

# Agenda Report

March 30, 2015

**TO:** Honorable Mayor and City Council  
**FROM:** Planning & Community Development Department  
**SUBJECT:** EXTENSION OF URGENCY ORDINANCE NO. 7256 OF THE CITY OF PASADENA TEMPORARILY LIMITING DEMOLITION AND CONSTRUCTION IN THE LOWER HASTINGS RANCH NEIGHBORHOOD

## RECOMMENDATION:

It is recommended that the City Council:

1. Find that the proposed extension is exempt from the California Environmental Quality Act (CEQA Guidelines Sections 15061(b)(3) and 15262 because the interim ordinance does not have the potential for causing a significant effect on the environment and because the project involves only feasibility or planning studies for possible future actions which the City has not approved, adopted, or funded, and does not involve adoption of a plan that will have a legally binding effect on later activities;
2. Find that there is a current and immediate threat to public health, safety and welfare pursuant to the standards and policies set forth in the General Plan in that the proposed interim ordinance is necessary to preserve the established and potentially historic neighborhood character of the Neighborhood Overlay District, and that there has been a change in circumstances since the adoption of interim urgency Ordinance #6380 as discussed in Ordinance No. 7256 in that the homes in the Neighborhood Overlay District not only contribute to a consistent neighborhood character but may also be eligible for designation for historic significance;
3. Adopt an urgency ordinance extending Ordinance No. 7256 to March 4, 2016.

## BACKGROUND:

At the March 2, 2015 City Council Meeting, the Council adopted Ordinance No. 7256 which imposed a moratorium temporarily prohibiting the following: 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. The adopted interim urgency ordinance is effective for 45 days and is set to expire on April 19, 2015. Tonight's request before the City Council is to extend the interim urgency ordinance for an additional 10 months and 15 days, setting the new expiration date to March 4, 2016.

### **DISCUSSION:**

The City is conducting a multi-phase neighborhood compatibility code revision study to develop regulations that will encourage development in single-family neighborhoods to be consistent in scale and character with neighboring properties. The first phase of that study is the Lower Hastings Ranch neighborhood. On December 18, 2014, Planning staff held a neighborhood meeting at the Hastings Ranch Library where many residents raised the need for a moratorium to prohibit construction of out-of-scale homes that are developing throughout the neighborhood. On March 2, 2015 City Council voted to adopt a 45-day interim urgency ordinance. This ordinance places temporary restrictions on single-family development in the Lower Hastings Ranch Neighborhood while staff is preparing permanent regulations to address neighborhood compatibility issues. The requested extension of this interim urgency ordinance provides an opportunity to continue studying neighborhood compatibility issues and develop revised regulations with public input.

### **PROPOSED REGULATORY REVISIONS**

Planning staff has distributed surveys aimed at understanding community concerns with incompatible single family home development and has since received 29 completed surveys. On March 10, 2015, Planning staff reviewed the completed surveys and identified the most prevalent concerns in all the survey responses. Planning staff is in the process of drafting the appropriate regulations needed to protect neighborhood character and will host another community meeting to vet the proposed regulations with the Lower Hastings Ranch residents. In addition, on March 12, 2015 City staff contacted a resident interested in designating the Lower Hastings Ranch neighborhood as a landmark district. City staff confirmed that further study is needed in order to determine the area's eligibility as a landmark district neighborhood and will complete that study by April, 2015. A neighborhood meeting to discuss the neighborhood's potential eligibility will follow shortly thereafter.

Any new regulations and corresponding changes to the Zoning Code will require separate environmental review and must be presented to the Planning Commission for a formal recommendation prior to consideration by the City Council. This entire work effort is anticipated to take several months and should be completed by the end of summer 2015. Pursuant to State Law, the interim urgency ordinance extension request is for 10 months and 15 days and would allow staff sufficient time to develop revised regulations, conduct additional public outreach, prepare the required environmental

analysis and present the revised regulations to the required City Committees, Commission and the City Council. The interim urgency ordinance will be repealed once permanent regulations are adopted.

**STATE REGULATIONS:**

Pursuant to California Government Code Section 65858, the City Council may, in order to protect public safety, health, and welfare, adopt an interim ordinance prohibiting any uses that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that the legislative body, planning commission or the planning department is considering or studying or intends to study within a reasonable time. Legislative findings are required to be made that there is a current and immediate threat to the public health, safety, and welfare. A four-fifths vote of the body is necessary and the interim ordinance may be in effect for 45 days. The legislative body may, after proper notice and public hearing, extend an interim ordinance for a 10 month and 15 day period, and extend again with proper notice and a public hearing for another one year period, with a four-fifths vote, for a total period of two years, if additional findings are made. The findings are related to specific, adverse impacts on health and safety, the necessity of the moratorium, and the absence of a feasible alternative.

**ENVIRONMENTAL ANALYSIS:**

The proposed extension of the urgency ordinance would impose greater limitations on development in the City and protect the historic character of the Neighborhood Overlay District in Pasadena, thereby serving to avoid potentially significant adverse environmental impacts. The proposed extension of the urgency ordinance does not have the potential for causing a significant effect on the environment. The adoption of this ordinance is therefore exempt from CEQA review pursuant to Title 14, Sections 15061(b)(3) (the General Rule). In addition, the proposed ordinance is statutorily exempt from CEQA pursuant to Section 15262 of the State CEQA Guidelines as feasibility or planning study for possible future actions which the City has not approved, adopted, or funded, and does not involve adoption of a plan that will have a legally binding effect on later activities.

Any proposed changes to the Zoning Code will require separate environmental review at the time they are presented to the City Council.

**FISCAL IMPACT:**

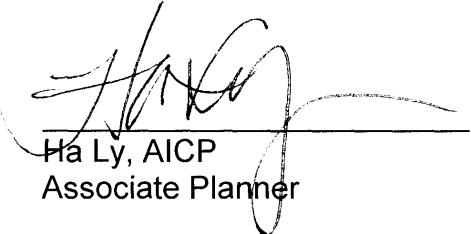
There is no significant fiscal impact associated with the adoption of the interim urgency ordinance.

Respectfully submitted,



VINCENT P. BERTONI, AICP  
Director of Planning & Community  
Development Department

Prepared by:



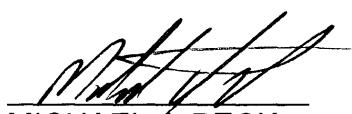
Ha Ly, AICP  
Associate Planner

Concurred by:



Arthi Varma, AICP  
Principal Planner

Approved by:



MICHAEL J. BECK  
City Manager

Attachments (2):

Attachment A – Ordinance Fact Sheet  
Attachment B – City Manager Green Sheet, Summary of Extension