

Additionally, if the Director determines the wireless telecommunications facility, as constructed, may emit radio frequency emissions that are likely to exceed Federal Communications Commission uncontrolled/general population standards in the FCC Office of Engineering Technology (OET) Bulletin 65, Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields, as amended, in areas accessible by the general population, the Director may require post-installation testing to determine whether to require further mitigation of radio frequency emissions. The cost of any such testing and mitigation shall be borne by the applicant. Applications for amateur radio antennas or antennas installed for home entertainment purposes are exempt from this requirement.

8. Posting of removal bond or security. Before the issuance of any permit under this section, the applicant shall post with the City a performance bond or other security in an amount rationally related to the cost of removal.

9. City's use of consultant. The Director may require the applicant to provide an authorization to permit the City to hire an independent, qualified consultant to evaluate any technical aspect of the proposed use, including issues involving radio frequency emissions, alternative designs, and alternative sites. Any authorization for this purpose shall include an agreement by the applicant to reimburse the City for all reasonable costs associated with the consultation. Any proprietary information disclosed to the City or the consultant is deemed not to be a public record, and shall remain confidential and not to be

disclosed to any third party without the express consent of the applicant, unless otherwise required by law.

6.10. Inoperable or unused facilities.

a. If a support structure, or an antenna array affixed to a building or support structure, becomes inoperable or ceases to be used for a period of 180 consecutive days:

(1) The permittee shall give written notice of inoperability or nonuse to the Zoning Administrator; and

(2) The antenna array and, if applicable, the support structure shall be removed within 90 days.

b. If removal does not occur, the City may remove the antenna array and, if applicable, the support structure, at the permittee's expense; provided, however, that if other antenna arrays owned or operated by other service providers are affixed to the same support structure then only the antenna array that has become inoperable or has ceased to be used is required to be removed, and the support structure may remain in place until all service providers cease to use it.

11. Length of permit and extension.

a. **A permit issued under this section shall be valid for an initial period of not less than 10 years.**

b. **Upon expiration of the initial period, the permit may be extended by a decision by the Director for a period no longer than the initial period upon verification of continued compliance with the findings and conditions of approval under which the application was originally approved, as well as any other provisions provided for in this Code which are in effect at the time of the permit renewal request.**

c. The Director shall provide notice of the extension only to the applicant, all persons who have filed a written request for notice of the extension, the Planning Commission, and the City Council.

12. Existing agreements. This section does not apply to the terms and conditions of any agreement or permit (including an extension) pertaining to telecommunications facilities (issued by the City or of which the City is a party) that is already in existence at the effective date of this ordinance, provided that the agreement or permit does not result in a material change (including changes in size, shape, color, or exterior material) of the telecommunications facilities covered by such existing agreement.

13. City-owned real property.

Any wireless telecommunications antenna facility permitted to be located on City-owned real property shall comply with any of the conditions in Section 12.22.180 of the Municipal Code as determined applicable by the Director, in addition to the other requirements of this section. For purposes of this Subsection, all references in Section 12. 22.180 to “Director” shall mean the Director of Planning and Development.

DE. Requirements for new support structures. (Wireless Telecommunications Antenna Facilities, Major).

1. Projection from roof prohibited. No new support structure may project from the roof of a building.

2. Separation from buildings. A new ~~freestanding~~ support structure shall be a minimum of 10 feet from a building on the same site unless that building houses equipment accessory to the support structure.

3. Setback from residential. **Where permitted**, a new, ~~freestanding~~ support structure, including any accessory ~~structure equipment facility~~, shall be located at a **minimum distance equal to but** not less than the height of the support structure from the site of any residential use or any residentially zoned land.

4. Co-location. The co-location of antennas on a single support structure is encouraged. This includes co-location with **other wireless telecommunications antenna facilities including those** of ~~other wireless communications service providers, including~~ public and quasi-public agencies using similar technology unless specific ~~specialized~~ **technical** constraints preclude co-location.

5. **Camouflage. A new support structure that is designed to look like a faux tree or flag pole shall comply with the following requirements:**

a. **Flag Poles. A flag shall be flown and properly maintained at all times, and the base of the pole shall be appropriately tapered to maintain the appearance of an actual flag pole.**

b. **Faux Trees. If a faux tree is proposed, it shall be of a type of tree compatible with those existing in the immediate areas of the installation. If no trees exist within the immediate areas, the applicant shall create a landscape setting that integrates the faux tree with added species of a similar height and type. Additional camouflage of the faux tree may be required depending on the type and design of faux tree proposed.**

5.6. Height limit. ~~Notwithstanding the maximum height requirements in any zoning district, freestanding support structures~~ **Where allowed, support structures** shall not exceed a maximum height of ~~60~~ **50** feet above existing grade in any zoning district.

7. **Justification Study.** The applicant shall submit a justification study indicating the rationale for selecting the proposed use, a detailed explanation of the coverage gap that the proposed use would serve, and how the proposed use is the least intrusive means for the applicant to provide wireless service.

8. Location.

a. **A support structure and any related ground-mounted equipment cabinet shall not be located within an area devoted to a vehicle/pedestrian circulation area in such a manner that it interferes with or impairs the utility of intended function of such area.**

b. **Where feasible, unutilized space should be made available for co-location with other wireless telecommunications antenna facilities, including space for entities providing competing services. Co-location of wireless telecommunications antenna facilities is not required in cases where the addition of new service of facilities would cause service impairment to an existing facility, or if it became necessary for the host facility to go off-line for a significant period of time.**

c. **A support structure shall not be located within any designated historic district or landmark district.**

9. **Distance Requirement.** **There shall be a 500-foot distance requirement between each site containing an individual support structure, measured from site to site.**

7.10. Finding required for approval.

a. Required finding. No new support structure will be allowed unless the review authority, in addition to the findings required by Section 17.61.050.H, first finds that, based upon evidence submitted by the applicant, no existing building or support structure can reasonably accommodate the proposed wireless telecommunications antenna facility.

b. Evidence to support finding. Evidence supporting the required finding will be reviewed by the Zoning Administrator and may consist of any of the following:

(1) No existing buildings or support structures are located within the geographic area proposed to be served by the applicant's facility;

(2) Existing buildings or support structures are not of sufficient height to meet the applicant's operational or engineering requirements; or

(3) The applicant's proposed facility would create **radio frequency electromagnetic** interference with an existing structure, or the existing ~~antenna array on an existing building or support structure~~ would create **radio frequency** interference with the applicant's proposed **facility antenna array**.

6.11. Security. The support structure and support facilities shall be constructed so as to prevent unauthorized entry into the support facilities or onto the support structure.

F. Requirements for co-located facilities (Wireless Telecommunications Antenna Facilities, Minor). Unless shielded from public view, the antenna array may not extend above the highest ridge line of the roof line or parapet of an existing structure. However, whip antennas and omni-directional antennas may extend up to 10 feet above the roof line or

parapet of an existing structure. To the extent feasible, the antenna array shall be integrated into the design of the structure it is mounted to and be fully screened from public view.

1. Screening. All screening shall be compatible with the architecture, color, texture, and materials of the building or other structure to which it is mounted.

2. Concealed from public view. All sides of the project shall be concealed from public view. There shall be no visible transition between existing and new surfaces, no exposed cables, mounting apparatus or pipes permitted, and no interruption of horizontal or vertical reveals.

3. Private light poles. If co-locating on a privately-owned light pole, the replacement pole shall match the color, height, and design of existing light poles on the site.

E.G. Requirements for building-mounted facilities. Unless shielded from public view, the antenna array of a building-mounted facility may not extend above the highest ridge line of the roof line or parapet of an existing structure. However, whip antennas and omni-directional antennas may extend up to ~~15~~ 10 feet above the roof line or parapet of an existing structure.

~~F. Requirements for multiple-use facilities.~~

~~1. A multiple-use facility shall not be located on a street light standard that is less than 25 feet in height.~~

~~2. The antenna array on a multiple-use facility may be approved to extend up to 15 feet above the height of the primary use (e.g., 15 feet above the required height of athletic field lights).~~

**H. Requirements for Wireless Telecommunications Antenna Facilities, Specific Co-
Located.**

1. Ministerial permit. The City shall not require a discretionary permit for a Wireless Telecommunications Antenna Facility. SCL, if it satisfies the requirements of California Government Code Section 65850.6(a), as amended.

2. Application requirements. An application for a Wireless Telecommunications Antenna Facility, SCL, shall be filed in compliance with Chapter 17.60 (Application Filing and Processing). The application shall be accompanied by the information identified in the Department handout for Wireless Telecommunications Antenna Facility, SCL, applications and shall include payment of any application fee.

3. Review authority. An application for a Wireless Telecommunications Antenna Facility, SCL, shall be reviewed by the Director.

4. Required findings for approval.

The Director shall approve an application only after finding that:

a. The proposed use is allowed within the zoning district and complies with all applicable provisions of this Code.

b. The location of the proposed use complies with the special purposes of this Code and the applicable zoning district, and is in conformance with the goals, policies, and objectives of the General Plan.

c. The proposed use does not increase the height of the existing wireless telecommunications antenna facility.

d. The proposed use complies with all requirements for major wireless telecommunications antenna facilities within this section.

e. The proposed use will not be detrimental to the health or general welfare of persons residing or working in the neighborhood of the proposed use.

f. The proposed use will be compatible with the existing uses on the site and uses in the vicinity in terms of aesthetic values, character, scale, and view protection and will not interfere with the existing activities at the site.

5. Decision. The Director shall prepare a written decision to approve, approve with conditions, or disapprove the application. The Director shall provide notice of the decision to the applicant, all persons who have filed a written request for notice of the decision, the Planning Commission, and the City Council.

I. Opportunities Map.

The City Manager or written designee shall maintain a map (the “Opportunities Map”) to show City-owned real properties that are preferred locations for siting minor wireless telecommunications antenna facilities. The Opportunities Map shall contain a list of City-owned real properties generally preferred for minor wireless telecommunications antenna facilities and wireline (i.e., video or cable) telecommunications facilities over sites within the public right-of-way, due to the ability to screen the facilities from public view.

1. Applicability. A permit under this subdivision is required to authorize a minor wireless telecommunications antenna facility or a wireline (i.e., video or cable) telecommunications facility on a site listed on the Opportunities Map.

- 2. Contents of application.** An applicant proposing to site a minor wireless telecommunications antenna facility or a wireline (i.e., video or cable telecommunications facility) on a site listed on the Opportunities Map shall submit an application to the Director with all information identified in the Department handout for Opportunities Map applications and shall include payment of any application fee.
- 3. Review authority.** The City Council shall be the review authority on all permits subject to this subdivision.
- 4. Investigation.** The Director shall investigate the proposed use under the application.
- 5. Special Notice.** Notice of the public hearings shall be provided in compliance with Section 17.50.310(C) of this Zoning Code.
- 6. Determination.** The City Council shall approve, approve with conditions, or disapprove the application. The decision of the City Council shall be in writing and final.
- 7. Required findings for approval.** The City Council may approve an application if the following findings are made:
 - a.** The proposed use will be located on a site that is designated on the Opportunities Map.
 - b.** The proposed use is allowed within the zoning district and complies with all applicable provisions of this Code.
 - c.** The location of the proposed use complies with the special purposes of this Code and the applicable zoning district, and is in conformance with the goals, policies, and objectives of the General Plan.

- d. **The proposed use will not be detrimental to the health or general welfare of persons residing or working in the neighborhood of the proposed use.**
- e. **The proposed use will be compatible with the existing uses on the site and uses in the vicinity in terms of aesthetic values, character, scale, and view protection and will not interfere with the existing activities at the site. In making this determination, the Council shall consider, among other things, whether the proposed use causes an over-concentration of telecommunications facilities in and around the site.”**

SECTION 11. Pasadena Municipal Code, Title 17, Article 6, Chapter 17.60.020, **TABLE 6-1 - REVIEW AUTHORITY** is amended as shown in Exhibit - 10 attached hereto and incorporated by this reference.

SECTION 12. Pasadena Municipal Code, Title 17, Article 8, Chapter 17.80, Section 17.80.020 is amended as follows:

- a. By amending the following subdefinition located under the definition of “Telecommunication Facility” as follows:

“6. Wireless Telecommunications Antenna Facilities, Minor. A wireless telecommunications antenna facility that is designed to be building-mounted, or co-located on an existing structure with the facilities or other wireless communications service providers, ~~or~~ ~~located on City-owned property or within a City-owned street on “multiple-use facilities” (e.g., a street light, utility pole, traffic signal, or sign).~~”

- b. By adding the following new subdefinition located under the definition of “Telecommunication Facility” as follows, and renumbering as necessary:

“8. Wireless Telecommunications Antenna Facilities, Specific Co-Located (SCL). A wireless telecommunications antenna facility that is placed on, or immediately adjacent to, an existing wireless telecommunications antenna facility that satisfies the requirements of California Government Code Section 65850.6(a), as amended.”

SECTION 13. Section 18.08.030 of the Pasadena Municipal Code is amended to remove the introductory phrase “Title 17” and replace it with the phrase “Titles 12 and 17” as follows:

“18.08.030 Antennas for telecommunications services.

~~Title 17~~ **Titles 12 and 17** of this Code sets forth the City's regulatory requirements relating to the siting and construction of the following categories of antennas that are commonly used in providing or receiving telecommunications services:”

SECTION 14. Section 18.08.040, subdivision (B)(1) shall be amended as follows:

“1. The telephone corporation must apply for and obtain, as may be applicable, ~~an excavation~~ a permit, an encroachment permit, or a building permit (ministerial permit).”

SECTION 15. Section 18.08.040, Subdivision B(2) shall be amended as follows:

“2. In addition to the information required by this Code in connection with an application for a ~~ministerial~~ permit, a telephone corporation must submit to the City the following supplemental information:”

SECTION 16. Section 18.08.040, Subdivision B(2)(b)(iii) shall be amended as follows:

“(iii) The applicant must inform the City whether its proposed construction project will be subject to any of the mitigation measures specified in the Negative Declaration [“Competitive

Local Carriers (CLCs) Projects for Local Exchange Communication Service throughout California"] or to the Mitigation Monitoring Plan adopted in connection with Decision No. 95-12-057 of the CPUC. The City's issuance of a ~~ministerial~~ permit will be conditioned upon the applicant's compliance with all applicable mitigation measures and monitoring requirements imposed by the CPUC upon telephone corporations that are designated as "competitive local carriers." "

SECTION 17. Section 18.08.040, subdivision (C)(1) shall be amended as follows:

"1. The City manager is directed to ensure that all public utilities, including telephone corporations, comply with all local design, construction, maintenance and safety standards that are contained within, or are related to, a ~~ministerial~~ permit that authorizes the construction of facilities within the public rights-of-way."

SECTION 18. Section 18.08.040, subdivision (C)(2) shall be amended as follows:

"2. The City manager is directed to coordinate the construction and installation of facilities by public utilities, including telephone corporations, in order to minimize the number of excavations in the public rights-of-way. In this regard, based upon projected plans for street construction or renovation projects, the City manager is authorized to establish on a quarterly basis one or more construction time periods or "windows" for the installation of facilities within the public rights-of-way. Telephone corporations and other public utilities that submit applications for ~~ministerial~~ permits to construct facilities after a predetermined date may be required to delay such construction until the next quarterly "window" that is established by the City."

SECTION 19. Ordinance No. 7144, An Extension of the Interim Urgency Ordinance of the City of Pasadena Temporarily Prohibiting the Issuance of Permits for the Placement, Construction, and Modification of Ground-Mounted Commercial Wireless Facilities in Residential Zoning Districts, is hereby repealed.

SECTION 20. The City Council hereby declares that, should any section, paragraph, sentence, phrase, term or word of this ordinance, hereby adopted, be declared for any reason to be invalid, it is the intent of the City Council that it would have adopted all other portions of this ordinance irrespective of any such portion declared invalid.

SECTION 21. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published by title and summary.

SECTION 22. This ordinance shall take effect 30 days from its publication.

Signed and approved this _____ day of _____, 2009.

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 _____, 2009, by the following vote:

AYES:

NOES:

ABSENT:

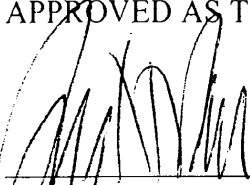
ABSTAIN:

Date:

Published:

Mark Jomsky, CMC
City Clerk

APPROVED AS TO FORM:



Jayant N. Rad
Deputy City Attorney

**TABLE 2-2 - ALLOWED USES AND PERMIT REQUIREMENTS
FOR RESIDENTIAL ZONING DISTRICTS**

LAND USE (1)	PERMIT REQUIREMENT BY ZONE					Specific Use Standards
	RS (2)	RM-12	RM-16 (3)	RM-32	RM-48	
OFFICE, PROFESSIONAL & BUSINESS SUPPORT USES						
Offices - Administrative business professional	—	—	MC (10)	MC (10)	MC (10)	17.50.170
RETAIL SALES						
Personal property sales	P	P	P	P	P	17.50.190
Temporary uses	TUP	TUP	TUP	TUP	TUP	
SERVICES						
Adult day care, general	C (4)	C (4)	C (4)	C (4)	C (4)	
Adult day care, limited	P	P	P	P	P	
Lodging - Bed and breakfast inns	—	—	MC	MC	MC	17.50.140
Child day-care centers	C	C	C	C	C	17.50.080
Child day care, large, 9 to 14 persons	P	P	P	P	P	17.50.080
Child day care, small, 1 to 8 persons	P	P	P	P	P	
Filming, long-term	C	C	C	C	C	
Filming, short-term	P	P	P	P	P	
Medical services - Extended care	—	—	—	C (4)	C (4)	
Neighborhood garden	MC	MC	MC	MC	MC	
Public safety facilities	C (4)	C (4)	C (4)	C (4)	C (4)	
INDUSTRY, MANUFACTURING & PROCESSING USES						
Commercial growing area	C	C	C	C	C	17.50.180
TRANSPORTATION, COMMUNICATIONS & UTILITY USES						
Utility, major	C (4)	C (4)	C (4)	C (4)	C (4)	
Utility, minor	P	P	P	P	P	
Wireless telecommunications facilities, minor	MC (5)	MC (5)	MC (5)	MC (5)	MC (5)	17.50.310
Wireless telecommunications facilities, minor	P (5)	P (5)	P (5)	P (5)	P (5)	17.50.310

Notes:

- (1) See Section 17.80.020 for definitions of the listed land uses.
- (2) Includes the RS district with all suffixes (e.g., RS-1 through RS-6).
- (3) Includes the RM-16 districts with all suffixes (e.g., RM-16, RM-16-1).
- (4) Uses established after June 30, 1985, on sites greater than two acres shall require a zone change to PS (Public and Semi-Public).
- (5) Limited to facilities that are located on City-owned property or within a City-owned street such as a street light, utility pole, traffic signal or sign.
- (5) Limited to facilities that are located on City-owned real property (through the Opportunities Map standards of Section 17.50.310) or along the public right-of-way (through the development standards of Chapter 12.22).
- (6) Allowed subject to the development standards of the RS-6 district, section 17.22.040.
- (7) Two units on a lot shall meet the development standards of the RM-12 district, section 17.22.040.
- (8) A lot with a single-family residence may rent a maximum of two bedrooms.
- (9) The maximum interior or exterior area in which support services are offered or located shall not exceed 250 sq. ft.
- (10) Limited to buildings designated as a landmark or listed individually in the National Register of Historic Places.

Scored language deleted, underlined language added.

**TABLE 2-5 - ALLOWED USES AND PERMIT REQUIREMENTS
FOR COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS**

LAND USE (1)	PERMIT REQUIREMENT BY ZONE				Specific Use Standards
	CO	CL (2)	CG (2)	IG	

TRANSPORTATION, COMMUNICATIONS & UTILITY USES

Alternative fuel/recharging facilities (8, 9, 10)	—	C	C	C	
Accessory antenna array	P	P	P	P	
Communications facilities (8, 9, 10)	—	—	P	P	
Commercial off-street parking (8, 10)	C	C	C	C	
Heliports	—	—	C	C	
Transportation dispatch facility	—	—	C (9)	C (9)	
Transportation terminals	—	—	C	C	
Trucking terminals	—	—	—	C (7)	
Utility, major	C (3)	C (3)	C (3)	C (3)	
Utility, minor	P	P	P	P	
Vehicle storage (8, 9)	—	—	C	C	
Wireless telecommunications facilities, major	C	C	C	C	17.50.310
Wireless telecommunications facilities, minor	MC	MC	MC	MC	17.50.310
Wireless telecommunications facilities, SCL	P	P	P	P	17.50.310

TRANSIT-ORIENTED DEVELOPMENT

Transit-oriented development (8, 9)	P	P	P	P	17.50.340
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Notes:

- (1) See Section 17.80.020 for definitions of the listed land uses.
- (2) Includes the CL and CG districts with all suffixes (e.g., CL-2, CG-1, CG-2).
- (3) Uses on sites greater than two acres that were established after June 30, 1985, shall require a zone change to PS (Public, Semi-Public).
- (4) Allowed subject to the development standards of the RS-6 district, Section 17.22.040.
- (5) The maximum interior or exterior area in which support services are offered or located shall not exceed 250 sq. ft.
- (6) A club, lodge, or private meeting hall established prior to September 9, 1996, shall be a permitted (P) use.
- (7) A minor conditional use permit is required to establish a new use. An existing use is a permitted (P) use.
- (8) Use subject to limitations on hours of operation. See Section 17.40.070 (Hours of Operation).
- (9) Conditional Use Permit approval required for a nonresidential project, or the 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, or a project on the City's approved capital improvement budget.
- (10) No more than five large trucks (except trucks associated with vehicle services - sales and leasing) shall be stored on a lot. This shall apply to new uses or uses which expand by more than 30 percent of gross floor area.
- (11) Use is permitted only as an accessory use to a restaurant (including fast food and formula fast food) or food sales.
- (12) Use not permitted in the Lincoln Corridor, CG-1 district.
- (13) In the CG-1 district, this use is permitted only when accessory to another use and located within a building.

**TABLE 2-7 - ALLOWED USES AND PERMIT REQUIREMENTS
FOR SPECIAL PURPOSE ZONING DISTRICTS**

LAND USE (1)	PERMIT REQUIREMENT BY ZON		Specific Use Standards
	OS	PS, PS-1	
INDUSTRY, MANUFACTURING & PROCESSING USES			
Commercial growing area	C (5)	—	
Recycling - Small collection facilities	MC	MC	17.50.220
TRANSPORTATION, COMMUNICATIONS & UTILITY USES			
Accessory antenna array	P	—	
Heliports	—	C	
Transportation terminals	—	C	
Utility, major	C	C	
Utility, minor	P	P	
Wireless telecommunications facilities, major	—	C	17.50.310
Wireless telecommunications facilities, minor	—	MC	17.50.310
Wireless telecommunications facilities, SCL	—	P	17.50.310

Notes:

- (1) See Section 17.80.030 for definitions of the listed land uses.
- (2) Limited to accessory facilities of a principal use.
- (3) Limited to facilities accessory to an open space. An accessory use shall not occupy more than 5% of the open area.
- (4) Horticultural or nursery uses shall not replace a park, golf course, or recreational use.
- (5) Permanent structures prohibited.

**TABLE 3-3 - ALLOWED USES AND PERMIT REQUIREMENTS
FOR ECSP ZONING DISTRICTS**

LAND USE (1)	PERMIT REQUIREMENT BY ZONE							Specific Use Standards
	ECSP	ECSP	ECSP	ECSP	ECSP	ECSP	ECSP	
	CG-1	CG-2	CL-3	CG-3	CG-4	CG-5	CG-6	

INDUSTRY, MANUFACTURING & PROCESSING USES (7, 8, 9)

Industry, restricted	—	—	—	C (4)	C (4)	—	C (4)	
Industry, restricted, small-scale	—	—	—	C	C	C	C	
Recycling - Small collection facility	—	MC	MC	MC	MC	MC	MC	17.50.220
Research and development - Non-offices	—	C (4)	C (4)	P (4)	P (4)	C (4)	P (4)	17.50.240
Wholesaling, distribution and storage	—	—	—	—	—	—	C (4)	
Wholesaling, distribution and storage, small scale	—	—	—	—	—	—	C	

TRANSPORTATION, COMMUNICATIONS & UTILITY USES

Alternative fuel/recharging facilities (4, 7, 8, 9)	C	C	C	C	C	C	C	
Accessory antenna arrays	P	P	P	P	P	P	P	
Communications facilities (4, 7, 8, 9)	C	C	—	C	C	C	C	
Commercial off-street parking (7, 9)	MC	MC	MC	MC	MC	MC	MC	
Heliports	C	—	—	—	—	—	—	
Transportation terminals	—	—	C	—	—	—	C	
Utility, major	C	C	C	C	C	C	C	
Utility, minor	P	P	P	P	P	P	P	
Vehicle storage (4, 7, 8)	—	—	—	—	—	—	C	
Wireless telecommunications facilities, Major	C	C	C	C	C	C	C	17.50.310
Wireless telecommunications facilities, Minor	MC	MC	MC	MC	MC	MC	MC	17.50.310
Wireless telecommunications facilities, SCL	P	P	P	P	P	P	P	17.50.310

TRANSIT-ORIENTED DEVELOPMENT

Transit-oriented development (4, 7)	—	—	P	—	—	—	P	17.50.340
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Notes:

- (1) See Section 17.80.020 for definitions of the listed land uses.
- (2) Mixed-use projects and multi-family housing permitted only within 1/4 mile of light rail platform.
- (3) The maximum area (either interior or exterior) in which support services are offered or located shall not exceed 250 sq. ft.
- (4) 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.
- (5) A minor conditional use permit is required to establish a new use. An existing use is a permitted (P) use.
- (6) A use established on a site greater than two acres after June 30, 1985, shall require a zone change to PS (Public, Semi-Public).
- (7) Uses subject to limitations on hours of operation. See Section 17.40.070 (Hours of Operation).
- (8) 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 six-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.
- (9) No more than five large trucks (except trucks associated with vehicle services - sales and leasing) shall be stored on each

**TABLE 3-5 - ALLOWED USES AND PERMIT REQUIREMENTS
EAST PASADENA SPECIFIC PLAN (EPSP) SUBAREA D1 DISTRICTS**

LAND USE (1)	PERMIT REQUIREMENT BY D1 ZONE				Specific Use Standards
	CO	CL	CG	IG	

INDUSTRY, MANUFACTURING & PROCESSING USES (3, 10)

Commercial growing area	—	—	—	P	
Industry, restricted (4, 5)	—	—	C	P	
Industry, restricted, small-scale	—	P (5)	P (5)	P (5)	
Industry, standard (4, 5)	—	—	—	P	
Recycling - Small collection facilities	MC	MC	MC	MC	17.50.220
Recycling - Large collection facilities	—	—	C (4)	C (4)	17.50.220
Research & development - Non-office	C (4)	C (4)	P (4)	P (4)	17.50.240
Wholesaling, distribution, & storage	—	—	C (4)	P (4)	
Wholesaling, distribution, & storage, small-scale	—	—	P	P	

TRANSPORTATION, COMMUNICATIONS & UTILITY USES

Accessory antenna array	P	P	P	P	
Alternative fuel/recharging facilities (3, 4, 10)	—	C	C	C	
Commercial off-street parking (3)	C	C	C	C	
Communications facilities (3, 4, 10)	—	—	P	P	
Heliports	—	—	C	C	
Transportation terminals	—	—	C	C	
Utility major	C	C	C	C	
Utility minor	P	P	P	P	
Vehicle storage (3, 4, 10)	—	—	C	C	
Wireless telecommunications facilities, major	C	C	C	C	17.50.310
Wireless telecommunications facilities, minor	MC	MC	MC	MC	17.50.310
Wireless telecommunications facilities, SCL	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	17.50.310

Notes:

- (1) See Section 17.80.020 for definitions of the listed land uses.
- (2) Uses on sites greater than two acres that were established after June 30, 1985, shall require a zone change to PS (Public, Semi-Public).
- (3) Use subject to limitations on hours of operation. See Section 17.40.070 (Hours of Operation).
- (4) Conditional Use Permit approval required for a nonresidential project or nonresidential portion of a mixed-use project exceeding 25,000 sq.ft. of gross floor area; except for a project with an approved master development plan, tenant improvements, or a project that is in the City's approved capital improvement budget.
- (5) Auto dismantling is not permitted.
- (6) Limited to accessory facilities of a principal use.
- (7) The maximum area (either interior or exterior) in which support services are offered or located shall not exceed 250 sq.
- (8) A club or lodge established prior to September 9, 1996, is a permitted (P) use.
- (9) A minor conditional use permit is required to establish a new use. An existing use is a permitted (P) use.
- (10) No more than five large trucks (except trucks associated with vehicle services - sales and leasing) shall be stored

**TABLE 3-6 - ALLOWED USES AND PERMIT REQUIREMENTS
EAST PASADENA SPECIFIC PLAN (EPS) SUBAREA D2 AND D3 DISTRICTS**

LAND USE (1)	PERMIT REQUIREMENT BY ZONE							Specific Use Standards
	Subarea d2					Subarea d3		
	CO	CL	CG	IG	PS	CO	CG	

INDUSTRY, MANUFACTURING & PROCESSING USES (3, 10)

Commercial growing area	—	P	P	P	—	—	P	
Industry, restricted	—	—	C (4)	P (4)	—	—	C (4)	
Industry, restricted, small-scale	—	P	P	P	—	—	—	
Industry, standard	—	—	—	P (11)	—	—	—	
Recycling - Small collection facilities	MC	MC	MC	MC	—	MC	MC	17.50.220
Recycling - Large collection facilities	—	—	C (4)	C (4)	—	—	—	17.50.220
Research & development - Non-office	C (4)	C (4)	P (4)	P (4)	—	C (4)	—	17.50.240
Wholesaling, distribution & storage	—	—	C (4)	P (4)	—	—	C (4)	
Wholesaling, distribution & storage, small-scale	—	—	C	P	—	—	C	

TRANSPORTATION, COMMUNICATIONS & UTILITY USES

Accessory antenna array	P	P	P	P	—	P	P	
Alternative fuel/recharging facilities (3, 4, 10)	—	C	C	C	—	—	C	
Accessory antenna array	P	P	P	P	—	P	P	
Communications facilities (3, 4, 10)	—	—	P	P	—	—	P	
Commercial off-street parking	C (3)	C (3)	C (3)	C (3)	—	C (3)	C (3)	
Heliports	—	—	C	C	C	—	C	
Transportation terminals	—	—	C (9)	C	C	—	C	
Utility, major	C	C	C	C	C	C	C	
Utility, minor	P	P	P	—	P	P	P	
Vehicle storage (3, 4, 10)	—	—	C	C	—	—	—	
Wireless telecommunications facilities, major	C	C	C	C	C	C	C	17.50.310
Wireless telecommunications facilities, minor	MC	MC	MC	MC	MC	MC	MC	17.50.310
Wireless telecommunications facilities, SCL	P	P	P	P	P	P	P	17.50.310

TRANSIT-ORIENTED DEVELOPMENT

Transit-oriented development (3, 4)	P	P	P	P	—	P	P	17.50.340
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Notes:

- (1) See Section 17.80.020 for definitions of the listed land uses.
- (2) Uses on sites greater than two acres that were established after June 30, 1985, shall require a zone change to PS (Public, Semi-Public).
- (3) Use subject to limitations on hours of operation. See Section 17.40.070 (Hours of Operation).
- (4) Conditional Use Permit approval required for a nonresidential project or nonresidential portion of a mixed-use project exceeding 25,000 sq. ft. of gross floor area; except for a project with an approved master development plan, tenant improvements, or a project that is in the City's approved capital improvement budget.
- (5) Limited to accessory facilities of a principal use.
- (6) The maximum area (either interior or exterior) in which support services are offered or located shall not exceed 250 sq. ft.
- (7) A club or lodge established prior to September 9, 1996, is a permitted (P) use.
- (8) A Minor Conditional Use Permit is required to establish a new use. An existing use is a permitted (P) use.
- (9) Limited to sites south of Foothill Boulevard.
- (10) No more than five large trucks (except trucks associated with vehicle services - sales and leasing) shall be stored on each site. This restriction shall apply to new uses or uses which expand by more than 30 percent of gross floor.

Scored language deleted, underlined language added.

**TABLE 3-13 - ALLOWED USES AND PERMIT REQUIREMENTS
FAIR OAKS/ORANGE GROVE RM-16, RM-12, PS, AND OS DISTRICTS**

LAND USE (1)	PERMIT REQUIREMENT BY ZONE				Specific Use Standards
	FGSP -				
	RM-12	RM-16	PS	OS	

SERVICES

Charitable institutions	—	—	MC	—	
Child day-care centers	C	C	C	—	17.50.080
Child day-care, large care homes, 9 to 14 persons	MC	MC	C	—	17.50.080
Child day-care, small care homes, 1 to 8 persons	P	P	C	—	
Filming, long-term	C	C	C	C	
Filming, short-term	P	P	P	P	
Public safety facilities	C (2)	C (2)	C	C	

INDUSTRY, MANUFACTURING & PROCESSING USES

Commercial growing areas	C	C	—	C (4)	
Recycling - Small collection facility	—	—	MC	MC	17.50.220

TRANSPORTATION, COMMUNICATIONS & UTILITY USES

Accessory antenna array	—	—	—	P	
Utility, major	C(2)	C(2)	C	C	
Utility, minor	P	P	P	P	
Wireless telecommunications facilities, major	—	—	C	—	17.50.310
Wireless telecommunications facilities, minor	MC	MC	MC	—	17.50.310
Wireless telecommunications facilities, SCL	—	—	P	—	17.50.310

Notes:

- (1) See Section 17.80.020 for definitions of the listed land uses.
- (2) Uses on a site greater than two acres that was established after June 30, 1985, shall require a zone change to PS (Public, Semi-Public).
- (3) Limited to accessory facilities of a principal use.
- (4) A horticultural or nursery use shall not replace a park or outdoor commercial recreation use.
- (5) Two units on a lot shall meet the development standards of the RM-12 district, Section 17.22.040, except as shown in Table 3-15.
- (6) A single-family use shall meet the development standards of the RS-6 district, Section 17.22.040, except as shown in Table 3-15.
- (7) Limited to buildings designated as a landmark or listed individually in the National Register of Historic Places.

**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	

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

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
Wireless telecommunications facilities, SCL	P	P	P	P	P	17.50.310

Notes:

- (1) See Section 17.80.020 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 the gross floor area.
- (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.
- (14) Two units on a lot shall meet the development standards of the RM-12 district, Section 17.22.040, except as shown in Table 3-15.
- (15) A single-family use shall meet the development standards of the RS-6 district, Section 17.22.040, except as shown in Table 3-15.

**TABLE 3-16 - ALLOWED USES AND PERMIT REQUIREMENTS
FOR WGSP ZONING DISTRICTS**

LAND USE (1)	PERMIT REQUIREMENT BY ZONE				Specific Use Standards
	WGSP -1A	WGSP -1B	WGSP -1C	WGSP -2	

INDUSTRY, MANUFACTURING & PROCESSING USES

Recycling - Small collection facilities	—	—	MC	—	17.50.220
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TRANSPORTATION, COMMUNICATIONS & UTILITY USES

Communications facilities	—	—	C	—	
Commercial off-street parking	C	—	—	—	
Utility, major	—	C	C	C	
Utility, minor	P	P	P	P	
Wireless telecommunications facilities, Minor	MC	MC	MC	—	17.50.310
Wireless telecommunications facilities, Major	C	C	C	—	17.50.310
Wireless telecommunications facilities, SCL	P	P	P	—	17.50.310

Notes:

- (1) See Section 17.80.020 for definitions of the listed land uses.
- (2) The maximum area (either interior or exterior) in which support services are offered or located shall not exceed 250 sq. ft.
- (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) Use shall not be located more than 120 feet from the Green Street property line.
- (5) Food sales are limited to the block bounded by Colorado Boulevard, St. John, Green Street, and Terrace Drive.
- (6) Vehicle services - sales and leasing is allowed with Conditional Use Permit approval only in the portion of this subdistrict north of Colorado Boulevard. Vehicle services - vehicle/equipment repair is permitted only when accessory to vehicle/equipment sales and leasing.

TABLE 6-1 - REVIEW AUTHORITY

Type of Decision	Role of Review Authority (1)				
	See Section	Director/Zoning Administrator/Hearing Officer	DC/HPC (2)	BZA/Planning Commission (2)	City Council

Administrative and Amendments

General Plan amendments	17.74			Recommend	Decision
Interpretations	17.12	Decision (3)		(BZA) Appeal	CFR
Master Plans	17.61.050			Recommend	Decision
Planned Developments	17.26.020. C			Recommend	Decision
Specific Plans	17.68			Recommend	Decision
Zoning Code amendments	17.74			Recommend	Decision
Zoning Map amendments	17.74			Recommend	Decision

Land Use Permits and other Development Approvals

Adjustment Permits	17.61.070			Recommend	Decision
Certificate of Appropriateness	17.62.090	Decision (4)	(HPC) Decision/ Appeal/CFR		Appeal/ CFR
Central District – Floor Area Increase	17.30.050			Decision	Appeal/ CFR
Central District – Height Averaging	17.30.050		(DC) Decision		Appeal/ CFR
Code Compliance Certificates	17.61.020	Issued by Director			
Conditional Use Permits	17.61.050	(HO) Decision (3)		(BZA) Appeal	Appeal/CFR (5)
Creative Sign Permits	17.48.070	Decision	(DC) Appeal/CFR		Appeal/ CFR
Density Bonus – Concessions and other Incentives	17.43.050	(HO) Decision		(BZA) Appeal	Appeal/CFR (5)
Density Bonus – Waiver of Development Standards	17.43.060	(HO) Decision		(BZA) Appeal	Appeal/CFR (5)
Design Review (Sec Tables 6-2 & 6-3)	17.61.030	Decision	(DC) Decision/ Appeal/CFR		Appeal/ CFR

Scored language deleted, underlined language added.

EXHIBIT - 10 Continued

Type of Decision	Role of Review Authority (1)				
	See Section	Director/Zoning Administrator/Hearing Officer	DC/HPC (2)	BZA/Planning Commission (2)	City Council

Land Use Permits and other Development Approvals (Continued)

Development Agreements	17.66			Recommend	Decision
Expressive Use Permits	17.61.060	(HO) Decision (3)			Appeal/CFR
Long-term Film Permits	17.61.090	(HO) Decision		(BZA) Appeal	Appeal/CFR
Hillside Development Permit	17.29.010	(HO) Decision (3)		(BZA) Appeal	Appeal/CFR (5)
Lot Line Adjustments	Title 16	Advisory Agency (HO) Decisions		(BZA) Appeal	Appeal
Master Sign Plans	17.48.060	Decision	(DC) Appeal/CFR		Appeal/CFR
Minor Conditional Use Permits	17.61.050	(HO) Decision (3)		(BZA) Appeal	Appeal/CFR (5)
Minor Variances	17.61.080	(HO) Decision (3)		(BZA) Appeal	Appeal/CFR (5)
Modifications for Persons with Disabilities	17.61.080	(HO) Decision (3)		(BZA) Appeal	Appeal/CFR (5)
Public Art Requirement	17.61.100	(AC) Decision (2)			Appeal/CFR
Sexually Oriented Business Hardship Extension	17.50.295.D	(HO) Decision		(BZA) Appeal	Appeal/CFR (5)
Sign Exceptions	17.48.050	(HO) Decision (3)		(BZA) Appeal	Appeal/CFR (5)
Temporary Use Permits	17.61.040	(ZA) Decision (3)		(BZA) Appeal	CFR
Tentative Tract and Parcel Maps (Including Vesting Maps)	Title 16	Advisory Agency (HO) Decision		(BZA) Appeal	Appeal/CFR
Variances	17.61.080	(HO) Decision (3)		(BZA) Appeal	Appeal/CFR (5)
<u>Wireless Telecommunications Facilities, Opportunities Site</u>	<u>17.50.310</u>				<u>Decision</u>
<u>Wireless Telecommunications Facilities, Permit Extension</u>	<u>17.50.310</u>	<u>Director</u>		<u>(BZA) Appeal</u>	<u>Appeal/CFR</u>

EXHIBIT - 10 Continued

Wireless
Telecommunications
Facilities, SCL

<u>17.50.310</u>	<u>Director</u>		<u>(BZA) Appeal</u>	<u>Appeal/CFR</u>
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Notes:

- (1) "Recommend" means that the review authority makes a recommendation to a higher decision-making body; "Decision" means that the review authority makes the final decision on the matter; "Appeal" means that the review authority may consider and decide upon appeals to the decision of an earlier decision-making body, in compliance with Chapter 17.72 (Appeals); and "CFR" means Call for Review, in compliance with Chapter 17.72 (Appeals).
- (2) "DC" means the Design Commission. "HPC" means Historic Preservation Commission. "BZA" means Board of Zoning Appeals and "AC" means Arts and Culture Commission.
- (3) The Hearing Officer may defer action on permit applications and refer the items to the Board of Zoning Appeals (BZA) for the final decision.
- (4) The Director's decision to issue a Certificate of Appropriateness may first be appealed to the Historic Preservation Commission (HPC) and then to the Council.
- (5) Any CEQA document or decision may be appealed to the Council.