

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

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

**AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 14 (BUILDINGS AND CONSTRUCTION) AND VARIOUS PROVISIONS OF TITLE 17 (THE ZONING CODE) TO REVISE THE DEVELOPMENT STANDARDS FOR SINGLE FAMILY RESIDENTIAL DISTRICTS INCLUDING NEW DESIGN STANDARDS, NEIGHBORHOOD COMPATIBILITY STANDARDS, AND DISCRETIONARY REVIEW PROCESS**

The People of the City of Pasadena ordain as follows:

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

**“Summary**

“Ordinance No. \_\_\_\_\_ amends various provisions of Title 17 (the Zoning Code) to revise the development standards for properties developed with single-family houses and zoned RS-1, RS-2, RS-4, RS-6, and RM-12, excluding properties within Landmark Districts, Hillside Overlay Districts, and the Neighborhood Overlay District, and to establish a discretionary review process for projects of a certain size. Additionally, the Ordinance amends provisions of Title 14 (the Building Code) to clarify construction notification requirements.”

Ordinance No. \_\_\_\_\_ shall take effect 30 days from its publication.”

**SECTION 2.** Pasadena Municipal Code, Title 17, Article 2, Section 17.22.040 is

amended as follows:

**17.22.040 – RS and RM-12 Residential Districts General Development Standards**

| Development feature                     | Requirement by Zoning District  |           |           |                 |       |
|---|---|-----------|-----------|-----------------|-------|
|   | RS-1  | RS-2      | RS-4      | RS-6            | RM-12 |
| <b>Minimum lot size</b>                 | <i>Minimum area and width for new parcels.</i>  |           |           |                 |       |
| Minimum area (1)                        | 40,000 sf   | 20,000 sf | 12,000 sf | 7,200 sf        |       |
| Width (2)                               | 100 ft  | 100 ft    | 75 ft     | 55 ft           |       |
| <b>Maximum density</b>                  | 1 dwelling unit per lot   |           |           | 2 units per lot |       |
| <b>Setbacks</b>                         | <i>Minimum setbacks required. See <a href="#">Section 17.40.160</a> for setback measurement, allowed projections and encroachments into setbacks, and exceptions to setbacks.</i> |           |           |                 |       |
| Front - Main facade                     | See <a href="#">Section 17.22.050</a>   |           |           |                 |       |
| Front - Garage                          | See <a href="#">Section 17.22.050</a>   |           |           |                 |       |
| Sides                                   | 10% of lot width, with a minimum of 5 ft, and a maximum requirement of 10 ft, and consistent with <a href="#">Section 17.40.160</a> (Encroachment Plane).                         |           |           |                 |       |
| Corner side                             | 10% of lot width, with a minimum of 10 ft, and a maximum requirement of 25 ft   |           |           |                 |       |
| Rear                                    | 25 ft   |           |           | 10 ft           |       |
| <b>Building separation (3)</b>          | N.A.  |           |           | 10 ft.          |       |
| <b>Maximum site coverage</b>            | <i>Maximum allowed lot coverage of all roofed areas on the site.</i>  |           |           |                 |       |
| Site 7,200 sf or less                   | No maximum  |           |           |                 |       |
| Site greater than 7,200 sf to 11,999 sf | 35%; up to 40% provided any additional coverage over 35% shall be single-story only.  |           |           |                 |       |

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| Site 12,000 sf or more   | 35% or 4,800 sf, whichever is greater; any additional coverage over 35% shall be single-story only.   |                                      |
| <b>Maximum floor area</b>  | <i>Maximum allowed gross floor area of all structures on the site.</i>  |                                      |
| <p>The allowable floor area of houses shall not exceed 35% above the median house size of all properties within 500 foot radius of the subject property. (5) The 500-foot radius shall serve as the project's neighborhood for purposes of neighborhood compatibility. See Section 17.22.050.E for additional information regarding neighborhood compatibility calculation. (6) (7)</p> <p>Subject to approval of a Single-Family Compatibility Permit, the allowable floor area of the house may exceed 35% above neighborhood compatibility, up to the maximums specified below:</p> |   |                                      |
| Site less than 12,000 sf   | 30% of lot size plus 500 sf   | 35% of lot size plus 500 sf per unit |
| Site of 12,000 sf to 24,000 sf   | 20% of lot size plus 1,700 sf   |                                      |
| Site 24,000 sf or more   | 25% of lot size plus 1,000 sf   |                                      |
| Exceptions to floor area   | <ol style="list-style-type: none"> <li>1) Habitable attic space that does not exceed 60% of the surface of the building footprint (including attached garages and porches), is not adjacent to a rooftop deck, patio attachment and/or exterior staircase and the combined width of all dormers along a roofline do not exceed 40% of the roofline.</li> <li>2) An unenclosed area where only one side does not abut enclosed space (floor area), and that side is a minimum 80% open.</li> <li>3) An unenclosed area where more than one side does not abut enclosed space (floor area), and each side is a minimum 60% open.</li> <li>4) Basements and uncovered patios, decks, balconies and porches.</li> </ol> |                                      |
| <b>Height limit (4)</b>  | <i>Maximum height of main structures at points noted. See 17.40.060 for height measurement, and exceptions to height limits. All structures shall also comply with the encroachment plane requirements of 17.40.160.</i>  |                                      |
| Site less than 75 ft wide  | 28 ft, and within the encroachment plane (Section 17.40.160)  |                                      |
| Site of 75 ft wide or more   | 32 ft, and within the encroachment plane (Section 17.40.160)  |                                      |
| <u>Maximum top plate</u>   | <u>10 ft, as measured from the front plane of the primary structure and within the</u>  |                                      |

|  |   |
|--|---|
| <u>height (first story) (7)</u>  | <u>encroachment plane (Section 17.40.160)</u>   |
| Maximum top plate height ( <u>second story</u> )   | 23 ft. , and within the encroachment plane (Section 17.40.160) <u>within historic districts, LD, HD, HD-1, or ND overlay zone</u><br>20 ft, and within the encroachment plane (Section 17.40.160) for all other zones |
| <b>Accessory structures</b>  | See Section 17.50.250 (Residential Accessory Uses and Structures)   |
| <b>Landscaping</b>   | Chapter 17.44 (Landscaping)   |
| <b>Parking</b>   | Chapter 17.46 (Parking and Loading)   |
| <b>Signs</b>   | Chapter 17.48 (Signs)   |
| <b>Other applicable standards</b>  | Section 17.22.050 (RS and RM-12 District Additional Development Standards)<br>Chapter 17.40 (General Property Development and Use Standards)  |
| <p style="text-align: center;"><b>Notes:</b></p> <p>(1) See Chapter 17.43 regarding density bonus provisions</p> <p>(2) See Section 17.40.030 regarding development on an undeveloped lot and section 17.40.040 regarding development on a substandard lot.</p> <p>(3) A minimum separation of 10 feet (measured from wall to wall) shall be required between dwelling units located on the same site. Eaves may encroach into this building separation.</p> <p>(4) If the existing structure was constructed before November 5, 2009, a Minor Conditional Use Permit shall be required for projects that propose to match an existing structure height that exceeds the height limit.</p> <p>(5) <u>Additions up to 500 square feet, if not visible from a public right-of-way, are exempt from the neighborhood compatibility requirement and may utilize the allowable floor area ratios as specified by lot size.</u></p> <p>(6) <u>A single-family residential project may exceed the neighborhood compatibility requirement, subject to approval of a Single-Family Compatibility Permit (SCP) Permit-See Section 17.22.090 regarding SCP regulations.</u></p> <p>(7) <u>Not applicable to single-family properties within an historic district, LD, HD, HD-1, or ND overlay zone.</u></p> |   |

**SECTION 3.** Pasadena Municipal Code, Title 17, Article 2, Section 17.22.050, is amended by adding the following new subsections:

**“E. Neighborhood Compatibility.** For the purposes of neighborhood compatibility, the “neighborhood” is determined by the median square footage of all houses on

properties within a 500-foot radius around the subject property. The “neighborhood” is not required to include:

- Properties located outside of the City of Pasadena;
- Properties not located in an RS district, or in a different RS district; and
- Properties separated by a significant manmade structure (e.g. freeway) or a significant natural feature (e.g. canyon) that, to the extent determinable by staff, is not the result of grading or other man-made alteration of the natural terrain.

**F. Design Standards.** The following design standards are applicable to all single-family zoned properties, excluding properties in **the historic districts**, LD (Landmark District), HD (Hillside Overlay District), HD-1 (Upper Hastings Ranch Area), and ND (Neighborhood Overlay) overlay zones:

1. Prohibited materials in all RS zones include:

- a. Unfinished concrete is prohibited as an exterior finish
- b. Architectural foam is prohibited as an exterior trim material

2. Window placement:

- a. New second-story windows shall not directly overlap with existing second story windows located within 30 feet of abutting properties. Clerestory windows and windows determined by the Building Official to be necessary for safe egress are exempt from this requirement.”

**SECTION 4.** Pasadena Municipal Code, Title 17, Article 2, Chapter 17.22 is amended by adding the following new section:

## **“17.22.090 – Single-Family Compatibility Permit**

A. **Purpose.** The Single-Family Compatibility Permit provides a review process for the City to consider the appropriateness of proposed development on single-family zoned lots to ensure that a proposed project is consistent in size and scale with existing dwellings within a 500-foot radius.

B. **Applicability.** A Single-Family Compatibility Permit is required to authorize any proposed development that is subject to the requirements of this Chapter. For the purposes of neighborhood compatibility, the “neighborhood” is determined by the median square footage of all properties within a 500-foot radius around the subject property. The “neighborhood” is not required to include:

- Properties located outside of the City of Pasadena;
- Properties not located in an RS district, or in a different RS district; and
- Properties separated by a significant manmade structure (e.g. freeway) or a significant natural feature (e.g. canyon) that, to the extent determinable by staff, is not the result of grading or other man-made alteration of the natural terrain.

C. **Application filing and processing.** An application for a Single-Family Compatibility Permit shall be filed and processed in compliance with Section 17.60 (Application Filing and Processing). Single-Family Compatibility Permits shall follow the procedures of Conditional Use Permits as identified in Chapter 17.61.050, except as modified below. A Single-Family Compatibility Permit application shall include all information and materials required by Section

17.60.040 (Application Preparation and Filing) and the following additional information prepared by licensed or certified professionals:

1. **Visual analysis.** All projects that require a Single-Family Compatibility Development Permit shall be required to provide a visual analysis in accordance with this subsection. In particular, a visual analysis is required to assist the review authority and interested citizens in understanding how a proposed structure will appear in the context of surrounding properties, and development.

a. **Content.** A visual analysis shall consist of one or more three-dimensional depictions of a proposed project, including all proposed structures and site development, illustrating how the project will appear to observers viewing the project from public rights-of-way and other public areas near the site.

b. **Form.** To provide visual analysis of a project, two forms of visual analysis are required:

(1) Digital and/or artistic renderings, including elevations or grading cross-section;

(2) For new two-story houses and upper-story additions, story poles are required to be erected upon determination of a complete application and shall remain in place until the expiration of the applicable appeal period as identified in Section 17.72 (Appeals).

Story poles shall consist of wood posts or other rigid materials at all corners of the structure and at either end of the proposed ridgelines, with a minimum of two feet of orange safety fencing connecting the top of the poles.

Additional visual representations may be provided in one or more of the following forms, as determined below:

- (a) Temporary silhouette in compliance with Section 17.60.080 (Temporary Silhouette Requirement);
- (b) Photomontages, including photos of the site with the temporary silhouette (as applicable);
- (c) Computer-generated photo simulations;
- (d) A three-dimensional scale model of the project structure and site of a scale sufficient to evaluate the project as determined by the Zoning Administrator; and
- (e) Any other technique acceptable to the Zoning Administrator that will provide an accurate three-dimensional visual depiction of the proposed project in its proposed location and context with sufficient detail to clearly illustrate how proposed structures and site development will look when complete.

c. **Specific requirements.** The requirements for the content and form of a visual analysis for a specific project (e.g., the number of illustrations required and



their vantage points) will be determined by the Zoning Administrator in each case. Written analysis and/or design in addition to illustrations may also be required when determined by the Zoning Administrator to be necessary to clearly understand the potential visual impacts of the project.

All submitted maps, plans, drawings, and sketches shall be drawn to the same scale which shall be consistent throughout the review and approval process. Exceptions require the approval of the Zoning Administrator.

D. **Review authority.** The Hearing Officer and/or Zoning Administrator may approve, conditionally approve, or disapprove a Single-Family Compatibility Permit in compliance with this Chapter.

E. **Project review, notice, and hearing.** The project review and public notice and hearing requirements for a Single-Family Compatibility Permit shall be as follows:

1. **Notice of Application.** Projects involving new two-story houses and/or upper-story additions are additionally required to provide a Notice of Application to all properties within 500 feet of the subject property upon determination of a complete application and installation of story poles. The Notice of Application shall provide a minimum 14-day notification period to properties within 500 feet of the subject property.

2. **Each application shall be analyzed by the Zoning Administrator to ensure that the application is consistent with the purpose and intent of this Section.**

3. If no request for a hearing is received during the Notice of Application period, the Zoning Administrator may render a decision on the application, which is appealable to the Board of Zoning Appeals.
4. If a request for a hearing is received, the Zoning Administrator will submit a staff report for consideration by the Hearing Officer at a publicly noticed hearing. The Hearing Officer shall conduct a public hearing on the application before the approval or disapproval of the permit.
5. The Hearing Officer shall render a decision on the application within 10 days following the final public hearing on the application.

F. **Findings and decision.** The applicable review authority may approve, conditionally approve, or disapprove a Single-Family Compatibility Permit application, and shall record the decision and the findings upon which the decision is based. The applicable review authority may approve the permit only after first making the following findings:

1. The design, location, and size of proposed structures and/or additions or alterations to existing structures will be compatible with existing and anticipated future development along both sides of the blockface in terms of aesthetics, height, materials, massing, and scale;
2. The proposed project includes contextual front yard setbacks and residence entryways consistent in scale with entries on both sides of the blockface.

Blockfaces with 4 or fewer lots may include additional blockfaces within the 500 foot neighborhood to meet this finding.

G. **Conditions of approval.** In approving a Single-Family Compatibility Permit, the review authority may impose any conditions it deems reasonable and necessary to ensure that the approval will comply with the findings required by Subsection F. above.

H. **Post approval procedures.** The procedures and requirements in Chapter 17.64 (Permit Implementation, Time Limits, and Extensions), and those related to appeals in Chapter 17.72 (Appeals), shall apply following the decision on a Single-Family Compatibility Permit.”

**SECTION 5.** Pasadena Municipal Code, Title 17, Article 5, Section 17.50.250, subsection 17.50.250.E is amended as follows:

E. **Size, height, and setback requirements.**

1. **Height limits.**

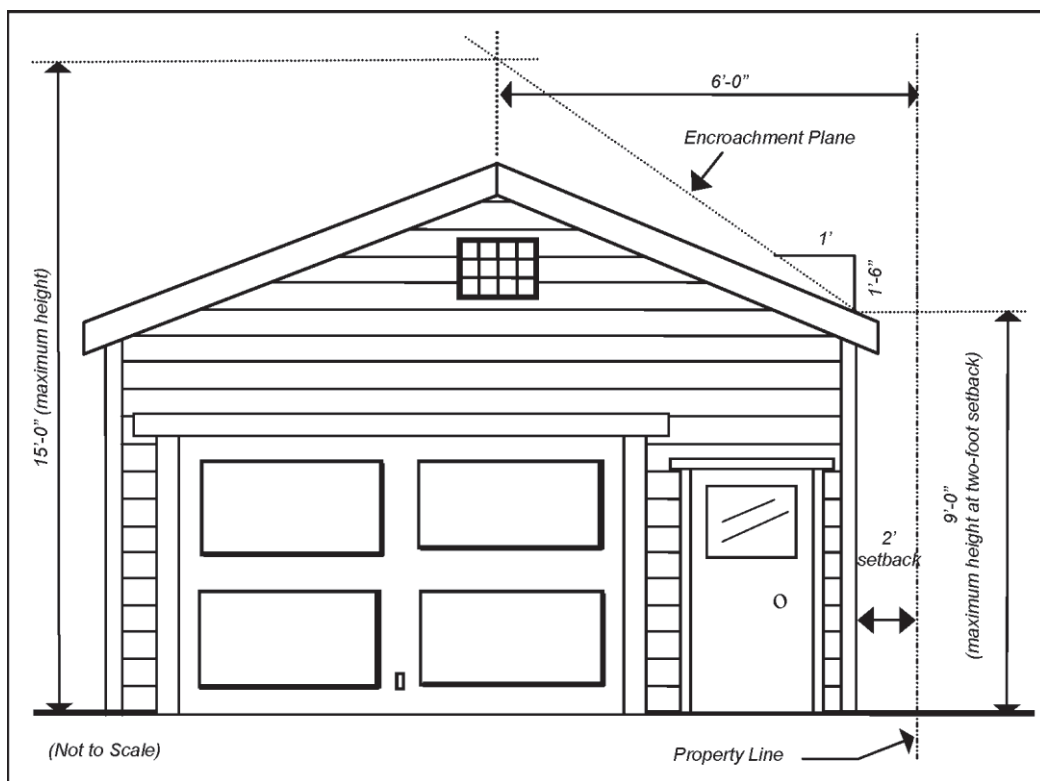
a. **Nine-foot limit with two-foot setback.** An accessory structure shall not exceed a height of nine feet, but only if located two feet from a property line.

b. **Nine-foot top plate.** The height of the top plate of an accessory structure shall not exceed nine feet.

c. **Encroachment plane and setback.** The overall height of an accessory structure (excluding the top plate height) may rise above the nine-foot height limit as it steps or slopes away from the two-foot initial setback, but shall not

intercept an encroachment plane sloping inward from a point nine feet in height (beginning at the two-foot setback) and rising a maximum of one and one-half feet for each one foot of distance starting at the two-foot setback.

See Figure 5-1.



**Figure 5-1 - Encroachment Plane and Setbacks for Accessory Structures**

d. **15-foot limit.** An accessory structure may raise to, but shall not exceed, an overall height of 15 feet, but only in compliance with Subparagraph c., immediately above.

e. **Roof Pitch.** Proposed accessory structures shall maintain a roof pitch equal to or within 1/12 of the predominant roof pitch of the existing primary dwelling. This requirement is not applicable to properties within an **historic district**, LD, HD, HD-1, or ND overlay zone.

f. **Materials.** When visible from a public right-of-way, the exterior finish, trim, and roof materials shall be demonstrably similar to the finish, trim, and roof materials found on the primary structure or to materials found within properties along the blockface. This requirement is not applicable to properties within an **historic district**, LD, HD, HD-1, or ND overlay zone.

e.g. **Modification by Minor Conditional Use Permit.** In order to achieve a design that is architecturally compatible with the main structure, the maximum height (including the top plate height) may be modified by a Minor Conditional Use Permit, granted in compliance with [Section 17.61.050](#).

f.h. **Modification by Historic Preservation Commission.** For designated landmarks or structures in a designated historic district, the maximum height (including the top plate height) of an accessory structure may be exceeded without a Minor Conditional Use Permit, but only if approved by the Historic Preservation Commission, and only upon finding that the greater height is necessary in order to achieve a design that is architecturally compatible with the main structure.”

**SECTION 6.** Pasadena Municipal Code, Title 17, Article 4, Section 17.40.110 is

amended as follows:

**“17.40.110 - Reflective Surfaces**

**A. Reflective glass.** For new structures, mirror or highly reflective glass shall not cover more than 20 percent of a structure's surface visible from a street.

**B. Metallic finishes.** In the RS and RM-12 zoning districts, the exterior walls and/or roof of a main structure and/or accessory structure requiring a building permit may have a metallic finish (e.g., exposed metal cladding) only with the approval of a Minor Conditional Use Permit, in compliance with [Section 17.61.050](#).”

**SECTION 7.** Pasadena Municipal Code, Title 14, Article 4, Section 14.04.022 is amended as follows:

**“14.04.022 - Posting of construction sign.**

Except for single-family construction involving only minor interior remodel, minor building permits, window change outs, re-roofs or other minor building permits, one sign, visible from the street, must be posted listing project address, permit number, work description, visual rendering, name of construction company, contact name of construction company and phone number and/or if owner-builder contact name and phone number of owner. A sign may also be required when determined by the Building Official. The sign shall also list the City's allowable construction hours and days pursuant to Pasadena Municipal Code [Section 9.36.070](#), and clearly identify the permit expiration date. Said sign shall be white in color as background and a minimum size of 24" in height by 36" in width with 1" high legible black lettering. Posting of the

required sign is the responsibility of the permittee, and such sign shall be posted and maintained at the construction site where it can be read by the public. This notice must be posted prior to the start of construction and displaced continuously until all permitted work is inspected and approved by City of Pasadena Building and Safety Division. Sign to be verified by the city upon the first inspection. Signs shall be replaced if damaged, torn, faded, or if the required information is illegible, as determined by the Building Official.”

**SECTION 8.** The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published by title and summary.

**SECTION 9.** This ordinance shall take effect 30 days from its publication.

Signed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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Victor Gordo  
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 \_\_\_\_\_ 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Date Published:

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Mark Jomsky  
City Clerk

Approved as to form:

/s/ Theresa Fuentes  
Theresa E. Fuentes  
Assistant City Attorney