

Introduced by: _____

ORDINANCE NO. _____

AN INTERIM UNCODIFIED ORDINANCE OF THE CITY OF PASADENA AMENDING VARIOUS SECTIONS OF TITLE 17 (ZONING CODE) OF THE CITY OF PASADENA MUNICIPAL CODE TO SUSPEND AND MODIFY DEVELOPMENT STANDARDS AND PROCEDURES, AND TO EXTEND CERTAIN LAND USE RELATED DEADLINES FOR ENTITLEMENTS AND PERMITS UNDER TITLE 17 (ZONING CODE), TITLE 16 (SUBDIVISIONS) AND TITLE 14 (BUILDINGS AND CONSTRUCTION) OF THE MUNICIPAL CODE TO SIMPLIFY THE REBUILD PROCESS AFTER THE EATON FIRE

WHEREAS, windstorms of extraordinary magnitude and widespread fires began on January 7, 2025, which included dangerous gusts of wind of over 80 miles per hour and wind-driven and destructive wildfires including the Eaton Fire and the Palisades Fire; and

WHEREAS, these conditions caused extensive damage to residential and nonresidential structures, businesses and critical infrastructure in the City of Pasadena (“City”); and

WHEREAS, the Eaton Fire specifically destroyed 185 structures in the City, displacing Pasadena residents; and

WHEREAS, the combined fires in the County of Los Angeles (“County”) collectively burned over 47,900 acres, destroyed or damaged more than 16,250 structures, including homes, small businesses, and places of worship, with initial estimates placing this disaster among the most destructive in California history; and

WHEREAS, the fires displaced approximately 150,000 in the County; and

WHEREAS, on January 8, 2025, the Director of Disaster Emergency Services of the City proclaimed the existence of a local emergency; and

WHEREAS, on January 13, 2025, the City Council ratified that January 8, 2025 Declaration of Local Emergency – Windstorms and Fires, which shall be deemed to continue to exist until its termination is proclaimed by the City Council; and

WHEREAS, that Declaration of Local Emergency – Windstorms and Fires has not been terminated; and

WHEREAS, on January 15, 2025, the Health Officer for the City issued a declaration of local health emergency due to the potential public health impacts on the City by the windstorms and fires due to widespread damage to property, disruption of

services, and potential immediate and long-term health risks to City residents, which was amended and renewed on March 3, 2025; and

WHEREAS, on February 13, 2025, the Governor issued Executive Order N-20-25, which acknowledged efforts and need to provide relief to impacted communities, protect survivors, to expedite and aid recovery efforts, to enable Los Angeles to build back quickly and safer and more resilient, and to avoid unreasonable delay in rebuilding homes; and

WHEREAS, City residents are in the process of preparing for rebuild, which includes removal of hazardous waste and other debris, and there is a need to streamline rebuilding requirements to avoid exacerbating the existing threat to public health, safety, or welfare caused by the destruction of the combined fires; and

WHEREAS, under Government Code Section 8634, during a local emergency, the City Council may promulgate orders and regulations necessary to provide for the protection of life and property; and

WHEREAS, under Government Code Section 65858, the City Council may adopt by a four-fifths vote an interim zoning ordinance to protect the public safety, health, and welfare without following the procedures otherwise required prior to the adoption of a zoning ordinance; and

WHEREAS, the City provided notice pursuant to Government Code Section 65090 and held a public hearing on February 24, 2025, regarding this proposed rebuild ordinance; and

WHEREAS, the City Council finds that there is a local emergency that requires the City Council to promulgate this ordinance to protect life and property, and there is a current and immediate threat to the public health, safety and welfare and that the approvals of certain entitlements required to comply with the Zoning Code threatens the public health, safety or welfare by unreasonably delaying the rebuilding of structures damaged by the fires.

NOW THEREFORE, 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

This proposed ordinance amends various sections of Title 17 (Zoning Code) of the Pasadena Municipal Code, to suspend and modify development standards and procedures, and to extend certain land use related deadlines for entitlements and permits granted under Title 14, Title 16 and Title 17 of the Municipal Code to simplify rebuilding for those affected by the Eaton Fire. This ordinance permits people to rebuild structures damaged and destroyed by the Eaton Fire without a City issued land use entitlement if the project is in a similar location, is no more than 10% larger than the original floor area or footprint or 200 square feet for certain projects, and is no more than 10% taller than the original height.

Ordinance No. _____ shall take effect immediately upon publication.”

SECTION 2. Eligibility and Scope. The provisions of this ordinance shall apply to properties with structures that were red tagged by the Building Official due to the Eaton Fire (“Eligible Structures”), unless otherwise provided herein. The Director of Planning and Community Development shall determine whether a property is subject to this ordinance, and shall determine whether a project meets the requirements of this ordinance through plan check. Such determination may be based upon information provided by the applicant and other sources of information available to the City.

This ordinance modifies the requirements of the Zoning Code for Eligible Structures and projects and does not change the requirements for ineligible structures and projects except as expressly provided herein.

SECTION 3. Residential Zoning Districts (RS). The requirements of Pasadena Municipal Code, Title 17, Article 2, Chapter 17.22, RESIDENTIAL ZONING DISTRICTS, are hereby amended such that Eligible Structures in the RS district may be rebuilt without a City-issued land use entitlement if the rebuild meets the following amended requirements:

- A. Location: Is located (i) in substantially the same location, or (ii) at a different location on the site provided either the relocation meets setback requirements or meets the nonconforming setback of the previous footprint without increasing the nonconformity with current development requirements.

B. Expansion: Does not exceed the previous footprint or floor area by more than 200 square feet or 10% of the previous footprint or floor area, whichever is greater. The added floor area is not subject to neighborhood compatibility review, but must meet setback requirements or meet the nonconforming setback of the previous footprint without increasing the nonconformity with current development requirements.

C. Height: Does not exceed the previous height by more than 10%.

The previous location, footprint, floor area and height shall be based off the condition of the Eligible Structure on January 6, 2025. Code requirements not specifically amended herein shall remain in effect and apply to these projects. In the event of an inconsistency between the requirements of this ordinance and the underlying code, this ordinance shall prevail.

SECTION 4. Residential Zoning Districts (RM). The requirements of Pasadena Municipal Code, Title 17, Article 2, Chapter 17.22, RESIDENTIAL ZONING DISTRICTS, are hereby amended such that Eligible Structures in the RM-16 and RM-32 districts may be rebuilt, without a City-issued land use entitlement, if the rebuild meets the following amended requirements:

A. Location: Is located (i) in substantially the same location, or (ii) at a different location on the site provided either the relocation meets setback requirements or meets the nonconforming setback of the previous footprint without increasing the nonconformity with current development requirements.

B. Expansion: Does not exceed the previous footprint or floor area by more than 10%, whichever is greater. The added floor area must meet setback requirements or meet the nonconforming setback of the previous footprint without increasing the nonconformity with current development requirements.

C. Height: Does not exceed the previous height by more than 10%.

The previous location, footprint, floor area and height shall be based off the condition of the Eligible Structure on January 6, 2025. Code requirements not specifically amended herein shall remain in effect and apply to these projects. In the

event of an inconsistency between the requirements of this ordinance and the underlying code, this ordinance shall prevail.

SECTION 5. Special Purpose Zoning Districts. The requirements of Pasadena Municipal Code, Title 17, Article 2, Chapter 17.26, SPECIAL PURPOSE ZONING DISTRICTS, are hereby amended such that Eligible Structures in the PS, OS, and PD-17 districts may be rebuilt without a City-issued land use entitlement if the rebuild meets the following amended requirements:

- A. Location: Is located (i) in substantially the same location, or (ii) at a different location on the site provided either the relocation meets setback requirements or meets the nonconforming setback of the previous footprint without increasing the nonconformity with current development requirements.
- B. Expansion: Does not exceed the previous footprint or floor area by more than 10%, whichever is greater. All added footprint and floor area must meet setback requirements or the setback of the previous footprint without increasing the nonconformity with current development requirements.
- C. Height: Does not exceed the previous height by more than 10%.

The previous location, footprint, floor area and height shall be based off the condition of the Eligible Structure on January 6, 2025. Code requirements not specifically amended herein shall remain in effect and apply to these projects. In the event of an inconsistency between the requirements of this ordinance and the underlying code, this ordinance shall prevail.

SECTION 6. Hillside Overlay Districts. The requirements of Pasadena Municipal Code, Title 17, Article 2, Chapter 17.29, HILLSIDE OVERLAY DISTRICTS, are hereby amended such that Eligible Structures in the HD-1 overlay and HD overlay may be rebuilt without complying with HD-1 standards in Section 17.29.090 and without obtaining a City-issued land use entitlement if the rebuild meets the following amended requirements:

- A. Location: Is located (i) in substantially the same location, or (ii) at a different location on the site provided either the relocation meets setback requirements or meets the nonconforming setback of the previous

footprint without increasing the nonconformity with current development requirements.

- B. Expansion: Does not exceed the previous footprint or floor area by more than 200 square feet or 10% of the previous footprint or floor area, whichever is greater. All added footprint and floor area must meet setback requirements or the setback of the previous footprint without increasing the nonconformity with current development requirements.
- C. Height: Does not exceed the previous height by more than 10%.
- D. Stories: Does not increase a one-story Eligible Structure to two-stories.

The previous location, footprint, floor area and height shall be based off the condition of the Eligible Structure on January 6, 2025. Code requirements not specifically amended herein shall remain in effect and apply to these projects. In the event of an inconsistency between the requirements of this ordinance and the underlying code, this ordinance shall prevail.

SECTION 7. Nonconforming Uses, Structures, and Lots. The requirements of Pasadena Municipal Code, Title 17, Article 7, Chapter 17.71, NONCONFORMING USES, STRUCTURES OR LOTS, are hereby amended as follows:

- A. Rebuild. Nonconforming Eligible Structures may be rebuilt and the nonconforming use may continue without obtaining a City-issued land use entitlement if the rebuild meets the requirements for the applicable zoning district as provided in this ordinance except that any footprint or floor area expansion shall not exceed 10% of the previous footprint or floor area, whichever is greater, and all added footprint and floor area must meet setback requirements or the setback of the previous footprint without increasing the nonconformity with current development requirements.
- A. Use May Resume. For projects to replace Eligible Structures in accordance with subsection (A) of this Section 7, Section 17.71.070(B)(2) suspended such that the use may resume under this ordinance even if more than 75 percent of the use or Eligible Structure was razed, and Section 17.71.060(B)(1)-(2) are suspended such that the use is not considered discontinued or moved. The nonconforming use may not change.

- B. Issuance of Building Permit. For projects to replace Eligible Structures in accordance with subsection (A) of this Section 7, the requirements of Section 17.71.070(B)(3) and Section 17.71.090(B)(1)(d) are hereby amended so that the Eligible Structure may be rebuilt and resumed provided that a Building Permit for the reconstruction or repair is issued within 48 months after the date of destruction and construction is pursued diligently to completion.
- C. Alternations and Enlargements. For projects to replace Eligible Structures in accordance with Subsection (A) of this Section 7, the requirements of Section 17.71.080(D)-(E) shall be amended to allow alteration and enlargement of a nonconforming structure without a variance or minor variance.

Code requirements not specifically amended herein shall remain in effect and apply to these projects. In the event of an inconsistency between the requirements of this ordinance and the underlying code, this ordinance shall prevail.

SECTION 8. Replacement Building Permit Requirements. For Eligible Structures, a building permit shall not be required before issuance of a demolition permit under Section 17.62.100.

SECTION 9. General Property Development and Use Standards. Projects to replace Eligible Structures without an entitlement in accordance with this ordinance are exempt from the applicability of Section 17.40.020.

SECTION 10. Permit Extensions. The following land use entitlements and other permits issued for any properties, shall be extended or eligible for extension as provided herein. The extension(s) shall run from the current expiration date of the issued entitlement or permit.

- A. The following eligible land use entitlements and permits that were active on January 7, 2025, or approved while this ordinance is in effect, shall be automatically extended one time for a period of 12 months, which shall not be counted against the maximum extensions permitted under the Code:
 - i. Concept Design Review under Section 17.64.040.E.
 - ii. Final Design Review, Conditional Use Permit, Minor Conditional Use Permits, Administrative Conditional Use Permits, Master Plans,

Expressive Use Permits, Variances, Minor Variances, Administrative Variances, Variances for Historic Resources, Modifications for Individuals with Disabilities, and Hillside Development Permits under Section 17.64.040.A.

- iii. Planned Development Districts under Section 17.26.020.C
- iv. Tentative Maps and Tentative Parcel Maps under Section 16.18.060
- v. Vesting Tentative Maps under Section 16.22.070

B. Building Official permits issued under Section 14.040.020 that were active on or after January 7, 2024, until this ordinance expires, shall be automatically extended one time for a period of 12 months, which shall not be counted against the maximum extensions permitted under the Code.

C. Temporary Certificates of Occupancy issued under Section 14.040.020 that were active on or after January 7, 2024, until this ordinance expires, shall be subject to one 180-day extension as follows, which shall not be counted against the maximum extensions permitted under the Code:

- i. Temporary Certificates of Occupancy for schools, religious facilities, and daycare centers that have been directly impacted by the Eaton or Palisades fires shall be automatically extended one time by 180 days.
- ii. Temporary Certificates of Occupancy for all other uses may be extended for an additional 180 days as approved by the Building Official in accordance with. Such extensions shall require an application to the Building Official.

SECTION 11. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published by title and summary.

SECTION 12. If any subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this section, and each and every subsection, sentence, clause and phrase thereof not declared invalid or

unconstitutional, without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 13. This ordinance shall take effect immediately upon publication, and shall remain in effect for a period of 45 days from the date of adoption. This ordinance may be extended by City Council.

Signed and approved this _____ day of _____, 2025.

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 _____ 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Date Published:

Mark Jomsky
City Clerk

Approved as to form:



Caroline Monroy
Deputy City Attorney