



Ordinance Fact Sheet

TO: CITY COUNCIL **DATE:** JUNE 12, 2006

FROM: CITY ATTORNEY

SUBJECT: AN ORDINANCE AMENDING TITLE 17 TO ALLOW NEW USES
WITHIN CERTAIN SUB-DISTRICTS OF THE FAIR OAKS/ORANGE
GROVE SPECIFIC PLAN

TITLE OF PROPOSED ORDINANCE

**AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17
(THE ZONING CODE), TO ALLOW VEHICLE SERVICES – AUTOMOBILE
RENTAL WITHIN CERTAIN SUB-DISTRICTS OF THE FAIR
OAKS/ORANGE GROVE SPECIFIC PLAN – AND TO ALLOW RETAIL
SALES WITHIN SUB –DISTRICT 2.**

PURPOSE OF ORDINANCE

This ordinance implements and codifies the Fair Oaks/Orange Grove Specific Plan amendments approved by the City Council on January 23, 2006, to add automobile rental and retail sales as allowed uses in certain sub-districts of the Fair Oaks/Orange Grove Specific Plan.

REASON WHY LEGISLATION IS NEEDED

This legislation is needed to further the City's General Plan goal for this Specific Plan area to encourage "liveable communities," where retail, residential and employment uses are within walking distance of one another. The legislation takes into account existing uses in the Specific Plan area, and increases allowed uses so as to further efforts to revitalize the area through viable commercial development.

PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED

The Planning and Development Department will implement the proposed ordinance through modifications to the Zoning Code and Zoning Map and processing of subsequent land use permit requests in the affected Specific Plan sub-districts.

MEETING OF 06/19/2006
06/12/2006

AGENDA ITEM NO. 4.B
9.A.3.

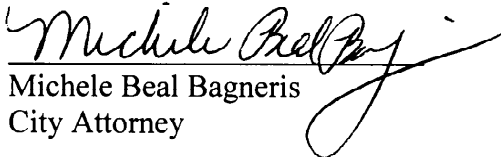
FISCAL IMPACT

There will not be an immediate fiscal impact as a result of this amendment to the Fair Oaks/Orange Grove Specific Plan. Potential revenues are anticipated from retail and sales tax producing businesses over time. At this time, there is no estimated future building permit revenue for commercial projects due to Enterprise Zone fee waivers.

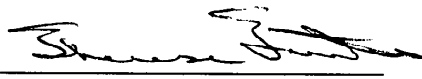
ENVIRONMENTAL DETERMINATION

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

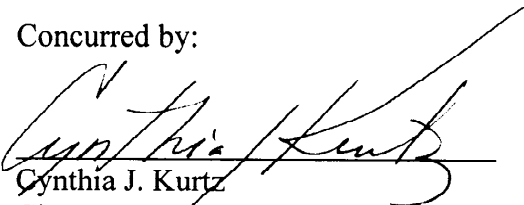
Respectfully submitted,


Michele Beal Bagneris
City Attorney

Prepared by:


Theresa E. Fuentes
Deputy City Attorney

Concurred by:


Cynthia J. Kurtz
City Manager

Introduced by: _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17 (THE ZONING CODE), TO ALLOW VEHICLE SERVICES – AUTOMOBILE RENTAL WITHIN CERTAIN SUB-DISTRICTS OF THE FAIR OAKS/ORANGE GROVE SPECIFIC PLAN – AND TO ALLOW RETAIL SALES WITHIN SUB –DISTRICT 2

The People of the City of Pasadena ordain as follows:

SECTION 1. This ordinance, due to its length and corresponding 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

Ordinance No. ____ amends Title 17 (Zoning Code) by amending Title 17, Chapter 17.33, Section 17.33.040 of the Pasadena Municipal Code to conditionally permit Vehicle Services: Automobile Rentals in subdistricts C-2 and portions of subdistricts C-3 a, b, c, and d, and to allow Retail Sales in subdistrict C-2 in the Fair Oaks/Orange Grove Specific Plan Area. This ordinance makes a minor correction to the development standards.

Ordinance _____ shall take effect 30 days from its publication.”

SECTION 2. Title 17, Article 3, Chapter 17.33, Section 17.33.040, Table 3 – 14 entitled, “**ALLOWED USES AND PERMIT REQUIREMENTS FAIR OAKS/ORANGE GROVE**” is amended as shown in Exhibit 1 attached hereto and incorporated by this reference.

SECTION 3. Title 17, Article 3, Chapter 17.33, Section 17.33.050, Table 3 – 15 entitled, “**FAIR OAKS/ORANGE GROVE DEVELOPMENT STANDARDS**” is amended as shown in Exhibit 2 attached hereto and incorporated by this reference.

SECTION 4. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published by title and summary.

SECTION 5. 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 Pasadena at its meeting held _____ day of _____, 2006, by the following vote:

AYES:

NOES:

ABSENT:

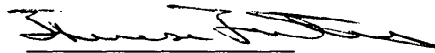
ABSTAIN:

Date Published:

Jane L. Rodriguez, CMC

City Clerk

Approved as to form:



Theresa E. Fuentes
Deputy City Attorney

EXHIBIT 1 - Scored language deleted, underlined language added.

Fair Oaks/Orange Grove Zoning Districts

17.33.040

**TABLE 3-14 - ALLOWED USES AND PERMIT REQUIREMENTS
FAIR OAKS/ORANGE GROVE CL, C-2, AND C-3 DISTRICTS**

| LAND USE (1) | PERMIT REQUIREMENT BY ZONE | | | | | Specific Use Standards |
|--------------|----------------------------|-------|-----|------------|------|------------------------|
| | FGSP - | | | | | |
| | CL-1a | CL-1b | C-2 | C-3a, b, d | C-3c | |

RESIDENTIAL USES

| | | | | | | |
|---|---|-------|--------|--------|--------|-----------|
| Caretaker quarters | — | P | — | P | — | |
| Dormitories | — | P | — | P | — | |
| Fraternities, sororities | — | P | — | P | — | |
| Home occupations | — | P | P | P | — | 17.50.110 |
| Mixed-use projects | — | P (3) | — | P (3) | — | 17.32.060 |
| Multi-family housing | — | P | — | — (12) | — | |
| Residential accessory uses and structures | — | P | — | P | — | 17.50.250 |
| Residential care, limited | — | P | — | P | — | |
| Single-family housing | — | P | — | P | — | |
| Work/live unit | — | — | C (11) | C (11) | C (11) | 17.50.370 |

Notes:

- (1) See Section 17.80.030 for definitions of the listed land uses.
- (2) Uses subject to limitations on hours of operation. See Section 17.40.070 (Hours of Operation).
- (3) Conditional Use Permit approval is required for a nonresidential project or nonresidential portion of a mixed-use project that exceeds 25,000 sq. ft. of gross floor area; except for a project with an approved master development plan, tenant improvements, and a project that is on the approved capital improvement budget.
- (4) Uses on a site greater than two acres that were established after June 30, 1985, shall require a zone change to PS (Public, Semi-Public).
- (5) A club or lodge established prior to September 9, 1996 is a permitted (P) use.
- (6) Alcohol sales is limited to sales for on-site consumption that is accessory to a principal use such as a restaurant. Alcohol sales in conjunction with the following uses is prohibited: nightclubs (commercial entertainment) and billiard parlors (commercial recreation - indoor).
- (7) Vehicle/equipment repair is limited to uses which provide limited services such as oil changes, window tinting, replacement of air filters, installation of car stereos and alarms, and other related services. All repairs shall occur within an enclosed building, overnight parking or storing of vehicles receiving services shall be within an enclosed building.
- (8) An industrial use established prior to December 29, 2002, is a permitted (P) use.
- (9) If within 300 feet of an R District this use shall be limited to 10 one-way truck trips by large trucks per day per 6-day work week. This restriction shall apply to new uses and uses that expand by more than 30 percent of the gross floor area. This restriction shall not apply if the site or the adjacent R District is within 500 feet of a freeway.
- (10) No more than five large trucks (except trucks associated with vehicle services - sales and leasing) shall be stored on each lot. This restriction shall apply to new uses or uses which expand by more than 30 percent of gross floor.
- (11) The residential component of a work/live unit shall be counted as part of the allowable density.
- (12) In C-3d multi-family housing is permitted.
- (13) Fair Oaks Ave: allowed on the west side, south of Orange Grove Bl. and allowed on both sides, north of Orange Grove Bl., Orange Grove Bl.: allowed on both sides, west of Fair Oaks Ave. Incidental maintenance is not allowed.

**TABLE 3-14 - ALLOWED USES AND PERMIT REQUIREMENTS
FAIR OAKS/ORANGE GROVE CL, C-2, AND C-3 DISTRICTS**

| LAND USE (1) | PERMIT REQUIREMENT BY ZONE | | | | | Specific Use Standards |
|--------------|----------------------------|-------|-----|------------|------|------------------------|
| | FGSP - | | | | | |
| | CL-1a | CL-1b | C-2 | C-3a, b, d | C-3c | |

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES (2, 9, 10)

| | | | | | | |
|--|--------|--------|--------|--------|--------|-----------|
| Clubs, lodges, private meeting halls (4, 5) | MC | MC | MC | MC | MC | |
| Colleges - Nontraditional campus setting | P (3) | P (3) | P (3) | P (3) | P (3) | |
| Colleges - Traditional campus setting | C (4) | C (4) | C (4) | C (4) | C (4) | |
| Commercial entertainment | E (3) | E (3) | E (3) | E (3) | E (3) | 17.50.130 |
| Commercial recreation - Indoor | C (3) | C (3) | C (3) | C (3) | C (3) | 17.50.130 |
| Commercial recreation - Outdoor | C | C | C | C | C | 17.50.130 |
| Cultural institutions | P (4) | P (4) | P (4) | P (4) | P (4) | |
| Electronic game centers | C (3) | C (3) | C (3) | C (3) | C (3) | 17.50.100 |
| Internet access studios | C (3) | C (3) | C (3) | C (3) | C (3) | 17.50.100 |
| Park and recreation facilities | C | C | C | C | C | |
| Religious facilities | C (4) | C (4) | C (4) | C (4) | C (4) | 17.50.230 |
| with columbarium | MC (4) | MC (4) | MC (4) | MC (4) | MC (4) | 17.50.230 |
| with temporary homeless shelter | P | P | P | P | P | 17.50.230 |
| Schools - Public and private | C (4) | C (4) | C (4) | C (4) | C (4) | 17.50.270 |
| Schools - Specialized education and training | P (3) | P (3) | P (3) | P (3) | P (3) | |
| Street fairs | P | P | P | P | P | |
| Tents | TUP | TUP | TUP | TUP | TUP | 17.50.320 |

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EXHIBIT 1 - Scored language deleted, underlined language added.

Fair Oaks/Orange Grove Zoning Districts

17.33.040

**TABLE 3-14 - ALLOWED USES AND PERMIT REQUIREMENTS
FAIR OAKS/ORANGE GROVE CL, C-2, AND C-3 DISTRICTS**

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| | FGSP - | | | | | |
| | CL-1a | CL-1b | C-2 | C-3a, b, d | C-3c | |
| OFFICE, PROFESSIONAL & BUSINESS SUPPORT USES (2, 9, 10) | | | | | | |
| Automated teller machines (ATM) | P | P | P | P | P | 17.50.060 |
| Banks and financial services | P (3) | P (3) | P (3) | P (3) | P (3) | |
| with walk-up services | P | P | P | P | P | 17.50.060 |
| Business support services | P (3) | P (3) | P (3) | P (3) | P (3) | |
| Offices - Accessory | P | P | P | P | P | |
| Offices - Administrative business professional | P (3) | P (3) | P (3) | P (3) | P (3) | |
| Offices - Government | P | P | P | P | P | |
| Offices - Medical | P (3) | P (3) | P (3) | P (3) | P (3) | |
| Research and development - Offices | P (3) | P (3) | P (3) | P (3) | P (3) | 17.50.240 |

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| | FGSP - | | | | | |
| | CL-1a | CL-1b | C-2 | C-3a, b, d | C-3c | |
| RETAIL SALES (2, 9, 10) | | | | | | |
| Alcohol sales - Beer and wine | C (6) | C (6) | — | C (6) | C (6) | |
| Alcohol sales - Full alcohol sales | C (6) | C (6) | — | C (6) | C (6) | |
| Building materials and supplies sales | — | — | — | C (3) | C (3) | |
| Commercial nurseries | C (3) | C (3) | C (3) | C (3) | C (3) | 17.50.180 |
| Convenience stores | C | C | — | C | C | |
| Food sales | P (3) | P (3) | — | P (3) | P (3) | |
| Internet vehicle sales | P (3) | P (3) | P (3) | P (3) | P (3) | |
| Personal property sales | — | — | — | P | P | 17.50.200 |
| Restaurants | P (3) | P (3) | — | P (3) | P (3) | 17.50.260 |
| with live entertainment | P | P | — | P | P | |
| Restaurants, fast food | C (3) | C (3) | — | C (3) | C (3) | 17.50.260 |
| Restaurants, formula fast food | C (3) | C (3) | — | C (3) | C (3) | 17.50.260 |
| Retail sales | P (3) | P (3) | — | P (3) | P (3) | |
| <u>Retail sales</u> | <u>P (3)</u> | <u>P (3)</u> | <u>P (3)</u> | <u>P (3)</u> | <u>P (3)</u> | |
| Seasonal merchandise sales | P | P | P | P | P | 17.50.180 |
| Significant tobacco retailers | C (3) | C (3) | C (3) | C (3) | C (3) | 17.50.330 |
| Temporary uses | TUP | TUP | TUP | TUP | TUP | |
| <u>Vehicle services - Automobile Rental (3)</u> | <u>—</u> | <u>—</u> | <u>C (13)</u> | <u>C (13)</u> | <u>C (13)</u> | |
| Vehicle services - Service stations (3, 7) | — | — | C | C | C | 17.50.290 |

Notes:

- (1) See Section 17.80.030 for definitions of the listed land uses.
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Pasadena Zoning Code - Article 3

EXHIBIT 1 - Scored language deleted, underlined language added.

Fair Oaks/Orange Grove Zoning Districts

17.33.040

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| | FGSP - | | | | | |
| | CL-1a | CL-1b | C-2 | C-3a, b, d | C-3c | |
| SERVICES (2, 9, 10) | | | | | | |
| Adult day-care, limited | — | P | — | P | — | |
| Animal services - Grooming | C (3) | C (3) | P (3) | P (3) | P (3) | |
| Catering services | P (3) | P (3) | P (3) | P (3) | P (3) | |
| Charitable institution (2, 4) | C | C | C | C | C | |
| Child day-care centers | P | P | P | P | P | 17.50.080 |
| Child day-care, large care homes, 9 to 14 persons | — | P | — | P | — | 17.50.080 |
| Child day-care, small care homes, 1 to 8 persons | — | P | — | P | — | |
| Drive-through business - nonrestaurants | C | C | C | C | C | 17.50.090 |
| Drive-through business - restaurants | C | C | C | C | C | 17.50.090 |
| Laboratories | P (3) | P (3) | P (3) | P (3) | P (3) | |
| Maintenance or repair services | P (3) | P (3) | P (3) | P (3) | P (3) | |
| Personal improvement services | P (3) | P (3) | P (3) | P (3) | P (3) | |
| Personal services | P (3) | P (3) | P (3) | P (3) | P (3) | |
| Personal services - Restricted | C (3) | C (3) | C (3) | C (3) | C (3) | 17.50.200 |
| Printing and publishing | C (3) | C (3) | P (3) | P (3) | P (3) | |
| Printing and publishing, limited | P (3) | P (3) | P (3) | P (3) | P (3) | |
| Public safety facilities | C(4) | C(4) | C(4) | C(4) | C(4) | |
| Vehicle services - Washing/detailing, small scale | P | P | P | P | P | 17.50.290 |

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Pasadena Zoning Code - Article 3

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INDUSTRY, MANUFACTURING & PROCESSING USES (2, 9, 10)

| | | | | | | |
|---|-------|-------|-------|-------|-------|-----------|
| Commercial growing grounds | P (3) | P (3) | P (3) | P (3) | P (3) | 17.50.180 |
| Industry, restricted (3, 8) | — | — | C | C | C | |
| Industry, restricted, small scale (3, 8) | P | P | P | P | P | |
| Industry, standard (3) | — | — | — (8) | — | — | |
| Recycling - Small collection facility | MC | MC | MC | MC | MC | 17.50.220 |
| Research & development - Non-office | C (8) | C (8) | P | C (8) | C (8) | 17.50.240 |
| Wholesaling, distribution, & storage (3) | — | — | C | — | — | |
| Wholesaling, distribution, & storage, small-scale | P | P | P | P | P | |

TRANSPORTATION, COMMUNICATIONS & UTILITY USES

| | | | | | | |
|---|----|----|----|----|----|-----------|
| Accessory antenna array | P | P | P | P | P | |
| Communications facility (2, 3, 9, 10) | — | — | P | P | P | |
| Commercial off-street parking (2, 10) | C | C | C | C | C | |
| Utility, major | C | C | C | C | C | |
| Utility, minor | P | P | P | P | P | |
| Wireless telecommunications facilities, major | C | C | C | C | C | 17.50.310 |
| Wireless telecommunications facilities, minor | MC | MC | MC | MC | MC | 17.50.310 |

Notes:

- (1) See Section 17.80.030 for definitions of the listed land uses.
- (2) Uses subject to limitations on hours of operation. See Section 17.40.070 (Hours of Operation).
- (3) Conditional Use Permit approval is required for a nonresidential project or nonresidential portion of a mixed-use project that exceeds 25,000 sq. ft. of gross floor area; except for a project with an approved master development plan, tenant improvements, and a project that is on the approved capital improvement budget.
- (4) Uses on a site greater than two acres that were established after June 30, 1985, shall require a zone change to PS (Public, Semi-Public).
- (5) A club or lodge established prior to September 9, 1996 is a permitted (P) use.
- (6) Alcohol sales is limited to sales for on-site consumption that is accessory to a principal use such as a restaurant. Alcohol sales in conjunction with the following uses is prohibited: nightclubs (commercial entertainment) and billiard parlors (commercial recreation - indoor).
- (7) Vehicle/equipment repair is limited to uses which provide limited services such as oil changes, window tinting, replacement of air filters, installation of car stereos and alarms, and other related services. All repairs shall occur within an enclosed building, overnight parking or storing of vehicles receiving services shall be within an enclosed building.
- (8) An industrial use established prior to December 29, 2002, is a permitted (P) use.
- (9) If within 300 feet of an R District this use shall be limited to 10 one-way truck trips by large trucks per day per 6-day work week. This restriction shall apply to new uses and uses that expand by more than 30 percent of the gross floor area. This restriction shall not apply if the site or the adjacent R District is within 500 feet of a freeway.
- (10) No more than five large trucks (except trucks associated with vehicle services - sales and leasing) shall be stored on each lot. This restriction shall apply to new uses or uses which expand by more than 30 percent of gross floor.

- (11) The residential component of a work/live unit shall be counted as part of the allowable density.
- (12) In C-3d multi-family housing is permitted.
- (13) Fair Oaks Ave: allowed on the west side, south of Orange Grove Bl. and allowed on both sides, north of Orange Grove Bl., Orange Grove Bl.: allowed on both sides, west of Fair Oaks Ave. Incidental maintenance is not allowed.

Pasadena Zoning Code - Article 3

EXHIBIT - 2

TABLE 3-15 - FAIR OAKS/ORANGE GROVE DEVELOPMENT STANDARDS

| Development feature | Requirement by Zoning District | | |
|-----------------------------------|--|----------|--|
| | FGSP-CL-1a, b | FGSP-C-2 | FGSP-C-3a, b, c, d |
| Minimum lot size (1) | <i>Minimum area and width for new lots.</i> Determined through the subdivision process, except as provided for a specific zone by Section 17.33.050.A. | | |
| Setbacks | <i>Minimum setbacks required. See Section 17.40.150 for setback measurement, allowed projections and encroachments into setbacks, and exceptions to setbacks.</i> | | |
| Front | 15 ft for residential in CL-1b; 5 ft for nonresidential | 10 ft | 5 ft |
| Sides, corner side, rear | As required by Section 17.22.060 for residential; 5 ft for nonresidential | 5 ft | 5 ft |
| Height limit | <i>Maximum height of main structures. See 17.40.060 for height measurement, and exceptions to height limits. All structures shall also comply with the encroachment plane requirements of 17.40.160.</i> | | |
| Maximum height (2) | As required by Section 17.22.060 for residential; 36 ft for nonresidential and mixed use projects | 36 ft | 40 ft and 3 stories for office structures in C-3a, b, and c on Fair Oaks Avenue; 36 ft in C-3d |
| Maximum height (2) | As required by Section 17.22.060 for residential; 36 ft for nonresidential and mixed use projects | 36 ft | 40 ft and 3 stories for office structures in C-3a, b, and c on Fair Oaks Avenue; 36 ft elsewhere |
| Accessory structures | Non-residential uses shall meet the same standards as the principal structure; for residential uses see Section 17.50.250 (Residential Accessory Uses and Structures) | | |
| Landscaping | Chapter 17.44 (Landscaping) | | |
| Parking | Chapter 17.46 (Parking and Loading) | | |
| Signs | Chapter 17.48 (Signs) | | |
| Other applicable standards | Chapter 17.40 (General Property Development and Use Standards) Article 5 (Standards for Specific Land Uses) | | |

Notes:

- (1) See Section 17.40.030 regarding development on an undeveloped lot and Section 17.40.040 regarding development on a substandard lot.
- (2) In subdistrict C-3, the height of buildings with offices – administrative business professional and mixed use projects shall be measured to the top plate.

Scored language deleted, underlined language added.