



Ordinance Fact Sheet

August 3, 2026

TO: Honorable Mayor and City Council

FROM: City Attorney/City Prosecutor Department

SUBJECT: **AN ORDINANCE OF THE CITY OF PASADENA REPEALING ORDINANCE NOS. 7455 AND 7457 PROHIBITING URBAN LOT SPLITS AND CONSTRUCTION OF MULTIPLE DWELLINGS PURSUANT TO SENATE BILL 9 IN VERY HIGH FIRE HAZARD SEVERITY ZONES WITHIN THE BOUNDARY OF THE EATON FIRE**

TITLE OF PROPOSED ORDINANCE

AN ORDINANCE OF THE CITY OF PASADENA REPEALING ORDINANCE NOS. 7455 AND 7457 PROHIBITING URBAN LOT SPLITS AND CONSTRUCTION OF MULTIPLE DWELLINGS PURSUANT TO SENATE BILL 9 IN VERY HIGH FIRE HAZARD SEVERITY ZONES WITHIN THE BOUNDARY OF THE EATON FIRE

PURPOSE OF THE ORDINANCE

The purpose of this ordinance is to repeal Ordinance Nos. 7455 and 7457, which prohibit Senate Bill ("SB") 9 applications in single family zones in very high fire hazard severity zones (VHFHSZ) within the boundary of the Eaton Fire in accordance with the Governor of California's Executive Order ("EO") N-32-25.

REASONS WHY LEGISLATION IS NEEDED

SB 9 was enacted to support the creation of housing by requiring public agencies to ministerially approve two-unit developments and urban lot splits, resulting in up to four-unit developments, in single-family zones. On July 30, 2025, the Governor issued EO N-32-25, which suspended Government Code sections 65852.21 and

MEETING OF 8/3/2026

AGENDA ITEM NO. 4

66411.7 in VHFHSZ within the boundaries of the Palisades and Eaton fires in Los Angeles County to the extent such sections limit the local agency's discretion in approving applications for development of two units on a single-family parcel or lot splits.

The City adopted Ordinance No. 7455 to prohibit SB 9 applications in very high fire hazard severity zones within the boundary of the Eaton Fire within the City of Pasadena. This ordinance was intended to avoid widespread SB 9 development concentrated in neighborhoods that are in the VHFHSZ within the burn area that might crowd evacuation routes. Ordinance No. 7457 was adopted to extend this regulation an additional 22 months and 15 days to approximately September 2027.

On December 10, 2025, a lawsuit was filed against Governor Newsom, the County of Los Angeles, and the Cities of Los Angeles, Malibu, and Pasadena in Los Angeles County Superior Court entitled *Yes In My Back Yard, et al. v. Gavin Newsom, et al.* (Case No. 25STCP04761). In the lawsuit, the petitioners allege that Executive Order N-32-25 and orders, ordinances, and policies based on that Executive Order violate constitutional and statutory law including the California Emergency Services Act. The petitioners seek a court order requiring the respondents to review and process SB 9 applications within the Palisades and Eaton Fire areas, and declaratory relief.

In light of the costs, risks, and uncertainties associated with litigation and in consideration of the time that has elapsed since the Eaton Fire, the City elects to repeal Ordinance Nos. 7455 and 7457. If the ordinances are repealed, the suspensions implemented by Ordinance Nos. 7455 and 7457 will be lifted, and SB 9 applications will be processed in VHFHSZ within the boundaries of the Eaton Fire, as appropriate.

PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED

The Planning and Community Development Department will implement this ordinance.

ENVIRONMENTAL DETERMINATION

The actions proposed herein are not subject to CEQA pursuant to EO N-32-25.

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FISCAL IMPACT

There is no fiscal impact as a result of this ordinance amendment.

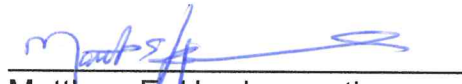
Respectfully submitted,


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