



**CITY OF SOUTH PASADENA  
PLANNING COMMISSION**

**AGENDA  
REGULAR MEETING  
TUESDAY, DECEMBER 13, 2022 AT 6:30 P.M.**

**CITY COUNCIL CHAMBERS  
1424 MISSION STREET, SOUTH PASADENA, CA 91030**

**South Pasadena Planning Commission Statement of Civility**

*As your appointed governing board we will treat each other, members of the public, and city employees with patience, civility and courtesy as a model of the same behavior we wish to reflect in South Pasadena for the conduct of all city business and community participation. The decisions made tonight will be for the benefit of the South Pasadena community and not for personal gain.*

**NOTICE ON PUBLIC PARTICIPATION & ACCESSIBILITY**

The South Pasadena Planning Commission Meeting will be conducted in-person from the Council Chambers, Amedee O. "Dick" Richards, Jr., located at 1424 Mission Street, South Pasadena. Pursuant to AB 361 Government Code Section 54953, subdivision (e) (3), the Planning Commission may conduct its meetings remotely and may be held via video conference.

The Meeting will be available:

- In Person Hybrid – City Council Chambers, 1424 Mission Street, South Pasadena
- Via Zoom: <https://us02web.zoom.us/j/83530439651> **Meeting ID: 8353 043 9651**

To maximize public safety while still maintaining transparency and public access, members of the public can observe the meeting via Zoom in the following methods below.

- Go to the Zoom website, <https://Zoom.us/join> and enter the Zoom meeting information; or
- Click on the following unique Zoom meeting link:  
<https://us02web.zoom.us/j/83530439651>

**CALL TO ORDER:** Chair John Lesak

**ROLL CALL:** Chair John Lesak  
Vice-Chair Laura Dahl  
Commissioner Amitabh Barthakur  
Commissioner Janet Braun  
Commissioner Lisa Padilla

**COUNCIL LIAISON:** Councilmember Diana Mahmud

**APPROVAL OF AGENDA**  
Majority vote of the Commission to proceed with Commission business.

**DISCLOSURE OF SITE VISITS AND EX-PARTE CONTACTS**  
Disclosure by Commissioners of site visits and ex-parte contact for items on the agenda.

**PUBLIC COMMENT GUIDELINES** (Public Comments are limited to 3 minutes)

The Planning Commission welcomes public input. If you would like to comment on an agenda item, members of the public may participate by one of the following options:

Option 1:  
Participate in-person at the City Council Chambers, 1424 Mission Street, South Pasadena.

Option 2:  
Participants will be able to “raise their hand” using the Zoom icon during the meeting, and they will have their microphone un-muted during comment portions of the agenda to speak for up to 3 minutes per item.

Option 3:  
Email public comment(s) to [PlanningComments@southpasadenaca.gov](mailto:PlanningComments@southpasadenaca.gov). Public Comments received in writing will not be read aloud at the meeting, but will be part of the meeting record. Written public comments will be uploaded online for public viewing under Additional Documents. There is no word limit on emailed Public Comment(s). Please make sure to indicate:

- 1) Name (optional), and
- 2) Agenda item you are submitting public comment on, and
- 3) Submit by no later than 12:00 p.m., on the day of the Planning Commission meeting.

NOTE: Pursuant to State law, the Planning Commission may not discuss or take action on issues not on the meeting agenda, except that members of the Planning Commission or staff may briefly respond to statements made or questions posed by persons exercising public testimony rights (Government Code Section 54954.2). Staff may be asked to follow up on such items.

**PUBLIC COMMENT**

1. **Public Comment – General (Non-Agenda Items)**

**CONSENT CALENDAR ITEM**

2. **Minutes from the Regular Meeting of March 8, 2022**

**PUBLIC HEARING**

3. **PROPOSED ZONING TEXT AMENDMENTS** – The Planning Commission will review and make a recommendation to the City Council to amend Chapter 36 (Zoning) of South Pasadena Municipal Code to adopt standards that will implement certain programs included in the 4<sup>th</sup> Draft General Plan Housing Element in order to achieve consistency with State law and remove requirements that may impose constraints on housing development. On November 9, 2022, the City Council initiated this application through a resolution of intention. Topics for amendment include emergency shelters, transitional housing, low-barrier navigation centers, density increase for mid-size projects (SB 478), allowing mixed-use housing as a permitted use in commercial zones, and a parking exemption for qualifying land uses adjacent to transit stops (AB 2097).

The proposed Code amendments are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines § 15061(b)(3), which states the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

**Recommendation:**

Recommend that the Planning Commission adopt a resolution recommending amending Chapter 36 (Zoning) of South Pasadena Municipal Code to the City Council.

**ADMINISTRATION**

- 4. Comments from City Council Liaison
- 5. Comments from Planning Commissioners
- 6. Comments from Staff

**ADJOURNMENT**

- 7. Adjourn to the Regular Planning Commission meeting scheduled for January 10, 2023.

**PUBLIC ACCESS TO AGENDA DOCUMENTS AND BROADCASTING OF MEETINGS**

Planning Commission meeting agenda packets are available online at the City website: <https://www.southpasadenaca.gov/government/boards-commissions/planning-commission/test-planning-commission-agendas-minutes-copy>

**AGENDA NOTIFICATION SUBSCRIPTION**

Individuals can be placed on an email notification list to receive forthcoming agendas by emailing [CityClerk@southpasadenaca.gov](mailto:CityClerk@southpasadenaca.gov) or calling the City Clerk's Division at (626) 403-7230.

**ACCOMMODATIONS**



The City of South Pasadena wishes to make all of its public meetings accessible to the public. If special assistance is needed to participate in this meeting, please contact the City Clerk's Division at (626) 403-7230. Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities. Notification at least 48 hours prior to the meeting will assist staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting (28 CFR 35.102-35.104 ADA Title II).

*I declare under penalty of perjury that I posted this notice of agenda on the bulletin board in the courtyard of City Hall at 1414 Mission Street, South Pasadena, CA 91030, and on the City's website as required by law.*

12/8/2022

Date

*matt chang*

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Matt Chang, Planning Manager



**CITY OF SOUTH PASADENA  
Planning Commission  
Meeting Minutes  
Tuesday, March 8, 2022, 6:30 PM**

**Via Zoom Teleconference**

**CALL TO ORDER**

A scheduled meeting of the South Pasadena Planning Commission was called to order by Chair Lesak on Tuesday, March 8, 2022 at 6:31 p.m. The meeting was held Via Zoom.

**ROLL CALL**

**Present:** Chair: John Lesak  
Vice-Chair: Lisa Padilla  
Commissioners: Amitabh Barthakur, Janet Braun, Laura Dahl

**City Staff**

**Present:** Angelica Frausto-Lupo, Community Development Director  
Margaret Lin, Deputy Community Development Director  
Matt Chang, Planning Manager  
City Attorney Office – Andrew Jared and Ephraim Margolin

**Council**

**Present:** Council Liaison: Diana Mahmud

**PUBLIC COMMENT**

**1. Public Comment General – General (Non-Agenda Items)**

Mr. Josh Albrektson provided public comment in writing, inquiring as to the timing of the draft of the Housing Element and accompanying documentation.

**PUBLIC HEARING**

- 2. 1507 Garfield Avenue, Project No. 2391-CUP – Conditional Use Permit to allow the establishment and operation of a preschool and an afterschool program at the existing Oneonta Congregational Church (APN: 5321-005-032):**

Recommendation:

Continue to a future Planning Commission meeting date to be determined.

Staff Presentation:

Planning Manager Chang reported that although this item was originally scheduled for this Planning Commission meeting, additional staff analysis needs to be conducted before the item is ready. Staff requests the Commission continue this item to a future meeting date to be determined.

**Chair Lesak made a motion to continue** this item to a future Planning Commission meeting date to be determined.

Vice-Chair Padilla seconded the motion.

Chair Lesak asked for Roll Call.

**AYES: LESAK, PADILLA, BRAUN, BARTHAKUR, DAHL**  
**NOES: NONE**  
**ABSENT: NONE**  
**ABSTAIN: NONE**

Motion carried, 5-0

**PRESENTATION**

**3. Housing Legislation Presentation**

City Attorney Jared introduced the briefing of the newly-updated Housing Accountability Act (HAA) and the Housing Crisis Act (HCA) and, in particular, the importance of the five-hearings rule under the HAA.

Deputy City Attorney Margolin presented a PowerPoint presentation titled *Housing Legislation Presentation, Housing Crisis Act*, focused on the HAA and the HCA.

Commissioner Discussion:

The Commissioners commenced a robust, in-depth discussion of the objective design standards, including the timing of when the design standards would apply to a project and consideration of objective standards outside of the Specific Plan because of the many sites identified in the Housing Element that are not in the Specific Plan which standards must be objective.

Commissioner Barthakur and Deputy City Attorney Margolin discussed the objective design standard issue as presented in the City of San Diego example provided in the presentation which demonstrated that if the project is seeking or using the State Density Bonus Law, there could be concessions to those design standards and unless the City has made a specific finding as to the impact of those concessions.

Commissioner Dahl remarked on the enormous staff pressure, perhaps meaning more staff or a different structure. City Attorney Jared concurred. She expressed concern that projects would be kept from coming to a hearing because of multiple staff reviews to make sure that the Planning Commission is able to review them in one or two meetings because of the five-hearings limit.

She also suggested consideration of more joint meetings in order to stay under the five-hearings limit – whether it's the Planning Commission and Design Review Board if a project needs both, or the Planning Commission and City Council.

Council Liaison Mahmud commented that the suggestion of joint meetings could be feasible if it involved the Design Review Board and Planning Commission, but would not be feasible between City Council and the Planning Commission because the City Council serves as an appellate body in the event of an appeal from the Planning Commission. City Attorney Jared confirmed.

Vice-Chair Padilla remarked that the California Department of Housing and Community Development (HCD) has a document on objective design standards which is a good primer that may be helpful for Commissioners. It provides an overview of what is objective and gives a lot of examples of what is measurable. It basically has to be measurable so that if you ask any two people, they come to the same conclusion.

Commissioner Barthakur requested clarification of the applicability to single dwelling units among both bills and asked when they do or do not apply. Deputy City Attorney Margolin explained and clarified when the HAA would apply.

Chair Lesak, Deputy City Attorney Margolin and City Attorney Jared discussed the five-hearings limit and clarified the distinction between an informational meeting and a hearing, and whether the five-hearings limit applies only to the housing pieces of the development of mixed-use developments.

Council Liaison Mahmud asked if there are regulations developed by HCD that provide some guidance on this issue. City Attorney Jared was not aware of any, but would research the issue.

Chair Lesak inquired about the development of procedural requirements for both noticing and staff reports to which Director Frausto-Lupo remarked that the staff is reviewing, revising and updating their processes.

Director Frausto-Lupo reported that as part of the Housing Element update, the General Plan update and the Downtown Specific Plan update, there will be a series of Zoning Code amendments that will be required.

Planning Manager Chang elaborated and mentioned that he and Deputy Director Lin met with SCAG and AECOM (consultants with the City) last week to develop the objective design standard guidelines. They will report their progress to the Commission in the future.

## **ADMINISTRATION**

### **4. Comments From City Council Liaison**

Council Liaison Mahmud inquired on behalf of a resident whether or not the Commission had received any SB 9 application. Director Frausto-Lupo responded that they have not received any recently.

### **5. Comments From Planning Commissioners**

Commissioner Dahl invited staff to run Housing Element ideas by the Housing Element subcommittee, consisting of Vice-Chair Padilla and herself, before bringing them back to the full Commission, if that is helpful.

Commissioner Braun inquired about the letter Commissioners received from a resident regarding the construction project next to his home alleging several things and the status of any follow-up. Director Frausto-Lupo replied that the issue referred to had been addressed.

Commissioner Braun asked if there is a list of all the various conditional use permits that have been granted. Deputy Director Lin responded that, unfortunately, currently there is not a list as described by Commissioner Braun.

Chair Lesak requested an advance calendar that would indicate when larger projects were coming for approval to be able to look ahead and see when there would be more rigorous meetings.

### **6. Comments from Staff**

Director Frausto-Lupo provided several updates, including:



an update on the planning case log: There are about 65 discretionary applications that have been distributed amongst the staff. There are 33 ADU applications that are currently being processed.

an update regarding staffing: Staff vacancies are still being filled. Planning Manager Chang started in December and three associate planners started recently. The recruitment just closed for the vacant Assistant Planner position and first interviews will happen very shortly. They are also in the middle of the recruitment for the administrative secretary position. They recently filled the position for a Code Enforcement Officer.

update regarding the Housing Element: In response to the public comment received tonight in writing, in December the comment letter was received from HCD. Staff has been working to respond to those comments. Per state law, it will be out for the public for at least seven days and then will be sent to HCD for another 60-day review.

update re the General Plan: The General Plan and the Downtown Specific Plan are in the works. The General Plan has been reviewed at the staff level and is now with the consultants. The Downtown Specific Plan is still being reviewed at the staff level. It will be sent over to the consultants to incorporate the staff comments.

update regarding SB 9: An urgency ordinance passed in December. Staff is still conducting researching and currently considering transit and proximity to transit to determine how that affects the ordinance. Staff will be coming to the Planning Commission with an ordinance to adopt.

update re upcoming City Council Presentation: On March 16<sup>th</sup> the City Council will receive a presentation on the In-Lieu Fee options. The public and Commission are all encouraged to listen in and participate. After receiving direction from Council, staff will come back to the Planning Commission to proceed on that item.

Lastly, Director Frausto-Lupo reported that the Deputy Director Lin has submitted her resignation. She thanked Margaret for her eight years of service to the City and invited Margaret to address the Commission.

Deputy Director Lin expressed her gratitude for the opportunity to work with the City and the Commission.

Director Frausto-Lupo and all of the Commissioners wished Margaret the best of luck.

**ADJOURNMENT**

7. **Adjournment to the Regular Planning Commission meeting scheduled for April 12, 2022.**

There being no further matters, Chair Lesak adjourned the meeting at 8:20 p.m.

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John Lesak, Chair

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Laura Dahl, Secretary

DRAFT



# Planning Commission Agenda Report

ITEM NO. 3

**DATE:** December 13, 2022

**FROM:** Angelica Frausto-Lupo, Community Development Director

**PREPARED BY:** Elizabeth Bar-El, AICP, Interim Deputy Director, Housing Policy

**SUBJECT:** **Recommendation to City Council to Adopt Proposed Amendments to South Pasadena Municipal Code (SPMC) Chapter 36 (Zoning) Pertaining to Emergency Shelters, Transitional Housing and Low Barrier Navigation Centers, Mixed-use Development Permit Processing, Multi-Family Floor-Area-Ratios (FAR), and Parking Requirements Near Defined Transit Stops for Compliance with Associated State Laws and Draft Housing Element Programs**

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## Recommendation

It is recommended that the Planning Commission adopt a resolution recommending the following zoning text amendments to the City Council:

1. Amend Section 36.350.250 (Emergency Shelters), to revise standards for emergency shelters in compliance with State law;
2. Amend Section 36.220.040 (Residential Zoning District General Development Standards) Table 2-3 to comply with the minimum density and feasible lot coverage for projects of certain sizes as required by State Senate Bill (SB) 478;
3. Amend Section 36.230.030 (Commercial Zoning District Land Uses and Permit Requirements), to permit transitional housing in all zoning districts that permit residential uses and remove the requirement for a conditional use permit (CUP) from mixed-use development and allow as a permitted use;
4. Amend Section 36.310.040 to add provisions for consistency with Assembly Bill (AB) 2097 (removal of minimum parking requirements near transit); and
5. Amend Division 36.700 (Definitions/Glossary), to add a definition of Low Barrier Navigation Center.

## Background

South Pasadena's 6<sup>th</sup> Cycle Housing Element, currently in its fourth draft for review by the State of California Department of Housing and Community Development (HCD), includes a housing plan that will be a roadmap for the City to follow to plan for and encourage more housing units to accommodate all economic and social strata of the

community. This housing plan contains significantly more programs, each with specific goals and timelines, than the 5<sup>th</sup> Cycle Housing Element. The housing plan programs require implementation through policy creation, funding, expedited permit processing, staff-led education and informational initiatives, and other means. In recognition of the challenges ahead, the Council's 5-year Strategic Plan calls for more staff and financial resources to implement the housing element and process project applications more quickly, and the Community Development Department has added and hired six staff positions and has enlisted the help of several temporary planners to complete the policy documents and housing initiatives that the department embarked on three years ago. The State of California monitors Housing Elements for compliance through the Annual Progress Report (APR). The first APR for the 6<sup>th</sup> Cycle Housing Element will be due on April 1, 2023.

The City has now released four drafts of the 6<sup>th</sup> Cycle Housing Element. With each review HCD has reduced its comments, and at this time, the City believes that the Housing Plan (Section 6.8) programs are finalized. Accordingly, the City can already anticipate and commence implementation of draft programs based on their stated timelines, including some that are implemented by amending the Zoning Code in a short time frame. The amendments that are presented herein for Commission consideration are intended to be followed by more zoning code updates in the coming year.

On November 9, 2022, the Council adopted a Resolution of Intention (ROI, Attachment 2) to amend the Zoning Code as recommended in this staff report. Following the adoption of the ROI, staff reviewed the Code and determined that the proposed recommendation is consistent with the Council's expressed intention.

## **Discussion**

The following analysis explains each of the Zoning Code amendments proposed in the draft resolution (Attachment 1):

- Emergency Shelters

Between December 2021 and March 2022, the Los Angeles Homeless Services Authority (LAHSA) undertook its Greater Los Angeles Homeless Count in Service Planning Area (SPA) 3, which includes the City of South Pasadena. The Point in Time (PIT) count in South Pasadena took place in February 2022, and identified a total population of 50 unsheltered persons in the seven census tracts that comprise the City. This represents an increase of 35 individuals from the 2020 PIT count. South Pasadena accounts for 1% of the identified unhoused individuals in SPA 3.

Government Code Section 65583(a)(4) requires local jurisdictions to identify zoning districts where emergency shelters are allowed as a permitted use, and with sufficient capacity to accommodate the need, which is determined by the County's data from the PIT Count. South Pasadena does not currently have an emergency shelter within its boundaries.

Currently, emergency shelters are permitted in the Business Park (BP) zoning district (SPMC Section 36.230.030, Table 2-4). The BP district will be proposed in the new General Plan to become part of the “Ostrich Farm District,” a mixed-use area to accommodate housing and commercial uses. This district will continue to be an appropriate location for a potential emergency shelter to satisfy State law requirements for a by-right location for emergency shelters.

In addition to identifying a by-right zoning district that accommodates emergency shelters, the statute allows local governments to identify zones where emergency shelters are allowed with a conditional use permit (CUP). The proposed Ostrich Farm mixed-use district includes many sites identified in the Housing Element for potential residential development. In order to broaden the options and provide more possibilities for locating an emergency shelter near transportation access, it is proposed to amend Table 2-4 to allow emergency shelters in the Commercial General (CG) district with approval of a CUP. The CG district includes parcels adjacent to the BP district, parts of Fair Oaks Avenue that will be included in the Downtown Specific Plan (DTSP) and commercial centers on Huntington Drive. This area also contains many parcels identified in the draft Housing Element for potential residential development, and the CUP process is recommended to ensure that an emergency shelter application would be designed and approved with conditions to ensure its compatibility with the evolving area.

The proposed amendments to the Specific Use Regulations (SPMC Section 36.350.250) will allow the maximum capacity of a shelter to accommodate up to 50 beds, rather than the maximum of 12 in the current Code. The larger shelter size is proposed in order to accommodate the need for shelter beds, as identified in the PIT count. A citywide capon shelter beds, and the location requirement, (Sub-section B.1), which requires a distance of 300 feet from other shelters and certain uses, are also proposed to be removed as both of these provisions are no longer allowed by State law.

In addition, it is proposed to amend the parking standard for this use to require *“One space per employee based on a plan submitted with the project application, with a minimum of two spaces, unless otherwise exempt from providing parking by State law.”* Currently, the Code requires one space per employee and one space per each four beds or one-half space per bedroom of a family unit with children plus up to five visitor spaces for service providers. Requiring parking for anything except employees is not consistent with current State law. The proposed language also notes that parking is not required if exempted by State law, such as recent legislation that precludes minimum parking requirements for properties defined as being close to transit (further discussed below).

- Transitional Housing/Low Barrier Navigation Centers in Commercial Zoning Districts: Provisions to Allow and Define

Housing legislation adopted by the State of California in recent years has followed a strategy to reduce the cost burden on production of all different types of residential projects, often through requiring streamlined local permit approval and CEQA waivers. AB101, which was signed into law on July 31, 2019, supports the production of Low

Barrier Navigation Centers by requiring the use to be permitted *"by right, as defined, in areas zoned for mixed uses and nonresidential zones permitting multifamily uses if it meets specified requirements."* Low Barrier Navigation Centers actively accommodate individuals experiencing homelessness by including features that often prevent them from utilizing transitional housing. These features might include, for instance, allowing pets, providing storage lockers, ensuring privacy through the use of partitions in dormitory rooms or private rooms, or providing other solutions to the obstacles that keep people from seeking the help they need. By lowering the barriers to entry, these centers help people to find the programs and benefits that can help lift them out of their current situations and successfully move into permanent housing.

To incorporate AB101 into South Pasadena's Zoning Code, it is proposed to add the use, to SPMC Section 36.230.030, Table 2-4, as a permitted use in the Commercial Office (CO), Commercial General (CG) and Business Park (BP) zoning districts, along with other transitional and supportive housing, which are already permitted uses in residential zoning districts. In addition, the following definition is proposed to be added to SPMC Section 36.700 for Low Barrier Navigation Center:

*"A service-enriched facility focused on moving people into permanent housing that may or may not provide on-site temporary living accommodations, and where case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. "Low Barrier" means best practices to reduce barriers to entry."*

- Multi-Family Residential District Standards: Increase FAR for Mid-size Projects (SB 478)

The governor signed SB478 into law on September 28, 2021. This law focuses on mid-size residential projects in multi-family residential zones, such as South Pasadena's RM (Residential Medium Density) and RH (Residential High Density) zoning districts, prohibiting the City from imposing a floor area ratio (FAR) standard that is less than 1.0 on a housing development project that consists of 3 to 7 units, or less than 1.25 on a housing development project that consists of 8 to 10 units. The law also prohibits imposing a lot coverage requirement that would physically preclude a housing development project from achieving the maximum allowable FAR.

The State law only references standards that cannot be imposed on projects that are 3 to 10 units in size. It does not apply to projects that are smaller or larger.

The proposed text amendment is in SPMC Section 36.22.040, Table 2-3, in the RM and RH FAR standards, which currently limit the FAR for multi-family projects to .50. It is proposed to increase the FAR to 1.0 for 3-7 unit projects and 1.25 for 8-10 unit projects. The FAR would not change for smaller or larger-size projects in the zone.

Given the height maximums of 35 feet in RM and 45 feet in RH, the existing maximum lot coverage standards (50% in RM and 60% in RH) can accommodate the increased FAR for mid-size projects, so staff is not proposing any change to these standards.

- Mixed-use Development as a Permitted Use in Commercial Zones

The Housing Element analyzes constraints to housing, and a number of standards will be examined in the future to determine how they might be adjusted to meet the City's goal of achieving high quality housing without constituting a burden that makes such housing infeasible.

One of the more straightforward items that has been identified is the requirement to obtain a CUP for mixed-use projects. Although both the commercial and the residential uses are by-right, a project that includes both requires a CUP. It is proposed to change that and make mixed-use a by-right application process.

This change does not necessarily eliminate the need for public hearings for projects when a Design Review Permit is required. However, it simplifies the process to reduce staff processing time and application fees.

- Parking Exemptions for Projects Near Transit (AB 2097)

On September 22, 2022, The governor signed AB2097, which amends the Government Code to "prohibit a public agency from imposing any minimum automobile parking requirement on any residential, commercial, or other development project, as defined, that is located within 1/2 mile of public transit, as defined.' A small carve-out makes exceptions to this rule, which is presumably intended to avoid unintentional burden on the development of housing for low-income households or persons with disabilities.

For purposes of applying this exemption from parking, AB2097 defines "Public transit" to mean "a major transit stop as defined in Section 21155 of the Public Resources Code, which states that "A major transit stop is as defined in Section 21064.3, except that, for purposes of this section, it also includes major transit stops that are included in the applicable regional transportation plan." (South Pasadena does not have any planned stops in the Southern California Association of Governments (SCAG) regional transportation plans.)

Public Resources Code Section 21064.3 provides the definition as follows:

*"Major transit stop" means a site containing any of the following:*

- (a) An existing rail or bus rapid transit station.*
- (b) A ferry terminal served by either a bus or rail transit service.*
- (c) The intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.*

The L-line station at Mission/Meridian qualifies as a Major Transit Stop. At this time, staff has not identified any intersections of bus routes that meet the frequency threshold in (c), and (b) is clearly not relevant in South Pasadena. Should new bus routes be developed, the application of this parking exemption may expand, but the initial impact will be properties within one-half mile of the South Pasadena L-line station.

Language to incorporate this new State law is proposed to be added to SPMC Section 36.310.040 (Number of Parking Spaces), as detailed in Attachment 1.

### **Environmental Analysis**

In accordance with the California Environmental Quality Act (CEQA), the proposed Code amendments are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines § 15061(b)(3), which states the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The City is required to comply with State laws pertaining to emergency shelters, transitional housing and Low Barrier Navigation Centers, parking within proximity of transit, and project density for mid-size projects in residential zoning districts and the proposed amendments are consistent with such requirements that already exist in State law. The removal of the conditional use permit requirement for mixed-use projects is procedural and does not impact the allowable development for such projects. Thus, it may be seen with certainty that there is no possibility these Zoning Code Amendments to amend standards for compliance with State law may have a significant effect on the environment.

### **Next Steps**

If the Commission adopts the resolution recommending the proposed zoning text amendments, the following next steps are anticipated:

January 18, 2023: City Council meeting reviewing the proposed amendment and considering adoption through first reading and introduction of the ordinance.

February 2023: City Council meeting for second reading and adoption of the ordinance (meeting date to be confirmed).

### **Legal Review**

The City Attorney has reviewed this item.

### **Public Notification of Agenda Item**

A notification of this hearing was published on December 2, 2022, in the South Pasadena Review. The public was also made aware that this item was to be considered this evening by virtue of its inclusion on the legally publicly noticed agenda, posting of the same agenda and reports on the City's website.

### **Attachments**

1. Draft Planning Commission Resolution No. 22-11 with ZTA recommendation



2. City Council Resolution of Intention (adopted November 9, 2022)
3. LAHSA 2022 Homelessness Statistics by City; South Pasadena

# **ATTACHMENT 1**

Draft Planning Commission Resolution No. 22-11

**P.C. RESOLUTION NO. 22-11**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SOUTH PASADENA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE TO AMEND THE CITY OF SOUTH PASADENA MUNICIPAL CODE (SPMC) BY MODIFYING CHAPTER 36 (“ZONING”) SECTIONS 36.220.040 (RESIDENTIAL ZONING DISTRICT GENERAL DEVELOPMENT STANDARDS), 36.230.030 (COMMERCIAL ZONING DISTRICT LAND USES AND PERMIT REQUIREMENTS), 36.310.040 (NUMBER OF PARKING SPACES REQUIRED), 36.350.250 (EMERGENCY SHELTERS), AND 36.700.020 (DEFINITIONS OF SPECIALIZED TERMS AND PHRASES) IN ORDER TO IMPLEMENT ASSOCIATED STATE LAWS AND GENERAL PLAN HOUSING ELEMENT PROGRAMS

**WHEREAS**, on November 9, 2022, the City Council adopted Resolution No. 7791, a Resolution of Intention (ROI) to direct City staff to prepare amendments to South Pasadena Municipal Code Chapter 36 (Zoning) as recommended herein in order to cause the City’s Zoning Code to be consistent with State law and to reduce certain constraints to housing production in order to facilitate housing construction to meet the City’s needs and comply with its 2021-2029 Regional Housing Needs Assessment (RHNA) obligations; and

**WHEREAS**, on December 13, 2022, the Planning Commission held a noticed public hearing to consider draft provisions to implement the ROI as directed by the City Council, at which all interested parties were given the opportunity to be heard and present evidence; and

**WHEREAS**, amending the Zoning Code to facilitate emergency, transitional and permanent housing is necessary to support the City’s efforts to meet its RHNA obligations for the public health, safety and welfare of the City pursuant to the findings made below:

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF SOUTH PASADENA DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:**

**SECTION 1:** The proposed amendments would not have a significant impact on the environment and so this action is exempt from the California Environmental Quality Act (CEQA) review under Section 15061(b)(3) — General Rule, which provides that CEQA applies only to projects that have the potential for causing a significant effect on the environment and exempts activities that can be seen with certainty to have no possibility for causing a significant effect on the environment.

**SECTION 2:** Pursuant to SPMC Section 36.620.070 (Findings and Decision), the Planning Commission recommends that the City Council approve the proposed amendments set forth in Exhibit “A”, based on the following findings as required in SPMC Section 36.620.070.B.1 (a and b) and B.2:

B1:

- a. The proposed amendment is consistent with the actions, goals, objectives, policies, and programs of the General Plan in that the 2013-2021 General Plan Housing Element and the draft 2021-2029 Housing Element, which both include programs to amend the Zoning Ordinance for consistency with adopted State laws governing provision of emergency, transitional and permanent housing.
- b. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City in that it is necessary to modify zoning requirements, as required by State law, to support housing development and contribute toward alleviating the current housing crisis evident throughout the Los Angeles County region. Providing sufficient housing opportunities, including emergency and transitional housing with services through Low Barrier Navigation Centers will promote the general welfare of all members of the community within the City.

B2. The proposed amendment is internally consistent with other applicable provisions of this Zoning Code in that, as applicable, the recommended amendments include provisions to resolve internal conflicts to achieve consistency.

**SECTION 3.** For the foregoing reasons and based on the information and findings included in this resolution, the staff report, and testimony received during the public hearing, the Planning Commission of the City of South Pasadena hereby recommends that the City Council adopt an ordinance with the provisions included in Exhibit "A."

**SECTION 4.** The Secretary shall certify that the foregoing Resolution was adopted by the Planning Commission of the City of South Pasadena at a duly noticed regular meeting held on the 13th day of December, 2022.

**PASSED, APPROVED, AND ADOPTED this 13th day of December 2022 by the following vote:**

**AYES:**

**ABSENT:**

**NOES:**

**ABSTAIN:**

---

John Lesak, Chair

**ATTEST:**

---

Amitabh Barthakur, Secretary

**EXHIBIT “A”**

**SECTION 1.** Section 36.220.040 (Residential Zoning District General Development Standards), Table 2-3 shall be amended as follows:

<b>TABLE 2-3. RESIDENTIAL DISTRICT GENERAL DEVELOPMENT STANDARDS</b>				
	Requirement by Zoning District (1)			
Development Feature	RE	RS	RM	RH
<b>Floor area ratio</b>	<b>Maximum allowable ratio of building floor area to lot area. See Article 7 (Definitions) for a definition and illustration.</b>			
Requirement	0.35	<del>0.50</del> 1.0 for 3-7 unit projects; 1.25 for 8-10 unit projects; .50 for all other projects		Single-family dwellings—0.40 Multi-family projects— <del>0.50</del> 1.0 for 3-7 unit projects; 1.25 for 8-10 unit projects; 0.50 for all other projects

**SECTION 2.** Section 36.230.030 (Commercial Zoning District Land Uses and Permit Requirements), Table 2-4 shall be amended as follows:

LAND USE	CO	CG	BP	Specific Use Regulations
<b>RESIDENTIAL USES</b>				
Emergency shelter	—	<u>CUP</u>	P	36.350.250
Live/work units	—	—	—	36.350.110
Mixed-use projects	<u>CUP</u> <u>P</u>	<u>CUP</u> <u>P</u>	<u>P</u>	36.350.120
Single-room occupancy	—	—	P	36.350.260
<u>Transitional and supportive housing, including Low Barrier Navigation Centers</u>	<u>P</u>	<u>P</u>	<u>P</u>	-

**SECTION 3.** Section 36.310.040 of Article III ("Site Planning and General Development Standards") of South Pasadena Municipal Code Chapter 36 ("Zoning") is hereby amended as follows:

1. The first paragraph of this section shall be amended to read:

**36.310.040 Number of Parking Spaces Required.**

"Each use shall provide at least the minimum number of parking spaces required by this Division, unless otherwise exempt from the minimum parking requirement per Sub-section H, below. If parking requirements result in a fraction of a space required, the number of parking spaces required shall be rounded up to the next higher number."

2. New Sub-section H shall be added as follows:

H. Notwithstanding the above, there shall be no minimum parking requirement for any residential, commercial, or other development project if the project is located within one-half mile of a major transit stop as defined in Section 21155 of the Public Resources Code, except in the following circumstances:

1. The City may require provision of parking as required in Table 3-6, above, for a project that is located within one-half mile of a major transit stop provided the Director makes written findings, within 30 days of the receipt of a completed application, that not requiring the minimum parking requirements for the development would have a substantially negative impact, supported by a preponderance of the evidence in the record, on any of the following:
  - a. The City's ability to meet its share of the regional housing need in accordance with Section 65584 for low- and very low income households.
  - b. The City's ability to meet any special housing needs for the elderly or persons with disabilities identified in the analysis required pursuant to paragraph (7) of subdivision (a) of Section 65583.
  - c. Existing residential or commercial parking within one-half mile of the housing development project.
2. For a housing development project, as defined in Government Code Section 65589.5.(h), the Director shall not make findings for an exception per Sub-section 1, above, if the housing development project satisfies any of the following:
  - a. The development dedicates a minimum of 20 percent of the total number of housing units to very low, low-, or moderate-income households, higher education students, the elderly, or persons with disabilities.
  - b. The development contains fewer than 20 housing units.

- c. The development is subject to parking reductions based on the provisions of any other applicable law.
3. An event center shall provide all required parking for employees and other anticipated workers. For purposes of this section, an event center shall be defined as follows: a community center, activity center, auditorium, convention center, stadium, coliseum, arena, sports facility, racetrack, pavilion, amphitheater, theme park, amusement park, fairgrounds, or other building, collection of buildings, or facility which is used exclusively or primarily for the holding of sporting events, athletic contests, contests of skill, exhibitions, conventions, meetings, spectacles, concerts, or shows, or for providing public amusement or entertainment.
4. Projects subject to this sub-section (H) shall comply with all requirements to provide electric vehicle supply equipment-installed parking spaces and to provide parking spaces that are accessible to persons with disabilities in compliance with Sub-section 36.310.070.

**SECTION 4.** Section 36.350.250 (Emergency Shelters) of Article III ("Site Planning and General Development Standards") of South Pasadena Municipal Code Chapter 36 ("Zoning") is hereby amended as follows:

- A. Sub-section B.1 shall be deleted.
- B. Sub-section B.2 shall be amended to read: "Maximum number of beds. The maximum number of beds for an emergency shelter shall be 42 50 beds plus a residential unit for a full time on-site manager." ~~The total number of beds in operation at one time in the City shall not exceed 20 beds.~~
- C. Sub-section B.3 shall be amended to read: "Maximum occupancy. Maximum occupancy at any one time shall be 42 50 residents plus a minimum of one on-site manager."
- D. Sub-section B.5 shall be amended to read: "Off-street parking. One space per employee based on a plan submitted with the project application, with a minimum of two spaces, unless otherwise exempt from providing parking by State law." ~~and one space per each four beds or one-half space per bedroom of a family unit with children plus up to five visitor spaces for service providers.~~

**SECTION 5.** Division 36.700 (Definitions/Glossary) shall be amended to add the following under Subsection 36.700.020.L:

**Low Barrier Navigation Center.** *A service-enriched facility focused on moving people into permanent housing that may or may not provide on-site temporary living accommodations, and where case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. "Low Barrier" means best practices to reduce barriers to entry.*

## **ATTACHMENT 2**

City Council Resolution of Intention (adopted November 9, 2022)



**RESOLUTION NO. 7791**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, DECLARING ITS INTENTION TO AMEND SOUTH PASADENA MUNICIPAL CODE (SPMC) CHAPTER 36 (ZONING), PURSUANT TO THE PROCEDURES SET FORTH IN SPMC 36.620 (AMENDMENTS) TO REVISE SECTIONS OF THE ZONING CODE FOR CONSISTENCY WITH STATE HOUSING LAW AND IMPLEMENT PROGRAMS OF THE HOUSING PLAN OF THE CITY'S GENERAL PLAN HOUSING ELEMENT**

WHEREAS, the State of California and the City of South Pasadena (City) acknowledge that there is a shortage of housing in the state and region that necessitates adoption of policies and zoning ordinance requirements in order to facilitate more streamlined development of both temporary and permanent housing including low-barrier navigation centers; and

WHEREAS, Government Code Section 65583(a)(4) contains certain requirements regarding regulation of emergency shelters with which the City seeks to comply by amending the applicable zoning requirements; and

WHEREAS, State laws enacted in the last five years, including Senate Bill (SB) 2 and Assembly Bill (AB) 2162, contain certain requirements regarding regulation of transitional and supportive housing, including low-barrier navigation centers with which the City seeks to comply by amending the applicable zoning requirements; and

WHEREAS, the recently enacted Assembly Bill (AB) 2097 requires local jurisdictions to allow certain projects within one-half mile of defined transit stops without requiring minimum parking standards; and

WHEREAS, Government Code Section 65913.11 (SB 478) prohibits agencies from imposing a FAR of less than 1.0 for a 3-7 unit residential project or less than 1.25 for a 8-10 unit project, with which the City's Medium and High Density Residential Zones are currently inconsistent; and

WHEREAS, the Zoning Code requirement for a conditional use permit (CUP) for mixed-use residential/commercial projects has been found to add processing time and expense for housing development; and

WHEREAS, the City of South Pasadena's September 2022 Draft General Plan Housing Element includes Programs 4a and 4b to amend the Zoning Code to facilitate emergency shelters and transitional housing in compliance with State law; and

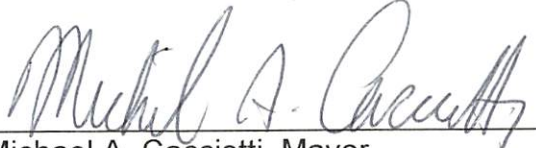
WHEREAS, the South Pasadena Municipal Code requires that an amendment to the Zoning Code be initiated either by application or by resolution of either the City Council or the Planning Commission.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**


SECTION 1. Pursuant to South Pasadena Municipal Code Section 36.620.030.A.1.a, the City Council does hereby announce its intention to amend the text of the Zoning Ordinance as set forth in Exhibit A, attached to this Resolution, to facilitate housing and implement programs contained in the Draft 6<sup>th</sup> Cycle General Plan Housing Element.

SECTION 2. The City Clerk shall certify to the adoption of this Resolution, and thenceforth and thereafter the same shall be in full force and effect.


**PASSED, APPROVED, AND ADOPTED ON** this 9th day of November 2022.

  
\_\_\_\_\_  
Michael A. Cacciotti, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Desiree Jimenez, CMC  
Chief City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Andrew L. Jared  
City Attorney

I **HEREBY CERTIFY** the foregoing Resolution No. 7791 was duly adopted by the City Council of the City of South Pasadena, California, at a Joint Special Meeting with the Planning Commission held on the 9<sup>th</sup> day of November, 2022 by the following vote:

<b>AYES:</b>	Donovan, Mahmud, Zneimer, Primuth, Mayor Cacciotti
<b>NOES:</b>	None.
<b>ABSENT:</b>	None.
<b>ABSTAINED:</b>	None.

  
\_\_\_\_\_  
Desiree Jimenez, CMC  
Chief City Clerk

EXHIBIT A

POTENTIAL AMENDMENTS TO THE TEXT OF THE ZONING ORDINANCE TO IMPLEMENT THE HOUSING ELEMENT'S HOUSING PLAN

TOPIC	DESCRIPTION	SPMC SECTIONS TO BE REVIEWED AND/OR AMENDED INCLUDE BUT MAY NOT BE LIMITED TO:
Standards for Emergency Shelters	Revise to increase the allowable number of beds and to adjust the parking requirement consistent with State law.	Section 36.350.250
Emergency Shelters/Transitional Housing as a permitted use	Revise to allow as a permitted use in all multi-family and mixed-use districts and include low-barrier navigation centers.	Section 36.220.030 Section 36.230.030
Mixed-use development as a permitted use.	Revise CO and CG districts to change from CUP to P (Permitted Use).	36.230.030
Floor-area-ratio (FAR) for small to medium-sized projects in multi-family zones	Revise the maximum FAR in RM and RH zones for projects between three and ten units for consistency with State law.	Section 36.220.040
Consistency with AB2097 to permit certain projects near transit with no minimum parking requirement	AB 2097 prohibits a public agency from imposing any minimum automobile parking requirement on any residential, commercial, or other development project, as defined, that is located within 1/2 mile of public transit, as defined, with certain exceptions and provisions.	36.310.040
Add a definition for Low Barrier Navigation Centers	Definition for new term introduced by amendment.	Section 36.700.020

## **ATTACHMENT 3**

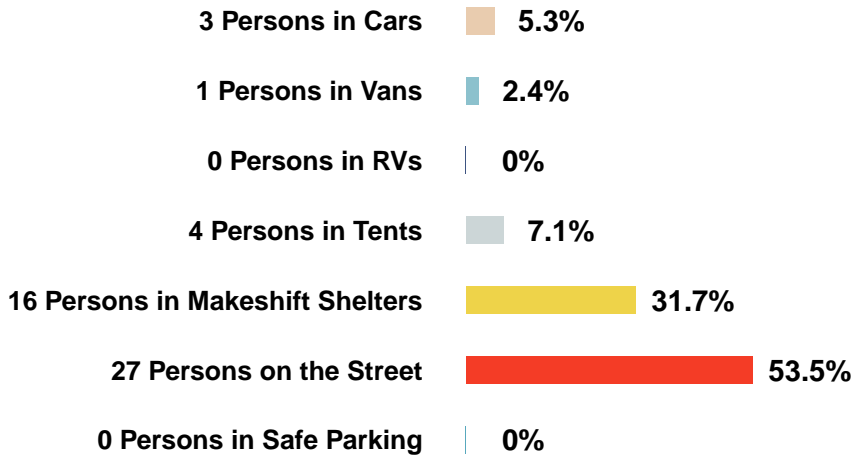
LAHSA 2022 Homelessness Statistics



# Greater Los Angeles 2022 Homeless Count Results: South Pasadena

Estimated total persons experiencing homelessness at the end of February 2022:  
**50 people [50 persons Unsheltered (100%) and 0 persons in shelter (0%)]**

## Of the 50 persons unsheltered,



**Note:** Data on unsheltered unaccompanied minors (under 18 years old), unsheltered transitional age youth (18-24 years old), persons in domestic violence shelters, persons receiving motel vouchers, and persons in PRK is unavailable at the community level.

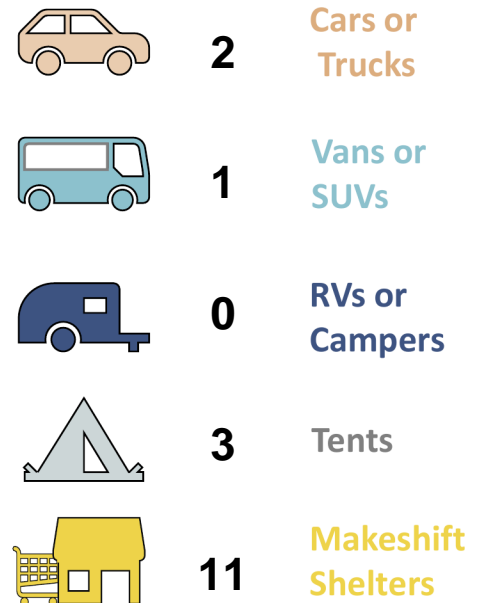
**There were no persons sheltered on the night of the Homeless Count.**

**Note:** Interviews were conducted with persons experiencing unsheltered homelessness from December 2021 to March 2022 to approximate the number of persons in each car, van, RV, tent, and makeshift shelter. Persons staying in Safe Parking programs are included separately.

## Count of Persons in 2022 and Percent Change from 2020 for South Pasadena

	<i>Persons in 2022</i>	<i>Percent change from 2020</i>
Sheltered	0	Zero in 2020
Unsheltered	50	245.2%
<b>Total</b>	<b>50</b>	<b>245.2%</b>

## DWELLINGS COUNTED\*



\*LAHSA applies a multiplier to the Dwellings Counted on the nights of the count. The multiplier is based on SPA demographic survey data. More information can be found at <https://www.lahsa.org/homeless-count/>