

Introduced by _____

ORDINANCE NO. _____

AN EXTENSION OF THE INTERIM URGENCY ORDINANCE OF THE CITY OF PASADENA TEMPORARILY LIMITING SINGLE FAMILY HOME DEMOLITION AND CONSTRUCTION IN THE NEIGHBORHOOD OVERLAY DISTRICT IN ORDER TO PRESERVE THE POTENTIAL HISTORIC CHARACTER OF THE LOWER HASTINGS RANCH NEIGHBORHOOD

WHEREAS, the City of Pasadena (“City”) has adopted both the Land use and Housing Element of the General Plan; and

WHEREAS, the Land Use Element set forth policies and goals toward the improvement of the physical environment and the protection of neighborhoods; specifically “OBJECTIVE 5 - CHARACTER AND SCALE OF PASADENA: Preservation of Pasadena’s character and scale, including its traditional urban form and historic character, shall be given highest priority in the consideration of future development” and “OBJECTIVE 6 – HISTORIC PRESERVATION: Promote preservation of historically and architecturally significant buildings and revitalization of traditional neighborhoods and commercial areas.”

WHEREAS, residents in the Neighborhood Overlay District have repeatedly voiced concerns regarding adverse impacts of newer development on the existing neighborhood character; and

WHEREAS, in 1990 the City Council adopted Ordinance No. 6380, “An Ordinance for the City of Pasadena Placing a Moratorium on the Issuance of Building Permits for Single Family Residences in Specified Single Family Residential Districts Pending the Completion of a Zoning Study to Address the Mansionization Phenomenon,” which would apply to the same properties as this ordinance, but the Council concludes that there are changed circumstances pertaining to the preservation of the potentially historic character of the

Neighborhood Overlay District since the adoption of Ordinance #6380, in that none of the residences within the Neighborhood Overlay District were more than 50 years old and historic significance was not a factor during consideration of the adoption of Ordinance #6380, but now all residences all more than 50 years old and may be historic; and

WHEREAS, at the March 2, 2015 City Council Meeting, the Council adopted Interim Urgency Ordinance No. 7256 which imposed a moratorium temporarily prohibiting, within the Neighborhood Overlay District, the demolition of more than 50 percent of exterior walls of a structure; second-story development or second-story additions of any size; a single-story addition to a dwelling unit that increases the gross floor area by more than 500 square feet or 20 percent of the existing floor area of the primary structure including an attached garage, whichever is greater; and a single-story detached accessory structure that constitutes more than 20 percent of the primary structure's gross floor area including an attached garage Neighborhood Overlay District and has started analyzing potential code revisions to preserve its historic character and to address residents' concerns; and

WHEREAS, staff continues to study further regulation of demolition or substantial remodeling of existing residences that may have adverse impacts to the historic character of the established neighborhood of Lower Hastings Ranch, and more time is required to study the matter and complete the public hearing process for potential code revisions; and

WHEREAS, the City Council concludes that the City of Pasadena's historic neighborhood character is a tremendous community resource and can be diminished each time a dwelling unit is demolished or remodeled which may impact the character of the neighborhood; and therefore there remains a current and immediate threat to public health, safety and welfare because, without extension of the moratorium, the established and potentially historic character of

the Lower Hastings Ranch neighborhood could be adversely impacted by demolition of existing structures, or new remodeling that is incompatible with the established and potentially historic neighborhood character; and

WHEREAS, pursuant to California Government Code Section 65858, and in order to protect the public health, safety and welfare, the City Council may extend an interim urgency ordinance prohibiting any uses that may be in conflict with a contemplated general plan or zoning proposal that the City intends to study, and is currently studying, within a reasonable time.

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

Ordinance No. ____ extends until March 4, 2016 a temporary prohibition, within the Neighborhood Overlay District, on the demolition of more than 50 percent of exterior walls of a structure; second-story development or second-story additions of any size; a single-story addition to a dwelling unit that increases the gross floor area by more than 500 square feet or 20 percent of the existing floor area of the primary structure including an attached garage, whichever is greater; and a single-story detached accessory structure that constitutes more than 20 percent of the primary structure’s gross floor area including an attached garage. This ordinance will not apply to additions of any size that are not visible from a public street; and development projects that have been issued a building permit as of the effective date of the proposed moratorium. A map showing the affected parcels is attached to the full text of the ordinance and is on file in the City Clerk’s Office. This ordinance may be further extended after a duly noticed public hearing.

Ordinance No. _____ shall take effect upon publication.”

SECTION 2. This ordinance extends, for 10 months and 15 days (until March 4, 2016), the temporary prohibition within the Neighborhood Overlay District of the demolition of more than 50 percent of exterior walls of a structure; second-story development or second-story additions of any size; a single-story addition to a dwelling unit that increases the gross floor area by more than 500 square feet or 20 percent of the existing floor area of the primary structure including an attached garage, whichever is greater; and a single-story detached accessory structure that constitutes more than 20 percent of the primary structure’s gross floor area including an attached garage. During the effectiveness of this ordinance, the City will complete a review of the existing development standards to preserve the established and potentially historic character of the Neighborhood Overlay District and determine the appropriate code revisions to address this matter. The City will take into consideration the goals and policies established in the City’s Land Use Element and Zoning Code, to determine the extent to which the City can further regulate development in the Neighborhood Overlay District. A map showing the affected parcels is attached hereto and incorporated herein as Attachment 1.

SECTION 3. This ordinance shall not apply to the following categories of applications:

- a. Additions of any size that are not visible from a public street; and
- b. Development projects that have been issued a building permit as of the effective date of the proposed moratorium.

SECTION 4. Unless extended pursuant to California Government Code Section 65858, the provisions of this ordinance shall expire at the end of the 10 month and 15 day (March 4, 2016) period following its date of adoption.

SECTION 5. This ordinance is additional to and supplemental to, and shall not affect, except as specifically provided herein, any provision of the

Pasadena Municipal Code, which shall be operative and remain in full force and effect without limitation with respect to all such land uses.

SECTION 6. 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 7. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published by title and summary.

SECTION 8. This ordinance shall take effect upon publication.

Signed and approved this _____ day of _____,
2015.

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 _____, 2015, by the following vote:

AYES:

NOES:


ABSENT:

ABSTAIN:

Date Published:

Mark Jomsky
City Clerk

APPROVED AS TO FORM:



Theresa E. Fuentes
Assistant City Attorney