

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

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

**AN ORDINANCE OF THE CITY OF PASADENA AMENDING VARIOUS SECTIONS OF TITLE 3 (CIVIC EVENTS AND FACILITIES) AND TITLE 17 (ZONING) OF THE PASADENA MUNICIPAL CODE TO INCREASE THE TIME PERIOD TO CONSTRUCT TEMPORARY ROSE PARADE GRANDSTANDS, ALLOW MEDICAL USES THROUGHOUT THE SOUTH FAIR OAKS SPECIFIC PLAN, UPDATE STANDARDS FOR WALLS AND FENCES, ACCESSORY DWELLING UNITS AND TEMPORARY USES, AND REVISE THE DEFINITION FOR DWELLING UNIT**

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 will amend various sections of Title 3 (Civic Events and Facilities) Title 17 (Zoning Code) of the City of Pasadena Municipal Code to increase the time period to construct temporary Rose Parade grandstands; allow medical offices in the “Mixed-Use Neighborhood” (MU-N) zoning district; update standards related to walls/fences for certain uses, accessory dwelling units and temporary uses; and revise the definition for dwelling unit. The full text of the ordinance is on file in the City Clerk’s Office.

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

**SECTION 2.** Pasadena Municipal Code, Title 3, Article 12, Chapter 3.12, Section 3.12.070 (Permit – Time Limits) is amended as set forth in Exhibit 1, attached hereto and incorporated by reference.

**SECTION 3.** Pasadena Municipal Code, Title 17, Article 35, Chapter 17.35, Section 17.35.030 (Allowable Land Uses) is amended as set forth in Exhibit 2, attached hereto and incorporated by reference.

**SECTION 4.** Pasadena Municipal Code, Title 17, Article 40, Chapter 17.40, Section 17.40.180 (Walls and Fences) is amended as set forth in Exhibit 3, attached hereto and incorporated by reference.

**SECTION 5.** Pasadena Municipal Code, Title 17, Article 50, Chapter 17.50, Section 17.50.275 (Accessory Dwelling Units and Junior Accessory Dwelling Units) is amended as set forth in Exhibit 4, attached hereto and incorporated by reference.

**SECTION 6.** Pasadena Municipal Code, Title 17, Article 50, Chapter 17.50, Section 17.50.320 (Temporary Uses) is amended as set forth in Exhibit 5, attached hereto and incorporated by reference.

**SECTION 7.** Pasadena Municipal Code, Title 17, Article 80, Chapter 17.80, Section 17.80.020 (Definitions), Subsections “D. Definitions, ‘D’” and “F. Definitions, ‘F’” are amended as set forth in Exhibit 6, attached hereto and incorporated by reference.

**SECTION 8.** Findings of Consistency adopted by City Council are attached hereto as Appendix A and incorporated by reference.

**SECTION 9.** The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published by title and summary.

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**SECTION 10.** This ordinance shall take effect 30 days from its publication.

Signed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Victor M. 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 \_\_\_\_\_ 2026, by the following vote:

AYES:

NOES:

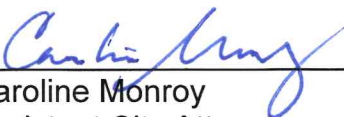
ABSENT:

ABSTAIN:

Date Published:

\_\_\_\_\_  
Mark Jomsky  
City Clerk

Approved as to form:

  
\_\_\_\_\_  
Caroline Monroy  
Assistant City Attorney

XXJ60RLF0D2FSV

Exhibit 1

**3.12.070 - Permit—Time limits**

- A. Except as is otherwise provided for in subsection C of this section, no permit shall be issued before November 15th of any year. No permit for any grandstand seating more than 50 persons nor any permit for the addition of seats to any grandstand shall be issued after December 15th of any year. No permit shall be issued for any grandstand seating 50 or less persons after December 26th of any year except with the approval of the city manager for good cause shown upon written application therefor.
- B. No person shall place any materials or equipment to be used in the construction of a grandstand or start construction of a grandstand on South Orange Grove Boulevard south of Green Street prior to November 15th of any year. Grandstands in this area shall be dismantled and removed before the following January 15th.
- C. The start of construction of a grandstand or the placing of any materials or equipment to be used in the construction of a grandstand in the area bordered by Orange Grove Boulevard on the west, Colorado Boulevard on the north, Terrace Drive on the east, and Green Street on the south shall be permitted on or after November ~~7th~~ 1st of any year, and a permit authorizing the aforementioned activity may be issued on or after November ~~7th~~ 1st of any year. Grand stands in this area shall be dismantled and removed before the following January 15th.

**17.35.030 - Allowable Land Uses**

- A. **Definitions.** Definitions of specific land uses are found in Section 17.80.020.
- B. **Permit Requirements.** Table SFOSP-1 identifies the uses of land allowed, the land use permit required to establish each use, and limitations that may apply for a particular use.
- C. **Standards for Specific Land Uses.** Additional standards may apply to specific land uses; refer to the PMC Section noted in Table SFOSP-1.
  - 1. Section 17.50.160 shall not apply to Mixed-Use Projects.
  - 2. Section 17.50.350 shall not apply to Multi-Family Housing.
- D. **Ground Floor Frontages.** In Mixed-Use zoning districts, additional commercial requirements and residential unit restrictions on the ground floor shall apply per Section 17.35.070.A.
- E. **Major Construction.** For all non-residential uses with a gross floor area of 25,000 square feet or greater, a Conditional Use Permit shall be required per Section 17.61.050.J.2.
- F. **Prohibited Uses.** Those uses not listed in Table SFOSP-1 are prohibited by the SFOSP, except as otherwise provided by Section 17.21.030.A.
- G. **Nonconforming Uses.** Existing uses which are made nonconforming by the SFOSP shall be subject to Section 17.71.
- H. **Limited Hours of Operation.** Uses listed in Table SFOSP-1 shall comply with limited hours of operation as required by Section 17.40.070.

**Table SFOSP-1: Allowable Land Uses**

Symbol	Description	Section
P	Permitted use, Code Compliance Certificate required.	17.61.020
MC	Conditional use, Minor Conditional Use Permit required.	17.61.050
AMC	Conditional use, Administrative Minor Conditional Use Permit required.	
C	Conditional use, Conditional Use Permit required.	
AC	Conditional use, Administrative Conditional Use Permit required.	
E	Conditional use, Expressive Use Permit required.	17.61.060
TUP	Temporary use, Temporary Use Permit required.	17.61.040
—	Use not allowed.	
(L1)	Use is not permitted on the ground floor within 35 feet of the sidewalk line. Entries to upper floor or ground floor spaces behind the 35 feet are allowed; these spaces shall not qualify as required commercial uses for the purposes of Section 17.35.070.A.	
(L2)	Use limited to a maximum of 30% of the total building frontage on the ground floor, regardless of the ground floor	

Exhibit 2

	frontage type per Section 17.35.070.A.	
(L3)	Use limited to a maximum of 30% of the total building frontage on the ground floor fronting Raymond Avenue south of Fillmore Street, regardless of the ground floor frontage type per Section 17.35.070.A.	
(L4)	Use limited to east of Metro right-of-way.	

ZONING DISTRICT LAND USES AND PERMIT REQUIREMENTS									
Land Use <sup>1</sup>	Permit Requirement								Section/ Notes
	SFO- CG	SFO- CL	SFO- CF	SFO- IF	SFO- MU-C	SFO- MU- G	SFO- MU- N	SFO- MU-T	
<b>RESIDENTIAL USES</b>									
Accessory Dwelling Unit	-	-	-	-	P	P	P	P	17.50.275
Junior Accessory Dwelling Unit	-	-	-	-	P	P	P	P	17.50.275. E
Boarding Houses <sup>2</sup>	-	-	-	-	P	P	P	-	
Dormitories	-	-	-	-	P(L3)	P	P	-	
Fraternities/ Sororities	-	-	-	-	P(L3)	P	P	-	
Home Occupations	-	-	-	-	P	P	P	P	17.50.110
Hospitality Homes	MC	MC	-	-	MC(L3)	MC	-	-	
Mixed-Use Projects	-	-	-	-	P	P	P	P	
Multi-Family Housing	-	-	-	-	P	P	P	P	
Residential Accessory Uses and Structures	-	-	-	-	P	P	P	P	17.50.250
Residential Care, General	-	-	-	-	C(L3)	-	-	-	
Residential Care, Limited	-	-	-	-	P(L3)	P	P	-	
Single-Room Occupancy	-	-	-	-	P(L1)	P	P(L1)	P(L1)	
Supportive Housing	-	-	-	-	P	P	P	P	
Transitional Housing <sup>3</sup>	-	-	-	-	P	P	P	P	
<b>COMMERCIAL USES</b>									
<b>RECREATION, EDUCATION &amp; PUBLIC ASSEMBLY USES</b>									
Clubs, Lodges, Private Meeting Halls	C	-	C	C	C	C	C	C	
Colleges, Nontraditional Campus Setting	P	-	P	P	P	P	P(L1)	P(L1)	
Commercial Entertainment	E	-	E	-	E	E	E	E	17.50.130
Commercial Recreation, Indoor	P	-	P	P	P	P	P	-	

Exhibit 2

Commercial Recreation, Outdoor	P	-	P	P	-	-	-	-	
Conference Centers	-	-	-	-	C	-	C(L1)	C(L1)	
Cultural Institutions	P	-	P	-	P	P	P	P	
Electronic Game Centers	P	-	P	-	P	P	P	P	17.50.100
Park and Recreation Facilities	P	-	P	P	P	P	P	P	
Religious Facilities	C	-	C	C	C	C	C	C	17.50.230
with Columbarium	MC	-	-	-	-	-	-	-	
with Temporary Homeless Shelter	-	-	-	MC	-	-	-	-	
with safe parking	MC	-	MC	MC	MC	MC	MC	MC	17.50.265
Schools, Public and Private	C	-	C	C	C	C	C	-	17.50.270
Schools, Specialized Education and Training	P	-	P	P	P(L1)	P	P(L1)	P(L1)	
<b>OFFICE, PROFESSIONAL &amp; BUSINESS SUPPORT USES</b>									
Automated Teller Machines (ATMs)	P	-	P	P	P	P	P	P	17.50.060
Banks and Financial Services	P	-	P	P	P	P	P	P	
with Walk-Up Services	P	-	P	P	P	P	P	P	17.50.060
Business Support Services	P	-	P	P	P(L2)	P	P	P	
Offices, Accessory	P	-	P	P	P(L2)	P	P	P(L1)	
Offices, Administrative Business Professional	P	-	P	P	P(L2)	P	P	P(L1)	
Offices, Government	P	-	P	P	P(L1)	P	P(L1)	P(L1)	
Offices, Medical	P	P	P	P	P(L3)	P	≠ P	P(L1)	
Research and Development	P	P	P	P	P	P	P	P	17.50.240
Work/Live Units	-	-	P	-	P	P	P	-	17.50.370
<b>RETAIL SALES</b>									
Alcohol Sales, Beer and Wine	C	-	C	C	C	C	C	C	17.50.040
Alcohol Sales, Beer and Wine at Restaurants (including fast food)	AC		AC	AC	AC	AC	AC	AC	
Alcohol Sales, Full Alcohol	C	-	C	C	C	C	C	C	
Alcohol Sales, Full	AC		AC	AC	AC	AC	AC	AC	

Exhibit 2

Alcohol at Restaurants (including fast food)									
Animal Retail Sales	P	-	P	-	P	P	P	P	
Bars/Taverns	C	-	C	C	C	-	C	C	17.50.040, 17.61.050.J
with Live Entertainment	C	-	C	C	C	-	C	C	17.50.130
Commercial Nurseries	C	-	C	-	C	-	-	-	17.50.180
Convenience Stores	P	P	P	P	P	P	P	P	
Food Sales	P	-	P	P	P	P	P	P	
Liquor Stores	C	-	C	C	C	C	C	C	17.50.040, 17.61.050.J
Restaurants, Fast Food	P	P	P	P	P	P	P	P	17.50.260
Restaurants, Formula Fast Food	P	P	P	P	P	P	P	P	17.50.260
Restaurants	P	P	P	P	P	P	P	P	17.50.260, 17.61.050.J
with Limited Live Entertainment	P	-	P	P	P	P	P	P	
with Walk-Up Window <sup>4</sup>	MC	MC	MC	MC	MC	MC	MC	MC	17.50.260
Retail Sales	P	P	P	P	P	P	P	P	
Significant Tobacco Retailers	C	-	C	C	C	C	C	C	17.50.330
Swap Meets	C	-	C	C	C	C	C	C	17.61.050.J
Vehicle Services, Automobile Showrooms	P	-	-	-	-	-	-	-	
Vehicle Services, Sales/Leasing	P	-	-	-	-	-	-	-	17.50.360
Vehicle Services, Sales/Leasing, Limited	P	-	P	-	-	-	-	-	
<b>SERVICES</b>									
Adult Day Care, General	C	C(L1)	-	-	C(L1)	C	-	-	
Adult Day Care, Limited	P	P(L1)	-	-	P(L1)	P	-	-	
Animal Boarding	P	-	P	-	-	-	C	-	
Animal Grooming	P	-	P	-	P	P	P	-	
Animal Hospitals	P	-	P	-	-	-	C	-	17.50.050
Animal Shelters	P	-	P	-	-	-	C	-	
Catering Services	P	-	P	P	P	P(L1)	P(L1)	P(L1)	
Charitable Institutions	P	P	P	P	P	P	P	P(L1)	
Child Day Care	P	P	-	-	P	P	P	-	17.50.080

Exhibit 2

Centers									
Child Day Care, Large	-	-	-	-	P	P	P	P	
Child Day Care, Small	-	-	-	-	P	P	P	P	
Emergency shelters	MC	MC	MC	MC	MC	MC	MC	MC	17.50.105
Emergency Shelters, Limited	P	P	P	P	P	P	P	P	17.50.105
Laboratories	P	P	P	P	P(L1)	P(L1)	P(L1)	P(L1)	
Life-Care Facilities	MC	MC	-	-	MC(L3)	MC	-	-	17.50.120
Lodging, Bed and Breakfast Inns	-	-	-	-	-	C	-	-	17.50.140
Lodging, Hotels and Motels	C	-	-	-	C(L2)	-	C(L2)	-	17.50.150
Low barrier navigation centers	P	P	P	P	P	P	P	P	17.50.153
Massage Establishments	C	-	-	-	C	C	C(L1)	C(L1)	17.50.155
Medical Services, Extended Care	MC	MC	-	-	MC(L3)	MC	-	-	
Mortuaries/Funeral Homes	P	-	-	-	-	-	-	-	
Neighborhood Gardens	P	-	P	P	P	P	P	P	
Personal Improvement Services	P	-	P	-	P	P	P	P	
Personal Services	P	-	P	-	P	P	P	P	
Printing and Publishing	P	-	P	P	P(L1)	P(L1)	P(L1)	-	
Printing and Publishing, Limited	P	-	P	P	P(L2)	P	P	P	
Public Safety Facilities	C	-	C	C	-	-	-	C	
Vehicle Services, Washing/Detailing	P(L4)	-	-	-	-	-	-	-	17.50.290
Vehicle Services, Washing/Detailing, Small-Scale	P	-	P	-	-	-	-	-	
<b>INDUSTRY, MANUFACTURING &amp; PROCESSING</b>									
Alcohol Beverage Manufacturing	C	-	C	C	-	-	C	-	17.50.040, 17.61.050.J
with Accessory Tasting Room	C	-	C	C	-	-	C	-	
Custom Manufacturing/Artisan Production	P	-	P	P	P	P	P	-	
Industry, Standard	C	-	-	P	-	-	-	-	

Exhibit 2

Industry, Restricted	MC	-	MC	MC	MC(L2)	MC	MC	-	
Maintenance and Service Facilities	-	-	-	P	-	-	-	-	
Recycling Centers, Small Collection Facilities	C	-	-	P	-	-	-	-	17.50.220
Wholesaling, Distribution and Storage	C(L4)	-	-	P	-	-	-	-	
Wholesaling, Distribution and Storage, Small Scale	MC	-	P	P	-	-	-	-	
<b>TRANSPORTATION, COMMUNICATIONS, AND UTILITY USES</b>									
Accessory Antenna Arrays	P	P	P	P	P	P	P	P	
Alternative Fuel/Recharging Facilities	P	-	P	P	-	-	-	-	
Commercial Off-Street Parking	C	C	C	C	C	C	C	C	
Communications Facilities	C	C	C	C	C	C	C	C	
Heliports	-	C	-	C	-	-	-	-	
Transportation Terminals	C	C	C	C	C	C	C	C	
with safe parking	MC	MC	MC	MC	MC	MC	MC	MC	17.50.265
Utilities, Major	C	-	C	C	C	C	C	C	
Utilities, Minor	P	-	P	P	P	P	P	P	
Wireless Telecom Facilities, Major	C	C	C	C	C	C	C	C	17.50.310
Wireless Telecom Facilities, Minor	MC	MC	MC	MC	MC	MC	MC	MC	
Wireless Telecom Facilities, SCL	P	P	P	P	P	P	P	P	
<b>TEMPORARY USES</b>									
Filming, Long-term	MC	MC	MC	MC	MC	MC	MC	MC	
Filming, Short-term	P	P	P	P	P	P	P	P	
Personal Property Sales	-	-	-	-	P	P	P	P	17.50.190
Seasonal Merchandise Sales	P	P	P	P	P	P	P	P	17.50.180
Street Fairs	P	P	P	P	P	P	P	P	
Tents	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	17.50.320
Other Temporary Uses	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	
<b>Notes:</b>									
1 See Section 17.80.020 for definition of the listed land uses.									
2 Includes Co-living facilities, which may include more than one shared kitchen per building.									

## Exhibit 2

Separation requirements of Section 17.50.065 shall not apply.

<sup>3</sup> The maximum interior or exterior area in which support services are offered or located shall not exceed 250 square feet.

<sup>4</sup> Minor Conditional Use Permit not required if Walk-Up Window complies with Section 17.50.260.

### 17.40.180 - Walls and Fences

All proposed walls and fences, including those located within a specific plan area, shall comply with the requirements of this Section. Requirements for walls for screening purposes are in Section 17.40.140 (Screening).

#### A. Wall and fence height measurement.

1. **Measured from existing grade.** The height of all walls and fences shall be measured from the existing grade as it existed on March 2, 2009. The height of all walls and fences shall be measured from the existing grade to the top of the wall or fence in order to prevent the artificial raising of the grade in order to allow for a higher wall or fence. Where the existing grade changes (i.e., for a driveway) the fence height shall change with the grade.
2. **Measured in a continuum.** The height shall be measured in a continuum at each point along the wall or fence.

#### B. Height limits for walls and fences.

1. **Walls and fences adjacent to intersections.** All walls and fences adjacent to a street intersection shall comply with the requirements of Municipal Code Chapter 12.12.
2. **Residential zoning districts. ~~RS and RM-12 zoning districts.~~** The maximum height of a wall or fence within the RS or RM-12 zoning districts shall be as follows and as illustrated by Figure 4-11 (Fence Height Limits in the RS and RM-12 Zoning Districts) below.

##### a. Properties developed with one- or two- residential units.

##### (1) Interior side and rear yard.

(a) Abutting a residential use. In interior side or rear yards abutting property with a residential use, the maximum wall or fence height shall be six feet.

(b) Abutting a non-residential use or zoning district. In interior side or rear yards abutting property with a nonresidential use or abutting a property in a public/semi public, open space, commercial, mixed-use, or industrial zoning district the maximum wall or fence height shall be eight feet along the property line separating the residential district from the commercial or industrial district.

(2) Front yard. Between the front property line and the occupancy frontage, the maximum wall or fence height shall be four feet if it is at least 50 percent open, and two feet if the wall or fence is less than 50 percent open. Any concrete block materials shall have a finished stucco appearance.

(a) RS-1 and RS-2 – Within the RS-1 and RS-2 zoning districts, when the primary dwelling is set back a minimum 40 feet from the

front property line, the maximum wall or fence height may be six feet in height if it is at least 50 percent open and set back a minimum five feet from the front property line. The area between the wall or fence and the property line shall be landscaped. Any concrete block materials shall have a finished stucco appearance.

(3) **Corner yard – six feet.** The maximum height of walls and fences in corner and rear yards shall be six feet. Any concrete block materials shall have a finished stucco appearance.

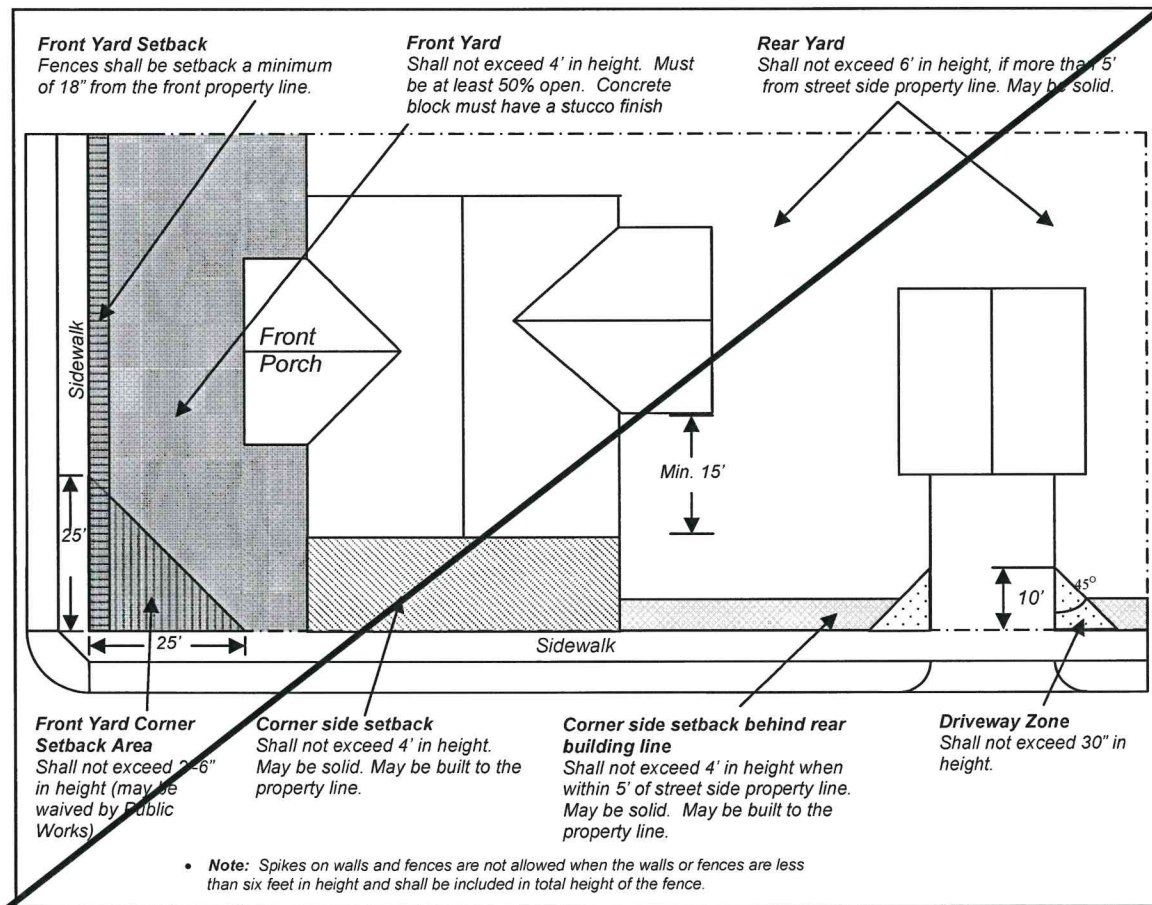
(a) **Visibility at edge of driveway.** The maximum height shall be 30 inches within a triangular area extending at an angle of 45 degrees from the street property line to a point on the edge of the driveway 10 feet from the street property line. The Director of Transportation may modify the requirements of this Section.

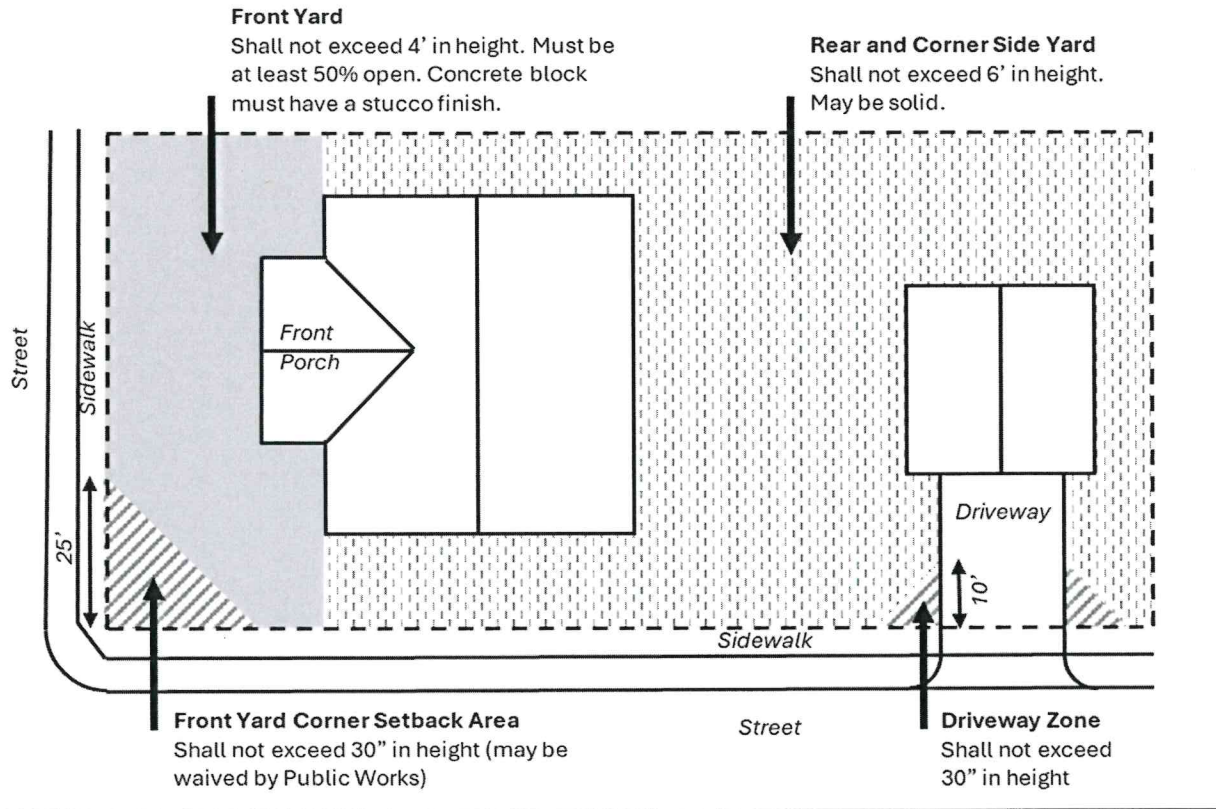
- ~~a. **Abutting OS or PS zoning district – six feet.** In interior side or rear setbacks abutting property in a OS or PS zoning district or abutting property with a residential use, the maximum wall or fence height shall be six feet.~~
- ~~b. **Abutting commercial or industrial zoning district – eight feet.** In interior side or rear setbacks abutting property in a commercial or industrial zoning district with a nonresidential use, the maximum wall or fence height shall be eight feet along the property line separating the residential district from the commercial or industrial district.~~
- ~~c. **Front setback – four feet.** Between the front property line and the occupancy frontage, the maximum wall or fence height shall be four feet. Walls and fences in the front setback shall be at least 50 percent open and any concrete block materials shall have a finished stucco appearance.~~
- ~~d. **Corner and rear yard areas.** Walls and fences in corner and rear yard setback areas shall be allowed as follows:
  - ~~(1) **Rear setback.** The maximum height shall be six feet between the rear building line and the rear property line, provided the wall or fence is located a minimum distance of five feet from the street property line:
    - ~~(a) Where there are multiple rear building lines:
      - ~~i. The "rear building line" shall be the corner of the dwelling that is closest to the street property line; and~~
      - ~~ii. The corner of the dwelling that is closest to the street property line shall have a rear building line that is a minimum of 15 feet in length.~~~~
    - ~~(b) If there is an offset of less than 15 feet in length, the rear building line shall be the corner of the dwelling closest to the rear property line.~~~~~~

Exhibit 3

- (2) ~~Within five feet of street property line.~~ The maximum height within five feet of a street property line or between the occupancy frontage and the rear building line shall not exceed four feet.
- (3) ~~Visibility at edge of driveway.~~ The maximum height shall be 30 inches within a triangular area extending at an angle of 45 degrees from the street property line to a point on the edge of the driveway 10 feet from the street property line.

Notwithstanding these provisions, the maximum height of a wall or fence in a corner setback shall be six feet and may be located at the street property line, provided the wall or fence is located beyond the front building line of the main structure and a commercial or industrial zoning district is located on the opposite side of the street adjacent to the corner setback.





**Figure 4-11 - Fence Height Limits for properties developed with one- or two-residential units in the RS and RM-12 Zoning Districts**

- (4) e. **Double frontage lots.** On double frontage lots, the Zoning Administrator shall determine the rear setback for the purposes of wall or fence height, and the maximum height of the rear wall or fence shall be six feet; provided, the wall or fence is located a minimum distance of 25 feet measured perpendicular to the rear street property line. The maximum height of a wall or fence in the rear setback within 25 feet of a street property line shall not exceed four feet. The wall or fence may be solid.
- (5) f. **Flag lots.** On flag lots, the maximum front yard wall or fence height may shall be six feet, provided the pole or the front yard of the flag lot is abutting interior side or rear yards on all sides. The maximum height of walls or fences shall remain four feet and 50 percent open in the portion of the pole (or the front yard of a flag lot) that abuts a front or corner side yard of an adjacent property, or abuts flag lots that are vacant.
- g. **Spikes on walls and fences.** ~~Spikes on walls and fences are not allowed when the walls or fences are less than six feet in height.~~

Exhibit 3

- ~~h. **Private streets or easements.** Fences, gates or walls shall not be constructed within or across private or public streets or easements that serve more than one property.~~
- ~~i. **Prohibited materials.** Barbed wire, concertino wire and razor wire shall not be allowed.~~
- 3. **Multi-family projects (City of Gardens standards).** Walls and fences may be located along property lines or in setbacks in compliance with the following.
  - b. Properties developed with three or more residential units.**
    - (1) ~~a.~~ The height of a wall or fence along the rear property line or rear yard shall not exceed 10 feet excluding any corner side yard setback.
    - (2) ~~b.~~ The height of a wall or fence along the side property lines shall not exceed 10 feet for the rear 50 percent of the site and shall not exceed six feet for the remainder of the site, excluding the front or corner side yard setback.
    - (3) ~~e.~~ Between the front or corner property line and the occupancy frontage, the height of a wall or fence in a front yard or corner yard shall not exceed four feet if it is 50 percent open and two feet if the wall or fences is open less than 50 percent, solid. ~~The wall or fence height shall be measured from existing grade.~~
    - (4) ~~d.~~ The height of a wall or fence separating the main garden from other garden space on the same or an adjacent lot shall meet the same requirements as a wall or fence in the front yard. See Subparagraph 3 above.
    - (5) ~~e.~~ The height of a wall or fence separating the main garden from a residential building on an adjoining lot with entrances close to the common property line shall meet the same requirements as a wall or fence in the front yard. See Subparagraph 3 above.
    - (6) ~~f.~~ The height of an interior wall or fence bordering an individual patio area shall not exceed six feet. It is encouraged to be less and to allow at least 50 percent visibility.
    - (7) ~~g.~~ The height of a wall or fence screening a driveway shall not exceed six feet.
    - (8) ~~h.~~ The height of a wall or fence screening a parking area shall be at least six feet but shall not exceed 10 feet.
  - c. Properties developed with a nonresidential use.**
    - (1) **Front and corner side yard.** The maximum height of a wall or fence between the front or corner property line and the building frontage shall be six feet if it is at least 50 percent open and three feet if the wall or fence is less than 50 percent open.

- (2) Interior side and rear yard. The maximum height of a wall or fence shall be six feet, unless otherwise required per Chapter 17.50 – Standards for Specific Land Uses. The wall or fence may be solid.

d. **Standards for walls and fences.**

- (1) **Private streets or easements.** Fences, gates or walls shall not be constructed within or across private or public streets or easements that serve more than one property.
- (2) **Spikes on walls and fences.** Spikes on walls and fences are not allowed when the walls or fences are less than six feet in height. Spikes shall mean any end of a vertical element or feature that is capable of causing, or is likely to cause, injury to persons or animals.
- (3) **Prohibited materials.** Barbed wire, concertino wire and razor wire shall not be allowed.
- (4) **Anti-Climbing Roller Barriers.** Allowed on top of a fence or wall located within the areas of the property where a wall or fence six feet or higher is permitted. The maximum height of the roller barriers shall be one foot.

- 4. **Nonresidential zoning districts.** The maximum height of a wall or fence within the public/semi-public, open space, commercial, mixed-use, and industrial zoning districts, shall be as follows unless otherwise modified or regulated by an adopted Specific Plan:

a. **Nonresidential projects.**

(1) **Front and corner side setbacks.**

- (a) The maximum height of a wall or fence between the front or corner property line and the building along a street frontage shall be six feet.

(2) **Interior side and rear setbacks.**

- (a) ~~The maximum height of a wall or fence shall be eight feet.~~

~~(3) **When abutting a residential zoning district.** The minimum height of a wall located within five feet of a street property line(s) shall be equivalent to the maximum height for a solid wall or fence in the development standards of the abutting residential zoning district.~~

~~(34) **Design standards for walls and fences.**~~

- (a) Walls and fences abutting a residential zoning district shall be constructed only from brick, concrete, or masonry.
- (b) Barbed wire, concertina wire, and razor wire shall not be allowed.
- (c) The wall or fence within a front or corner yard along a street frontage shall be a minimum of 50 percent open, except when a solid masonry wall is required to screen outdoor storage areas in compliance with Section 17.50.180.

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- (d) Chain-link fences shall not be allowed along street frontages, but may be allowed in rear and interior side yards.
  - (e) Spikes on walls and fences are not allowed when the walls or fences are less than six feet in height. Spikes shall mean any end of vertical bar that is capable of causing, or is likely to cause, injury to persons or animals.
- b. **Residential projects.** Walls and fences shall be in compliance with Section 17.40.180.B.2.
- (1) ~~RS or RM-12 zoning district standards.~~ Projects subject to the development standards of the RS or RM-12 zoning districts shall meet the wall and fence requirements of those zoning districts.
  - (2) ~~RM-16, RM-32, or RM-48 zoning district standards.~~ Projects subject to the development standards of the RM-16, RM-32, or RM-48 zoning districts shall meet the wall and fence requirements of those zoning districts.
- c. **All new projects abutting a residential zoning district.** Required setbacks abutting residential zoning districts shall be enclosed by a A solid concrete or masonry wall at least seven feet in height shall be required along a property line separating the residential district from the nonresidential district except within five feet of a front or corner property line, the maximum height shall be four feet.

### 17.50.275 Accessory Dwelling Units and Junior Accessory Dwelling Units

#### A. Applicability.

1. Any construction, establishment, alteration, enlargement, or modification of an accessory dwelling unit (ADU) or junior accessory dwelling Unit (Junior ADU) shall comply with the requirements of this section. In the event of a conflict between this section and applicable state law, state law shall prevail.
2. The Director or his designee shall review and approve, conditionally approve, or deny ministerial permits for accessory dwelling units conforming to the provisions of this section and any associated demolition permit within the time limits specified by Government Code Sections 66317, 66320, 66335 and successor provisions.

#### B. Location standards and number of units.

1. **Permitted zones.** ADUs are permitted in all zoning districts that permit single-family or multifamily dwelling residential uses on sites with at least one proposed or existing dwelling.
2. **Number of Units.**
  - a. For lots with an existing or proposed single-family dwelling:
    - (1) One detached or attached new construction ADU, one detached or attached conversion ADU, and one Junior ADU, subject to the development standards set forth in 17.50.275 D and E.
    - (2) Exemption ADUs include the following:
      - a) A detached or attached new construction ADU with a maximum area of 800 square feet and minimum front, side and rear yard setbacks of four feet with a maximum height as set forth in 17.50.275 D.5.e.
      - b) A detached or attached conversion ADU within an existing space. May include an expansion of not more than 150 square feet beyond the same physical dimensions as the structure limited to accommodating ingress and egress in compliance with 17.50.275 D.5. Side and rear setbacks must be sufficient for fire and safety. An attached conversion ADU must have separate exterior access from the existing single-family dwelling.
      - c) A Junior ADU if all of the following apply:
        - i. The Junior ADU is within the proposed space of a single-family dwelling or existing space of a single-family dwelling including, but not limited to, an attached garage and other non-habitable space.
        - ii. The Junior ADU has a separate exterior access from the proposed or existing single-family dwelling.

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- iii. The side and rear setbacks are sufficient for fire and safety.
- b. For lots with an existing or proposed multi-family dwelling structure:
  - (1) Exemption ADUs, which include the following:
    - a) Within an existing multifamily dwelling. At least one ADU and up to 25 percent of the existing multifamily dwelling units within the structure may be created within the portions of the existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings. For mixed-use projects, areas used for non-residential uses and parking or storage for non-residential uses may not be converted to ADUs; and,
    - b) Detached new construction or conversion ADUs:
      - i. On a lot with an existing multifamily dwelling, not more than eight detached ADUs. However, the number of ADUs shall not exceed the number of existing units on the lot.
      - ii. On a lot with a proposed multifamily dwelling, not more than two detached ADUs.
      - iii. All detached new construction ADUs, rear and side setbacks must equal at least four feet. Maximum height shall be 16 feet, however, maximum height shall be 18 feet if: (i) the existing or proposed multi-family dwelling structure is a multistory structure; or (ii) the lot is located within one-half mile walking distance to a Major Transit Stop or a High Quality Transit Corridor, as defined in state law, in which case an additional two feet may be added to match the roof pitch of the primary dwelling.
- C. **Operational standards.**
  1. **Short-term rental prohibited.** Any rental term of an ADU or Junior ADU that was legally created on or after January 1, 2017 shall be longer than 30 days.
  2. **Sale of units.** The ADU or Junior ADU may not be sold separately from the existing single-family home unless developed by a qualified nonprofit corporation in accordance with California Government Code Section 66341.
- D. **Development standards applicable to ADUs.** Except for Exemption ADUs, ADUs shall comply with all applicable development standards of the underlying zone (e.g., encroachment plane, floor area, lot coverage limits, setbacks, etc.) that apply to the primary residence and that do not conflict with this Section 17.50.275.
  1. **Unit Size.**
    - a. **Single-Family Sites.**

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- (1) **Minimum unit size.** The ADU shall be no less than 150 square feet in size.
  - (2) **Maximum unit size - Exemption ADUs.** Exemption ADUs in single-family sites include those described in 17.50.275.B.2.a.2.
    - a) Attached or detached new construction ADUs: Maximum area of 800 square feet.
    - b) Attached or detached conversion ADUs: No size limit.
  - (3) **Maximum unit size - Non-Exemption ADUs.** Non-exemption ADUs in single-family sites include all newly constructed attached or detached ADUs which exceed 800 square feet in size .
    - a) New construction detached ADU: Maximum area of 1,200 square feet.
    - b) New construction attached ADU: Maximum area of 850 square feet for a studio or one-bedroom, and 1,000 square feet for more than one bedroom.
- b. **Hillside Overlay Districts (excluding properties in HD-1).**
- (1) Properties in Hillside Overlay Districts served by private or public streets with a pavement width of up to 26 feet wide are allowed the following, subject to 17.50.275.B.2.a.2:
    - a) Attached or detached conversion ADUs: No size limit.
    - b) New construction attached or detached ADU: 800 square feet.
  - (2) Other properties in Hillside Overlay Districts are limited to a maximum of:
    - a) Attached or detached conversion ADUs: No size limit.
    - b) New construction attached ADU: 850 square feet for a studio or one-bedroom ADU and 1,000 square feet for more than one bedroom.
    - c) New construction detached ADU: Shall be limited to 1,000 square feet.
- c. **Sites with Multi-Family Buildings.**
- (1) **Minimum unit size.** ADUs shall be no less than 150 square feet in size.
  - (2) **Maximum unit size - Exemption ADUs.** Exempt ADUs in sites with multi-family buildings include those described in 17.50.275.B.2.b.1 and have no size limit.
- d. **Measuring Area.** The gross floor area for ADUs may be measured as defined in Title 17, Article 8 or California Building Code, whichever method is preferred by the applicant.

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2. **Historic Properties.** Non-Exemption ADUs in individually designated historic properties, Landmark or Historic Districts shall not be visible from the public right-of-way, unless this requirement prevents the creation of the unit.
3. **Standards applicable to all ADUs.**
  - a. **Setback requirements.**
    - (1) **Front lot line.** Attached and detached new construction ADUs greater than 800 square feet in size shall comply with the front-yard setback requirements of the underlying zone.
    - (2) **Side and Rear Lot Lines:** Four feet for newly constructed ADUs and expansions to conversion ADUs. Any expansion of 150 square feet to accommodate ingress and egress shall have setbacks sufficient for fire and safety.
    - (3) **Conversions, attached and detached.** No setbacks are required, except for fire safety, if:
      - a) An existing structure is demolished and a new ADU is constructed in the same location and with the same dimensions and height as the existing structure.
  - b. **Building separation for non-exemption ADUs.** A minimum building separation of six feet shall be maintained (eave to eave) between a newly constructed ADU from any other structure (excluding walls and fences) on the site.
  - c. **Maximum height.**
    - (1) **Single-Family Sites.**
      - a) **Attached New Construction ADUs.** Shall not exceed 25 feet in height or the maximum permitted in the underlying zone, whichever is less, when attached to an existing or proposed single-family dwelling. May be up to two stories in height.
      - b) ~~(2)~~ **Detached New Construction ADUs.**
        - i. a) A maximum of 16 feet and two stories in height for the following:
          - I. i. ADUs within the Hillside Overlay Districts;
          - II. ii. ADUs within Landmark or Historic Districts and visible from the street; or
          - III. iii. Exemption ADUs located in the front-yard setback.

a Major Transit Stop or High Quality Transit Corridor if necessary to match the roof pitch of a primary dwelling on the same site.

- ii. b) A maximum of 18 feet and two-stories in height for all other ADUs. ADUs located within one-half mile walking distance of a Major Transit Stop or a High Quality Transit Corridor, as defined in state law, shall be permitted an additional two feet in height if necessary to match the roof pitch of a primary dwelling on the same site.

**(2) Sites with Multi-Family Buildings.**

Detached New Construction ADU's. Maximum height shall be 16 feet, however, maximum height shall be 18 feet if: (i) the existing or proposed multi-family dwelling structure is a multistory structure; or (ii) the lot is located within one-half mile walking distance to a Major Transit Stop or a High Quality Transit Corridor, as defined in state law, in which case an additional two feet may be added to match the roof pitch of the primary dwelling.

- (3) **Measuring Height.** The height for new construction ADUs may be measured per 17.40.060 or the California Building Code, whichever method is preferred by the applicant.

**d. Windows on Upper Floors for Non-Exempt ADUs:** New second story windows shall be prohibited along the interior side and rear lot lines for all non-exemption ADUs when the proposed setback is less than five feet, unless required by the Building Code for ingress or egress. When the Building Code requires windows, they shall be clerestory windows. If the side or rear lot lines abut an alley with a minimum width of 20 feet, second story windows may be allowed on the façade facing the alley.

**de. Entrance and Exterior Staircases for Non-Exemption ADUs:**

- (1) For single-family sites, entrances for attached newly constructed ADUs shall not be visible from the public right-of-way, unless this requirement prevents the creation of the unit.
- (2) For single-family sites, exterior staircases for attached ADUs shall not be visible from the public right-of-way, unless this requirement prevents the creation of the unit.

**ef. Structures Attached to ADUs:**

- (1) Compliance with the development standards of the underlying zone is required for any new structures or expansions to existing structures that are attached to an ADU. This includes, but is not limited to, garages/carports, storage rooms, sheds, covered patios, balconies, rooftop decks, additions to the primary dwelling, etc. This does not include the 150 square foot expansion necessary to accommodate ingress and egress for the ADU, where allowed.

- (2) No portion of the walking surface of a projecting deck with visible underpinnings shall exceed a height of six feet above grade.

**46. Parking and circulation standards:**

- a. **Required parking.** One parking space per unit on a single-family site shall be provided for the ADU. The on-site parking space may be provided as covered, uncovered, or as tandem parking on an existing driveway. No parking shall be required for ADUs on a multi-family site.
  - (1) **Exception.** No parking space is required for an ADU on a single-family site if it meets any of the following conditions:
    - a) The unit is an Exemption ADU;
    - b) The site is located within one-half mile walking distance of a public transit stop;
    - c) The ADU is contained within the proposed or existing space (i.e., all fully enclosed area, including a garage) of the primary dwelling or accessory structure;
    - d) Property is within a historic district (which includes landmark and historic districts); or
    - e) When there is a commercial car share vehicle pick-up and drop-off location located within one block of the ADU; or
    - f) When a permit application for an ADU is submitted with an application to create a new single-family dwelling on the same lot, provided that the ADU satisfies any of the other criteria listed in (b)-(e) above.
- b. **Replacement parking.** Replacement parking is not required if an existing garage, carport or surface space serving as the required parking for the primary dwelling unit is demolished or converted in conjunction with the construction or conversion of an ADU.
- c. **Driveway access.** An ADU shall share the driveway with the existing primary residence on the site. A second driveway shall only be allowed from an alley when replacement parking is required, if there is an alley that serves the subject site.

**E. Standards Applicable to Junior ADUs.**

1. **Zoning.** Junior ADUs are permitted in zoning districts that permit residential uses on sites which contain at least one proposed or existing single-family dwelling.
2. **Development standards.**
  - a. A Junior ADU shall be located within the proposed space of a single-family dwelling or existing space of a single-family dwelling including, but not limited to, an attached garage and other non-habitable space.

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- b. No setbacks are required, except for fire safety, if an existing structure, or a portion thereof, is converted into a Junior ADU.
  - c. If an existing structure is demolished as part of the conversion of said structure to a Junior ADU, the Junior ADU shall be constructed in the same location and with the same dimensions and height as the existing structure.
  - d. A Junior ADU shall have exterior access from the proposed or existing single-family dwelling.
  - e. Maximum unit size for a Junior ADU is 500 square feet. The gross floor area may be measured as defined per Title 17, Article 8 of this Code or California Building Code, whichever method is preferred by the applicant.
  - f. A Junior ADU is required to include an efficiency kitchen, which shall consist of a cooking facility with appliances, a food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit, and a separate entrance, and may include separate sanitation facilities, or may share sanitation facilities with the existing structure. If the sanitation facilities are shared with the primary dwelling, the Junior ADU must include an interior entry to the main living area of the primary unit to access the shared sanitation facilities.
  - ~~g. **Windows on Upper Floors for Non-Exempt ADUs:** New second story windows shall be prohibited along the interior side and rear lot lines for all non-exemption Junior ADUs when the proposed setback is less than five feet, unless required by the Building Code for ingress or egress. When the Building Code requires windows, they shall be opaque or clerestory windows. If the side or rear lot lines abut an alley with a minimum width of 20 feet, second story windows may be allowed on the façade facing the alley.~~
3. **Owner Occupancy.** For Junior ADUs which share a sanitation facility, either the primary unit or the Junior ADU shall be owner-occupied. Owner-occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization.
  4. **Short-term rental prohibited.** Any rental term of a Junior ADU that was legally created on or after January 1, 2017 shall be longer than 30 days.
  5. **Recorded covenant for Junior ADUs.** Prior to issuance of a building permit for a Junior ADU which share a sanitation facility, the owner shall record a covenant in a form approved by the city to notify subsequent owners of the requirements of this Section.
  6. **Sale of units.** The Junior ADU may not be sold separately from the existing single-family home unless developed by a qualified nonprofit corporation in accordance with California Government Code Section 66341.

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7. **Replacement parking.** Replacement parking is not required if an existing garage, carport or surface space serving as the required parking for the primary dwelling unit is demolished or converted in conjunction with the construction or conversion of a Junior ADU.
8. **Driveway access.** A Junior ADU unit shall share the driveway with the existing primary residence on the site. A second driveway shall only be allowed from an alley, if there is an alley that serves the subject site.

**F. Building and Zoning Enforcement:**

1. The correction of nonconforming zoning conditions on the property shall not be required as a condition for ministerial approval of a permit application for the creation of an ADU or a Junior ADU.
2. ADUs or Junior ADUs constructed before January 1, 2020:
  - a. The City shall not deny a permit if the ADU or Junior ADU is in violation of Division 13, Chapter 5, Article 1, commencing with Section 17960 of the Health and Safety Code, does not comply with Article 3, Section 66333 of the California Government Code or with any provision of this Title.
  - b. The City may deny a permit if the City makes a finding that correcting the violation is necessary to comply with the standards specified in Section 17920.3 of the Health and Safety Code.

### 17.50.320 - Temporary Uses

#### A. Exempt Uses:

1. City facilities. Temporary activities conducted at City Hall or other City facilities including the Rose Bowl and City parks.
2. City authorized events. Temporary activities that have been granted a Special Events Permit or has been authorized by the Director of Public Works.
3. Emergency facilities. Activities associated with emergency public health and safety needs.
4. Filming Permits. Activities associated with a Filming Permit issued in compliance with Section 17.61.090.

#### B. All Temporary Uses. Unless stated otherwise, all temporary uses listed shall comply with the following:

1. Where allowed. Shall be limited to non-residentially zoned and used properties.
2. Location. Shall not occupy any disabled parking spaces and access walkways, required landscaped areas and loading spaces.
3. Duration. Shall be permitted on a per property or site basis, not on a per business basis.
4. Site cleanup. All associated structures, equipment, materials, merchandise, trash, or any other evidence of the temporary use shall be removed from the site within 24 hours of the actual termination of the temporary use or as specified by a Temporary Use Permit.
5. Amplified sound. A Temporary Use Permit, issued in compliance with Section 17.61.040, shall be required.
6. Uses that do not fall within the categories defined below shall comply with the use and development regulations and land use permit review provisions that otherwise apply to the property.
7. Other permits required. Temporary uses may be subject to additional licenses, inspections or permits required by applicable local, State, or Federal requirements.

#### C. Car Washes. Shall comply with the following:

1. Shall be conducted by a qualifying sponsoring organization including educational, fraternal, religious, or service organizations directly engaged in civic or charitable efforts, or to tax exempt organizations in compliance with 501(c) of the Federal Internal Revenue Code.
2. Duration and Frequency. Shall not exceed 72 hours for each event and a maximum of four times per calendar year.

#### D. Construction Yards. Shall be in conjunction with an approved construction project. Shall comply with the following:

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1. On site. Construction yard is located on the project site.
    - a. Duration. Shall be removed immediately upon completion of the construction project, or the expiration of the companion Building Permit authorizing the construction project, whichever occurs first.
  2. Off site. Construction yard is located on a different site.
    - a. Duration. Shall be removed within 24 months of issuance of a Temporary Use Permit, immediately upon completion of the construction project, or the expiration of the companion Building Permit authorizing the construction project, whichever occurs first.
    - b. Temporary Use Permit. A Temporary Use Permit, issued in compliance with Section 17.61.040, shall be required.
- E. **Model Homes or Real Estate Offices.** Shall be in conjunction with an approved residential or non-residential construction project on the same site, solely for the sale of residential units. Shall comply with the following:
1. Duration. Shall be removed within 24 months of issuance of a Temporary Use Permit or immediately after the sale of the final residential unit, whichever occurs first.
  2. Temporary Use Permit. A Temporary Use Permit, issued in compliance with Section 17.61.040, shall be required.
- F. **Outdoor Events.** Includes amusement rides, animal shows, arts and crafts exhibits, auctions, business celebrations, carnivals, car/vehicle shows, circuses, concerts, entertainment activities, fairs, farmers' markets, festivals, flea markets, food events, outdoor assembly, rodeos, sporting events, swap meets, and other similar events. Shall comply with the following:
1. Duration:
    - a. Flea markets and swap meets. A maximum of one day per month per calendar year.
    - b. Farmers' markets. A maximum of one day per week per calendar year.
    - c. All other events. A maximum of four events per calendar year, provided the cumulative number of days for all the events does not exceed 12 days per calendar year.
  2. Temporary Use Permit. A Temporary Use Permit, issued in compliance with Section 17.61.040, shall be required.
- G. **Outdoor Sales.** Includes the temporary sale and promotion of merchandise, products, or services associated with a specific business located on the subject site. Shall comply with the following:
1. Authorization. For multitenant centers, if parking spaces are removed, all businesses sharing the parking lot shall consent to the sales event in writing.
  2. Size. Shall not exceed 25 percent of the parking lot. May also occupy other areas of the site.

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3. Location. For multitenant centers, the business shall have an exterior entrance and the area shall be adjacent to the business space.
4. Duration. Shall not exceed four sales events per calendar year, provided the cumulative number of days for all the sales events does not exceed 12 days.

H. **Seasonal Merchandise Sales.** Shall comply with the following:

1. Small scale. Shall be limited to merchandise for holidays such as Valentine's Day, Easter Sunday, Mother's Day and New Year's Day.
  - a. Size. Shall not exceed 200 square feet.
  - b. Duration. Shall not exceed two, two-day sales events per calendar year. The hours of operation shall be limited to 7:00 a.m. to 10:00 p.m. daily.
  - c. ~~Temporary Use Permit. A Temporary Use Permit, issued in compliance with Section 17.61.040, shall be required.~~
2. General. Includes Christmas tree lots, pumpkin patches, and sale of other seasonal merchandise.
  - a. Duration. Shall not exceed 45 consecutive days; a maximum of two time per calendar year. The hours of operation shall be limited to 7:00 a.m. to 10:00 p.m. daily.
  - b. Temporary Use Permit. A Temporary Use Permit, issued in compliance with Section 17.61.040, shall be required.

I. **Structures.** Includes temporary classrooms, offices, work trailers, manufactured or mobile units, or similar portable structures as an accessory use with a proposed residential or non-residential construction project on the same site. Shall comply with the following:

1. Duration. Shall be removed within 24 months or immediately upon completion of the construction project, or the expiration of the companion Building Permit authorizing the construction project, whichever occurs first.
2. Temporary Use Permit. A Temporary Use Permit, issued in compliance with Section 17.61.040, shall be required.

J. **Tents.** Shall comply with the following:

1. Size. Shall not exceed 800 square feet.
2. Duration. Shall not exceed 48 hours at a time. For residential uses, a maximum two times per calendar year. For non-residential uses, a maximum 12 times per calendar year.
3. Temporary Use Permit. A Temporary Use Permit, issued in compliance with Section 17.61.040, shall be required if any of the above standards are not met.

K. **Other Temporary Uses.** Similar temporary uses which, in the opinion of the Zoning Administrator, are compatible with the zoning district and surrounding land uses and are necessary because of unusual or unique circumstances beyond the control

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of the applicant. A Temporary Use Permit, issued in compliance with Section 17.61.040, shall be required.

**17.80.020 Definitions**

[. . .]

**D. Definitions, "D."**

**Day/Health Spa.** Any premises, place of business or membership club providing facilities devoted especially to health, beauty, and relaxation that deals with the cosmetic, therapeutic, and/or holistic treatments, where people visit for professionally administered personal care treatments. A medical spa shall be classified as a Medical Office land use.

**dBA.** A number in decibels read from a sound level meter with the meter switched to the weighting scale "A."

**Decision.** An action in compliance with this Zoning Code, including Tentative Tract or Parcel Maps, Certificates of Appropriateness, Conditional Use Permits, Hillside Development Permits, Lot Line Adjustments, Home Occupation Permits, Zoning Administrator Interpretations, Design Review, Variances, and Personal Property Sales Permits. Any combined application shall be treated as a single decision.

**Density.** The number of dwelling units on a lot in relation to the lot size, expressed in units per acre. If a street dedication is required, density shall be calculated using the size of the lot prior to the street dedication.

**Density Bonus.** A density increase of at least 25 percent over the otherwise maximum allowable residential density established by this Zoning Code and in the Land Use Element of the Comprehensive General Plan as of the date of application by the developer.

**Department.** The City of Pasadena's Planning and Development Department, referred to in this Zoning Code as the "Department."

**Detention Facility (land use).** A facility providing housing, care, and supervision for persons confined by law under the direction and control of any law enforcement agency including the California State Department of Corrections and the U.S. Immigration and Naturalization Service.

**Developer.** Any association, corporation, firm, joint venture, partnership, person, or any entity or combination of entities, which seeks City approvals for all or part of a development project.

**Development.** Any construction activity or alteration of the landscape, its terrain contour or vegetation, including the erection or alteration of structures. New development is any construction, or alteration of an existing structure or land use, or establishment of a land use, after the effective date of this Zoning Code.

**Development Agreement.** An agreement between the City and a developer in compliance with Government Code Section 65864 and Chapter 17.66 (Development Agreements) of this Zoning Code.

**Dining Area.** See "Area, Dining."

**Director.** The City of Pasadena Director of Planning and Development, referred to in this Zoning Code as the "Director."

**Disability.** With respect to a person:

1. A physical or mental impairment that substantially limits one or more of the person's major life activities;
2. A record of having an impairment as described in Subsection 1. above; or
3. Being regarded as having an impairment, but the term does not include current illegal use of, or addiction to, a controlled substance.

The foregoing and related terms shall be interpreted in a manner consistent with the same or similar terms set forth in Code of Federal Regulations (CFR) Title 28, Section 35.104, as amended.

**Dispatch Facility.** See "Transportation Dispatch Facility."

**Discretionary Approval.** Any approval or entitlement granted in compliance with this Zoning Code that requires the exercise of discretion, including the ability of the review authority to impose conditions of approval. The types of discretionary approvals required by the City can include an Adjustment Permit, Conditional Use Permit, Certificate of Appropriateness, Design Review, Expressive Use Permit, Filming Permit, Hillside Development Permit, Landmark Designation, Subdivision Map, Sign Exception, Temporary Use Permit, and Variance.

**Distribution Line.** An electric power line bringing power from a distribution substation to consumers.

**District, or Subdistrict.** See "Zoning District."

**Donation Collection Facilities.** A bin used for the collection of donated materials, including household goods and clothing. Such facilities are not regularly staffed with employees. Any such facility that is regularly staffed with employees shall be classified as a charitable institution.

**Dormitory (land use).** A building used as group living quarters for a student body or religious order as an accessory use for a college, university, boarding school, convent, monastery or other similar public, semi-public use.

**Drive-Through Businesses (land use).** An establishment that sells products or provides services to occupants in vehicles, including drive-in or drive-up windows and drive-through services.

1. **Drive-Through Businesses, Non-Restaurants.** A drive-through business that serves a use not related to a restaurant, fast food restaurant or formula fast food restaurant. This use includes the operation of drive-up or a drive-through service at a bank or financial institution, food sales (for off-site preparation or consumption only), personal services, and retail sales (e.g., pharmacy).

2. **Drive-Through Businesses, Restaurants.** A drive-through business that operates in conjunction with a restaurant, fast food restaurant or formula fast food restaurant.

**Dwelling Unit.** One or more rooms with no more than one kitchen, designed for occupancy by one family or single housekeeping unit for living and sleeping purposes, with all habitable rooms (i.e., a room for living, sleeping, eating or cooking ~~except an attached garage or carport~~) accessible from the interior of the dwelling unit.

[. . .]

F. **Definitions, "F."**

**Family.** Two or more persons living together as a single housekeeping unit in a dwelling unit. This term does not include a boarding house. Also see "Single Housekeeping Unit."

**Farmers' Markets (land use).** An outdoor market certified for direct retail sales by farms to the public by the State or County Agricultural Commission under California Code of Regulations Title 3, Chapter 3, Article 6.5.

**Feasible.** Capable of being accomplished in a successful manner within a reasonable period of time taking into account economic, environmental, social and technological factors.

**Filming, Long-Term (land use).** Commercial motion picture filming, videotaping and professional photography at the same location more than six days per quarter of a calendar year in residential and public, semipublic districts or more than 15 days per quarter of a calendar year in all other zoning districts.

**Filming, Short-Term (land use).** Commercial motion picture filming, videotaping or professional photographing at the same location six or fewer days per quarter of a calendar year and up to 24 days of a calendar year in residential and public, semipublic districts or 15 days or fewer per quarter of a calendar year and up to 60 days of a calendar year in all other zoning districts.

**Film Liaison.** The person designated to perform the duties prescribed by this Zoning Code relating to the regulation of commercial filming.

**Firearm Sales (land use).** The retail sale of firearms or ammunition by a firearms dealer, whether it is the principal sales item or incidental to the overall sales. This use includes firearms dealers that transfer and lease any firearms.

**Floor Area, Gross.**

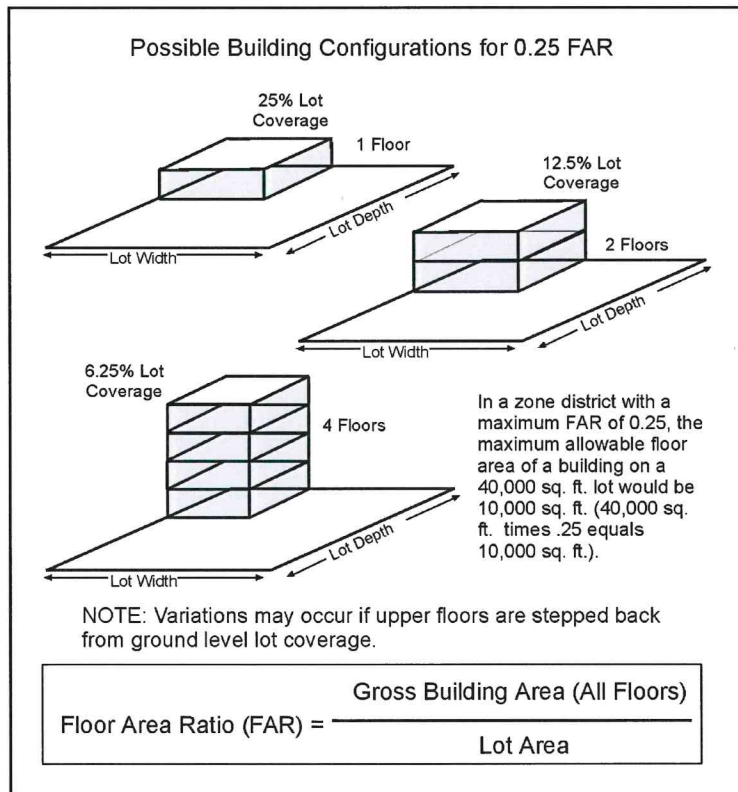
1. For projects subject to the RS and RM-12 development standards, "gross floor area" means the floor area between the floor and roof above it, as measured from the outside edge of the exterior walls of the main structure and all accessory structures, including ~~required~~ parking (either garage or carport). Any portion of a structure, including stairwells, over 17 feet in interior height, is counted twice for purposes of computing floor area. For flag lots, see 17.40.050 D (Development standards for flag lots).

Exhibit 6

- In all other districts, "gross floor area" means the total enclosed area of all floors of a building measured to the inside face of the exterior walls including halls, stairways, elevator shafts at each floor level, service and mechanical equipment rooms and basement or attic areas having a height of more than seven feet, but excluding area used exclusively for vehicle parking or loading.

**Floor Area, Net.** The total floor area of a structure, but excluding garages, hallways, lobbies, elevators and other common spaces.

**Floor Area Ratio (FAR).** The numerical value obtained by dividing the aboveground gross floor area of a building or buildings located on a lot by the total area of the lot. If a street dedication is required, the calculation shall be based on the total area of the lot before the street dedication. For projects subject to the RS and RM-12 development standards, vehicular easements (excluding easements for utility purposes), private streets and the pole portion of flag lots shall be excluded from the calculation of lot area. See Figure 8-1.



**Figure 8-1 - Floor Area Ratio**

**Food Sales (land use).** The retail sale of food and beverages for off-site preparation or consumption. This use may also include bakeries and the provision of other services (e.g., banks, copy services, dry cleaners, film processing, food take-outs, pharmacies, video rentals, etc.) under one roof. The use shall be classified as a convenience store if it is 3,500 square feet or less.

**Fraternity, Sorority (land use).** A building containing sleeping rooms, bathrooms, common rooms, and a central kitchen and dining room maintained exclusively for members and their guests or visitors and affiliated with a college or university.

## Exhibit 6

**Front Footage of Building Occupancy.** The single linear dimension measured at the ground floor along a building frontage that defines the limits of the particular occupancy at that location. The linear dimension does not include overhangs, porches, etc.

**Frontage, Building.** The side or face of the building which is parallel to or is at an angle of 45 degrees or less to a public street or a public parking area.

**Frontage, Street or Highway.** The portion of a lot that borders and has access to a public street, highway or parkway. The frontage shall be measured along the common lot line separating the lot from the public street, highway or parkway.

**Fueling Position.** A space where vehicles can be fueled from an operable fuel dispenser.

## ATTACHMENT A

### FINDINGS FOR PASADENA MUNICIPAL CODE AND SOUTH FAIR OAKS SPECIFIC PLAN AMENDMENTS

Prior to the approval of Amendments to the Pasadena Municipal Code, the following findings must be made:

**1. *The proposed Amendments are in conformance with the goals, policies and objectives of the General Plan, and other adopted goals and policies of the City.***

The proposed Amendments relate to the following: 1) Parade grandstands; 2) Medical Uses in the “Mixed-Use Neighborhood” (MU-N) zoning district in the South Fair Oaks (SFO) Specific Plan; 3) Walls/Fences; and 4) Miscellaneous Updates on Accessory Dwelling Units, Temporary Uses and Definitions. They implement numerous goals, policies and programs of the General Plan Land Use Element including the following:

- *Land Use Element Guiding Principle 3. Pasadena will be an economically vital city by providing jobs, services, revenues, and opportunities. A diverse economic base with jobs for Pasadena residents will be fostered; existing businesses will be encouraged to stay or expand; affordable housing will be provided for the labor pool; the continued fiscal health of the city will be ensured (Items 1, 2 & 4).*
- *Land Use Element Guiding Principle 6. Pasadena will be a cultural, scientific, corporate, entertainment and education center for the region. Long-term growth opportunities will be provided for existing institutions; a healthy economy will be fostered to attract new cultural, scientific, corporate, entertainment and educational institutions (Items 1 & 2).*
- *Land Use Element Goal 14. Visitors. Pasadena is a major destination for tourists from throughout the world to celebrate its events, culture, history, and setting (Item 1).*
- *Land Use Element Goal 22. Single-Family Neighborhoods. Distinct and quality single-family residential neighborhoods distinguished by their identity, scale, and character (Item 3).*
- *Land Use Element Implementation Plan Program B1 – Zoning Ordinance. Review and amend the Zoning Code standards and regulations to achieve consistency with the General Plan’s Land Use Diagram and goals and policies (Items 1, 2, 3 & 4).*
- *Housing Element Program 11 – Alternative Housing Opportunities – Review the current ADU standards and review process and evaluate how best to amend the Zoning Code to reflect State law while maintaining the character and quality of residential neighborhoods (Item 4).*

As note, the Amendments include adding medical offices as a by-right use in the MU-N zoning district in the SFO Specific Plan. This area includes several multi-story medical office buildings, which are now considered legal non-conforming. Omitting

medical uses in this zone was found to be an oversight when the SFO Specific Plan was adopted because the zone is close to Huntington Hospital and medical offices are permitted in all other similar zones throughout the City. Adding medical offices as a by-right use would benefit existing businesses in the area, provide jobs and foster economic development.

The other Amendments are considered minor in nature – they provide additional time to construct parade grandstands, clarify standards for walls/fences, allow barrier systems attached at the top of walls/fences in single-family zones, and complete “clean-ups” and technical changes for Accessory Dwelling Units, Temporary Uses and the Dwelling Unit Definition. These Amendments will ensure proper and consistent application of Zoning Code development standards and permitting procedures.

**2. *The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.***

The proposed amendments include adding medical offices as a by-right use in the MU-N zoning district in the SFO Specific Plan. Office uses are typically permitted by-right in commercial and mixed-use zoning codes, as they have lower impacts compared to other nonresidential uses (e.g., traffic, noise, service needs impacts, etc.). The other Amendments are considered minor in nature - they provide additional time to construct parade grandstands, clarify standards for walls/fences, allow barrier systems attached at the top of walls/fences in single-family zones, and complete “clean-ups” and technical changes for Accessory Dwelling Units, Temporary Uses and the Dwelling Unit Definition. These Amendments will ensure proper and consistent application of Zoning Code development standards and permitting procedures.

Prior to the approval of Amendments to the South Fair Oaks Specific Plan, the following finding must be made:

**1. *The proposed amendment is in conformance with the goals, policies and objectives of the General Plan, and other adopted goals and policies of the City.***

The proposed Amendment will add medical offices as a by-right use in the MU-N zoning district in the SFO Specific Plan. It will implement numerous goals, policies and programs of the General Plan Land Use Element including the following:

- *Guiding Principle 3. Pasadena will be an economically vital city by providing jobs, services, revenues, and opportunities. A diverse economic base with jobs for Pasadena residents will be fostered; existing businesses will be encouraged to stay or expand; affordable housing will be provided for the labor pool; the continued fiscal health of the city will be ensured.*
- *Guiding Principle 6. Pasadena will be a cultural, scientific, corporate, entertainment and education center for the region. Long-term growth*

## Attachment A

*opportunities will be provided for existing institutions; a healthy economy will be fostered to attract new cultural, scientific, corporate, entertainment and educational institutions.*

- *Implementation Plan Program B1 – Zoning Ordinance. Review and amend the Zoning Code standards and regulations to achieve consistency with the General Plan’s Land Use Diagram and goals and policies.”*

The SFO Specific Plan vision calls for the area to be a “creative, innovative and health-oriented mixed-use district that provides multi-family housing, neighborhood-serving amenities, medical services and educational and employment opportunities...” Major anchors of the area include Huntington Hospital, Keck USC, ArtCenter South Campus and the Fillmore A Line Metro Station. The proposed Amendment is consistent with numerous goals, policies and programs of the SFO Specific Plan including the following:

*Vision Concept and Plan Vision for the MU-N zoning district:*

- *Allow maximum housing and commercial flexibility to support eclectic character and incentivize housing.*
- *Create a mixed-use activity center near high-frequency transit that accommodates a diverse range of retail and services, prioritizing housing opportunities where people can walk to shop, restaurants, jobs and schools.*
- *Support projects that are entirely commercial, entirely residential, or a mix of the two, integrated either horizontally or vertically.*

The MU-N zoning district includes several multi-story medical office buildings, which are now considered legal non-conforming. Omitting medical uses in this zone was found to be an oversight when the SFO Specific Plan was adopted because the zone is close to Huntington Hospital and medical offices are permitted in all other similar zones throughout the City. Adding medical offices as a by-right use would benefit existing businesses in the area, provide jobs and foster economic development.