

Introduced by: _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PASADENA AMENDING UNDCODIFIED ORDINANCE NOS. 7098 AND 6691 TO REMOVE REFERENCE TO PASADENA ENTERPRISE ZONE, CREATE AND APPLY FINANCIAL INCENTIVES TO THE PASADENA LOCAL DEVELOPMENT AREA, AND AMEND THE TRANSPORTATION TRAFFIC REDUCTION AND TRANSPORTATION IMPROVEMENT FEE SET FORTH IN CHAPTER 4.19 OF THE PASADENA MUNICIPAL CODE

WHEREAS, the City of Pasadena (“City”) has established the “Pasadena Enterprise Zone” (through Ordinance No. 6131, subsequently amended by Ordinance Nos. 6588, 6883, and 7098) which provides for local and State development incentives to encourage economic development in the Enterprise Zone; and

WHEREAS, the City passed Ordinance 6691 that allows for business license fee waivers within the “Enterprise Zone Area” for Pushcart Owners; and

WHEREAS, on July 12, 2013, the State of California repealed through Assembly Bill 93 and Senate Bill 90 the provisions authorizing State Enterprise Zone designations on January 1, 2014, thus eliminating the “Pasadena Enterprise Zone” State benefits and local development incentives provided by Ordinance Nos. 7098 and 6691; and

WHEREAS, the City recognizes the beneficial economic impact of offering local development incentives to attract and retain vital businesses and expand the City’s employment base; and

WHEREAS, the City will continue to offer local development incentives using the most recent geographic boundaries of the “Pasadena Enterprise Zone,” as approved by the State Department of Housing and Community Development, and rename the geographic boundaries as the “Pasadena Local Development Area,” which is attached hereto as Exhibit A and incorporated herein.

NOW THEREFORE, the People of the City of Pasadena ordain as follows:

SECTION 1. This ordinance, due to its length and the corresponding cost of publication, will be published by title and summary as permitted by Section 508 of the Pasadena City Charter. The approved summary of this ordinance is as follows:

“Summary

In its uncodified sections, Ordinance No. _____ eliminates reference to the term “Pasadena Enterprise Zone” for the application of local development incentives and creates the “Pasadena Local Development Area” as set forth on Exhibit A to the full text ordinance, incorporated by this reference as if fully set forth herein, and on file in the City Clerk’s Office of the City of Pasadena, and sets forth waivers or reductions of specified fees or taxes for certain businesses within the Pasadena Local Development Area. In its codified section, this ordinance also amends PMC § 4.19.050.F (traffic reduction and transportation improvement fee) to delete reference to Enterprise Zone Business Development Area, made obsolete by the adoption of this ordinance.

Ordinance No. _____ shall take effect upon publication.”

SECTION 2. The following provision shall be codified. Pasadena Municipal Code, Title 4, Chapter 4.19, Section 4.19.050.F is amended to read:

“All new industrial, office, or retail uses in the ~~enterprise zone business development area (“EZBDA”)~~ **Business Development Area (“BDA”)**.”

SECTION 3. Pasadena Municipal Code, Title 8, Chapter 8.16, Section 8.16.020.D is amended to read:

“D. Pushcart owners whose business is located in ~~an enterprise zone~~ **the Pasadena local development** area may apply for waiver of the business license fee.”

SECTION 4. The following provisions shall be uncodified.

A. Notwithstanding the provisions of any other ordinance of the City of Pasadena or any provisions of the Pasadena Municipal Code to the contrary, the Pasadena Enterprise Zone boundaries are amended to be entitled the “Pasadena Local Development Area” whose boundaries will match those shown on the map attached hereto as Exhibit A and incorporated herein by reference. Subsequently the terms “Enterprise Zone Business Development Area” shall be changed to “Business Development Area” and “Enterprise

Zone Technology Development Area” shall be changed to “Technology Development Area.”

B. All new construction of, new additions to, and modifications to: (1) Research and Development uses (as defined in Chapter 17 of the Pasadena Municipal Code) in the “Technology Development Area,” and (2) Commercial or Industrial uses (as defined in Chapter 17 of the Pasadena Municipal Code) in the “Business Development Area,” shall be eligible for waiver or reduction of those local development incentives (certain taxes and fees) as follows: (1) all fees set forth in Title 2, Title 14, and Title 17 related to development applications or permits; (2) the construction tax set forth in Chapter 4.32; and (3) fees for a new or renewal license or permit required by Chapters 5.04, 5.10, and 5.16 (excluding Section 5.16.190 (residential rental accommodations), and 5.16.270 (operation of nonresidential buildings). Excluded from waiver or reduction are those uses allowed by a home occupancy permit, seasonal sales permits, or those with no fixed location of business. This waiver or reduction does not include any fee charged by any other agency or state law. Nothing herein shall excuse or relieve any business or person from the requirement to obtain such license and/or permit, but it is the intent of this ordinance to waive charges for the license tax required by any of the above mentioned chapters.

SECTION 5. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published by title and summary.

SECTION 6. This ordinance shall take effect upon publication.

Signed and approved this _____ day of _____, 2013

Bill Bogaard
Mayor of the City of Pasadena

I HEREBY CERTIFY the foregoing ordinance was adopted by the City Council and the City of Pasadena at its meeting held this _____ day of _____, 2013, by the following vote:

AYES:

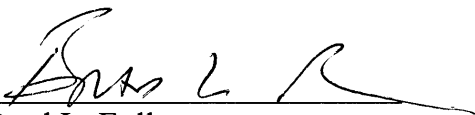
NOES:

ABSENT:

ABSTAIN:

Mark Jomsky, CMC
City Clerk

APPROVED AS TO FORM:



Brad L. Fuller
Assistant City Attorney