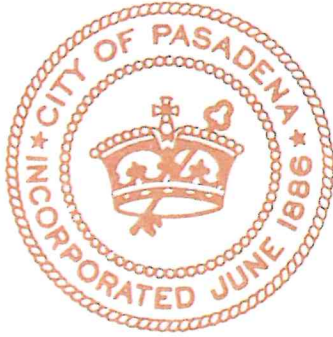




Agenda Report

July 20, 2026

TO: Honorable Mayor and City Council

FROM: Planning & Community Development Department

**SUBJECT: ADOPTION OF AN UNCODIFIED ORDINANCE TO REPEAL
UNCODIFIED INTERIM URGENCY ORDINANCE NOS. 7455 AND 7457
THAT PROHIBIT 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 action proposed herein is not subject to the California Environmental Quality Act (CEQA) pursuant to Executive Order N-32-25; and
2. Adopt an Uncodified Ordinance to Repeal Uncodified Interim Urgency Ordinance Nos. 7455 and 7457.

PLANNING COMMISSION RECOMMENDATION:

On June 24, 2026, the Planning Commission considered the uncodified ordinance at a noticed public hearing and recommended that the City Council adopt the environmental determination and the uncodified ordinance as presented by staff.

BACKGROUND:

On January 7, 2025, the City of Pasadena was struck by severe windstorms and destructive fires, causing widespread damage to private property. In Pasadena, the Eaton Fire destroyed 185 structures. 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.

SB 9 (Government Code Sections 65852.21 and 66411.7) supports 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.

Concerns were raised over the potential for widespread SB 9 developments impacting evacuation routes in single-family zoned neighborhoods in Very High Fire Hazard Severity Zones (VHFHSZs) impacted by the destructive fires. In response, the Governor issued Executive Order N-32-25 (Attachment A) on July 30, 2025 to afford local governments increased discretion to ensure that SB 9 developments in the rebuilding areas appropriately account for fire safety concerns. Specifically, the executive order suspended the application of SB 9 in VHFHSZs within the boundaries of the Palisades and Eaton Fires for seven days from the date of the order and, thereafter, gave local agencies discretion to continue that suspension.

On September 8, 2025, the City Council conducted a public hearing (Attachment B) and held a first reading on Uncodified Interim Urgency Ordinance No. 7455 (Attachment C) pursuant to Government Code Section 8634 and alternatively 65858(b), to prohibit SB 9 applications in a VHFHSZ and in the boundary of the Eaton Fire (Attachment D). Second reading occurred on September 15, 2025 and the Ordinance was published and became effective on September 18, 2025. The Ordinance was adopted as an urgency measure and was only valid for 45 days, unless extended by the City Council.

On October 20, 2025, the City Council conducted a public hearing (Attachment E) and held a first reading on Uncodified Interim Urgency Ordinance No. 7457 (Attachment F) to extend Ordinance No. 7455 for an additional period of 22 months and 15 days (for a total validity period of 24 months). Second reading occurred on October 27, 2025 and the Ordinance was published and became effective on October 30, 2025.

ANALYSIS:

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 a judicial declaration that the executive order and corresponding local orders, ordinances, and policies are unlawful.

To avoid the costs, risks, and uncertainties associated with litigation, which primarily focuses on the validity of the Governor's Executive Orders, and in consideration of the length of time that has elapsed since the Eaton Fire, the City of Pasadena and the petitioners have reached a conditional settlement that will become effective if the City elects to repeal Ordinance Nos. 7455 and 7457 by September 30, 2026, or such later date as the parties may mutually agree. 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.

ENVIRONMENTAL ANALYSIS:

The action proposed herein is not subject to CEQA pursuant to Executive Order N-32-25, which states that local agencies may develop orders, ordinances, resolutions, standards, rules or guidelines to implement the Executive Order and that the California Environmental Quality Act (Division 13 of the Public Resources Code) is suspended for any such order, ordinance, resolution, standard, rule, or guideline.

FISCAL IMPACT:

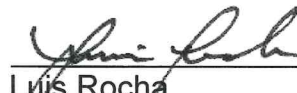
There is no fiscal impact as a result of this action to repeal the interim urgency ordinances.

Respectfully submitted,



JASON MIKAELIAN, AICP
Acting Director of Planning & Community
Development Department

Prepared by:



Luis Rocha
Planning Manager

Approved by:



MATTHEW E. HAWKESWORTH
Interim City Manager

Attachments: (6)

- A. Governor's July 30, 2025 Executive Order N-32-25
- B. City Council Staff Report, dated September 8, 2025 (without attachments)
- C. Uncodified Interim Urgency Ordinance No. 7455
- D. Properties in a Very High Fire Hazard Severity Zone and in the Boundary of the Eaton Fire
- E. City Council Staff Report, dated October 20, 2025 (without attachments)
- F. Uncodified Interim Urgency Ordinance No. 7457