feet are separated by significant manmade structure (i.e. freeway) or significant natural feature (canyon, ridge, etc.) that to the extent determinable by staff is not the result of grading or other manmade alternation of the natural terrain.

II. Guidelines for Exceeding Neighborhood Compatibility Floor Area

- A. The maximum allowable house size as calculated by the Neighborhood Compatibility guideline may be approved to be exceeded, on a case-by-case basis, based on all of the following criteria:
 - 1. Compliance with View Protection provision (17.29.060(E)) of the Hillside District Ordinance; and
 - 2. Compliance with Ridgeline Protection provision (17.29.050(C)) of the Hillside District Ordinance; and
 - 3. Proposed FAR (not including garage) is consistent with the average FAR (not including garage) in the neighborhood.
- B. When the Neighborhood Compatibility maximum size is less than the maximum allowable Gross Floor Area development standard, and a proposed project, whose size exceeds both maximums, is approved to exceed the lower Neighborhood Compatibility maximum size, it shall not be permitted to exceed the maximum Gross Floor Area development standard unless there are extreme circumstances that warrant the approval of a Variance. This is intended to serve as a ‘check and balance’ to ensure that the above guideline (A) does not encourage Variance requests.
- C. When the Neighborhood Compatibility maximum size is greater than the maximum allowable Gross Floor Area development standard, and a proposed project, whose size exceeds both maximums, is approved through a Variance to exceed the lower Gross Floor Area development maximum size, the review authority shall consider not permitting the project to also exceed the Neighborhood Compatibility maximum size