



# Ordinance Fact Sheet

**TO:** CITY COUNCIL

**DATE:** May 10, 2010

**FROM:** CITY ATTORNEY

**SUBJECT:** AMENDMENT TO ZONING CODE TO REMOVE EXEMPTIONS  
FOR PUBLIC ART IN NORTHWEST PASADENA

## TITLE OF PROPOSED ORDINANCE

**AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17 (THE  
ZONING CODE) TO REMOVE CERTAIN EXEMPTIONS TO PUBLIC ART  
REQUIREMENT**

## PURPOSE OF ORDINANCE

This ordinance implements and codifies the municipal code amendments related to exemptions to public art requirement approved by the City Council on March 8, 2010. The purpose of this ordinance is to delete relevant portions of the Zoning Code (Title 17) that currently allow exemptions to the public art requirement, and amend other relevant portions consistently.

## REASON WHY LEGISLATION IS NEEDED

This ordinance is needed to remove the exemptions to the public art requirement in the Enterprise Zone Business Development Area and Northwest Community Plan Area, which primarily cover Northwest Pasadena. This will allow for imposition of an art requirement in those areas so that they receive the same aesthetic enhancements as other parts of the city.

## PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED

The Planning and Development Department will implement the proposed ordinance.

MEETING OF 05/10/2010

AGENDA ITEM NO. 23

**FISCAL IMPACT**

There will not be a fiscal impact as a result of these amendments to the municipal code. Projects in the formerly exempt areas of Pasadena will have to contribute funds to the Cultural Trust Fund.

**ENVIRONMENTAL**

On March 8, 2010, the Council found that these municipal code changes were categorically exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15061(b)(3) (general rule).

Respectfully submitted,

  
Michele Beal Bagneris  
City Attorney

Prepared by:

  
Theresa E. Fuentes  
Assistant City Attorney

Concurred by:

  
Michael J. Beck  
City Manager

Introduced by: \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17 (THE ZONING CODE) TO REMOVE CERTAIN EXEMPTIONS TO PUBLIC ART REQUIREMENT**

The People of the City of Pasadena ordain as follows:

**SECTION 1.** Pasadena Municipal Code, Title 17, Article 4, Chapter 17.40, Section 17.40.100, Subsection A is amended as follows:

**“A. Purpose.** This Section implements the policies of the Cultural and Recreational Element of the Pasadena Comprehensive General Plan that call for provisions for the arts and other cultural resources in new commercial development. This Section will further this program goal by establishing a requirement that the design of certain projects incorporate a public art component.”

**SECTION 2.** Pasadena Municipal Code, Title 17, Article 4, Chapter 17.40, Section 17.40.100, Subsection B is amended by inserting a new Paragraph 2 and renumbering the remaining sections in proper sequence as follows:

**“2. Northwest Enterprise Zone.** Each new or renovated commercial, industrial, multi-family residential (three units or more), mixed-use project, and any parking garage with a valuation of \$500,000 or more shall be subject to the public art requirement.”

**SECTION 3.** Pasadena Municipal Code, Article 4, Chapter 17.40, Section 17.40.100, Subsection C is amended as follows:

a. By deleting Paragraph 2.

~~2. Within the Enterprise Zone Business Development Area (EZBDA) as that zone may be amended from time to time;~~

b. By renumbering the remaining sections in proper sequence.

c. By amending the existing Paragraph 5 (which will be renumbered as Paragraph 4) as follows:

~~45.~~ Within the boundaries of any redevelopment project area outside the Northwest Enterprise Zone. As to applicable redevelopment project areas, the applicant shall comply with the design for development adopted in compliance with to the applicable redevelopment plan.

**SECTION 4.** The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published in full text.

**SECTION 5.** This ordinance shall take effect 30 days from its publication.

Signed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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Bill Bogaard  
Mayor, 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 \_\_\_\_\_ 2010, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Date Published:

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Mark Jomsky, CMC  
City Clerk

Approved as to form:



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Theresa E. Fuentes  
Assistant City Attorney

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