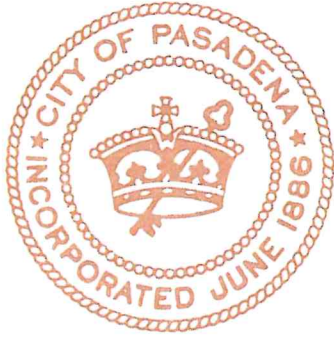




Agenda Report

September 8, 2025

TO: Honorable Mayor and City Council

FROM: Planning & Community Development Department

SUBJECT: ADOPTION OF AN INTERIM ORDINANCE PROHIBITING SENATE BILL 9 APPLICATIONS WITHIN A VERY HIGH FIRE HAZARD SEVERITY ZONE IN THE BOUNDARY OF THE EATON FIRE

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the actions proposed herein are not subject to the California Environmental Quality Act (CEQA) pursuant to Executive Order N-32-25; and
2. Conduct first reading to adopt an interim urgency ordinance to prohibit Senate Bill 9 (SB 9) applications on sites located within a Very High Fire Hazard Severity Zone (VHFHSZ) and in the boundary of the Eaton Fire, aligning with Executive Order N-32-25, due to the threat to the public health, safety, or welfare.

BACKGROUND:

On January 7, 2025, the City of Pasadena was struck by severe windstorms and destructive fires, causing widespread damage to private property. The overwhelming majority were single-family dwellings and accessory structures, in single-family zones, in the Upper Hastings Ranch, Victory-Rose, Dundee Heights and NATHA neighborhoods. Overall, in the greater Los Angeles area, the Palisades and Eaton Fires destroyed over 16,000 structures.

SB 9 (Government Code Sections 65852.21 and 66411.7) 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. In response to concerns raised by the potential for widespread SB 9 development concentrated in neighborhoods rebuilding from the destructive fires that are in a VHFHSZ and crowd evacuation routes, on July, 30, 2025, the Governor issued Executive Order N-32-25 (Attachment A).

The order allows local governments discretion to ensure that development in the rebuilding areas appropriately accounts for fire safety concerns. Specifically, the executive order suspended the application of SB 9 on a site in a VHFHSZ and also within the boundaries of the Palisades and Eaton Fires for seven days from the date of the order and gave local agencies discretion to allow or not allow SB 9 applications for these sites.

STAFF RECOMMENDATION:

Due to the fact that SB 9 density requirements could exacerbate safety threats in these sensitive areas, staff recommends that the City Council adopt an interim urgency ordinance to prohibit SB 9 applications for sites that are within a VHFHSZ and in the boundary of the Eaton Fire consistent with the Executive Order.

There are approximately 185 single-family properties that are within the boundary of the Eaton Fire and in a VHFHSZ. These properties are located only in the northernmost portion of Upper Hastings Ranch (Attachment B).

The interim ordinance would be adopted as an urgency measure, pursuant to Government Code Section 8634 and 65858(b), and only valid for 45 days, unless the City Council extends it. Prior to the expiration date, the City Council can extend the interim ordinance by 22 months and 15 days, for a total validity period of 24 months. Before or when the interim ordinance lapses, the City Council could adopt a permanent ordinance to continue prohibiting SB 9 applications on sites that are within the boundary of the Eaton Fire and in a VHFHSZ.

COUNCIL POLICY CONSIDERATION:

The project is consistent with the City Council's strategic planning goals to ensure public safety and to promote the quality of life and the local economy.

ENVIRONMENTAL ANALYSIS:

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

FISCAL IMPACT:

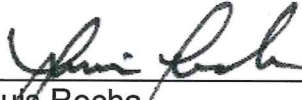
There is no fiscal impact associated with the proposed interim urgency ordinance.

Respectfully submitted,



JENNIFER PAIGE, AICP
Director of Planning & Community
Development Department

Prepared by:



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Planning Manager

Approved by:



MIGUEL MÁRQUEZ
City Manager

Attachments: (2)

Attachment A: Governor's July 30, 2025 Executive Order N-32-25.

Attachment B: Map of Properties in the Boundary of the Eaton Fire and within a Very High Fire Hazard Severity Zone.