



**CITY OF SOUTH PASADENA
Planning Commission
Meeting Minutes
Monday, August 21, 2023, 6:30 PM
Amedee O. "Dick" Richards Jr. Council Chambers
1424 Mission Street, South Pasadena, CA 91030**

CALL TO ORDER:

A Special Meeting of the South Pasadena Planning Commission was called to order by Chair Dahl on Monday, August 21, 2023 at 6:34 p.m. The meeting was held at 1424 Mission Street, South Pasadena and via Zoom teleconference.

ROLL CALL:

Present: Chair: Laura Dahl
Vice-Chair: Lisa Padilla
Commissioners: Arnold Swanborn, Amitabh Barthakur and John Lesak

City Staff

Present: David Snow, Assistant City Attorney
Angelica Frausto-Lupo, Community Development Director
Alison Becker, Community Development Deputy Director
Matt Chang, Planning Manager
Ben Jarvis, Interim Senior Planner
Dean Flores, Senior Planner

Council

Present: Council Liaison: Jon Primuth, Mayor

APPROVAL OF AGENDA:

Approved, 5-0.

DISCLOSURE OF SITE VISITS AND EX-PARTE CONTACTS:

Commissioners Swanborn and Lesak participated on an Ad Hoc Committee for Item 3. Commissioner Barthakur disclosed that his firm was involved in the economic development portion of an earlier iteration of the General Plan and he has received a number of emails. Vice-Chair Padilla has spoken with several members of the community.

PUBLIC COMMENT:

1. Public Comment.

Chair Dahl reported the Commission had received many written comments via email and letters.

Jennifer Trotoux, 2010 Oxley Street, President of the South Pasadena Preservation Foundation (SPPF), inquired about which properties were considered historic resources. The SPPF respectfully requested a formal opinion from the City Attorney on the applicability of the SB9 exemption to all properties listed on the City's Cultural Resources Inventory prior to the adoption of the new General Plan and Downtown Specific Plan.

CONSENT CALENDAR ITEM:

2. Minutes from the Regular Meeting of August 8, 2023.

Vice-Chair Padilla moved, seconded by Commissioner Barthakur, to approve the minutes.

Approved, 5-0.

PUBLIC HEARING – CONTINUED ITEM:

3. Proposed General Plan Update, Downtown Specific Plan and Program Environmental Impact Report.

State laws require cities to periodically update their General Plan and Zoning Code to ensure orderly land development and conform with State laws. The City of South Pasadena has prepared a Draft General Plan, Downtown Specific Plan (DTSP), and Program Environmental Impact Report (PEIR).

The General Plan Update will apply Citywide. The DTSP will apply to the Fair Oaks Corridor, bounded by SR110 to the north and Lyndon Street to the south, and Mission Street Corridor generally bounded to the north by Hope Street and to the south by El Centro Street, and to the east by Brent Avenue and Indiana Avenue to the west.

A PEIR has been prepared for this project to analyze any potential effect on the environment pursuant to the California Environmental Quality Act (CEQA). A Notice of Availability was released on July 24, 2023.

Recommendation:

Recommend that the Planning Commission receive the Staff presentation prepared for the project, open the public hearing and take testimony, and then:

1. Adopt a Resolution recommending that the City Council adopt and certify the Program Environmental Impact Report (PEIR) prepared for the project; and
2. Adopt a Resolution recommending that the City Council adopt the General Plan and the Downtown Specific Plan (DTSP) Update and rescind the Mission Street Specific Plan, inclusive of Planning Commission direction and errata revisions to both the General Plan and DTSP.

Staff Presentation:

Ben Jarvis, Interim Senior Planner, and City Consultant Kaizer Rangwala of Rangwala and Associates presented the PowerPoint presentation. Jillian Neary of PSOMAS, the Environmental Consultant, was available by Zoom.

Questions for Staff:

Commissioner Swanborn asked specifically if the 1,230 additional units mentioned on page 10 of the Staff Report were a maximum number of units. Interim Senior Planner Jarvis answered that his understanding was that it is the contemplated build out, but it is not a maximum. Assistant City Attorney Snow confirmed that is correct.

The Commissioners inquired about several major concerns, including: Commissioner Swanborn's concerns regarding a reduction in commercial space if there is no requirement for parcels to be designed or developed as mixed-use, and that there is no requirement that the amount of land lost during a commercial development would be replaced in the new development.

Interim Senior Planner Jarvis, Deputy Director Becker and Assistant City Attorney Snow addressed the Commission's questions. Deputy Director Becker explained that there is a shift in the way capacity is calculated by planners from Euclidian zoning (a method of calculation which segregated land uses (and made the math very easy) and that the planning practice has shifted to take advantage of underutilized commercial parcels instead of converting existing open space designated lands for residential development. She noted there are two (2) commercial properties in the City's Housing Element inventory that have been identified over the next eight (8) years as possible locations for new mixed-use developments out of all of the properties on Fair Oaks. She added that while the City is sensitive to the concern that we are losing commercial land use resources, Staff feels confident about the conservative estimates for commercial land utilization.

Assistant City Attorney Snow explained that under State law when a Housing Element relies for more than 50% of its housing need for the lower income units sites as mixed-use, there is a limitation regarding how mixed-use can be employed, and those limitations include allowing, not requiring, 100% residential and requiring at least 50% be dedicated to residential. The restriction applies only to mixed-use sites that are listed as part of the site's inventory and nothing would preclude someone from coming forward and still doing, under the form-based codes, a 100% commercial project.

Vice-Chair Padilla thanked Staff and Mr. Rangwala for the presentations. She found it helpful to hear the comments and explanation on the unit capacity numbers and appreciated Mr. Rangwala's added clarification. She suggested that a table like the one included in the PEIR be included in the General Plan so that they are aligned and do not have to be interpreted. Mr. Rangwala agreed.

Vice-Chair Padilla asked if the numbers carved out for office space needed to be adjusted and rebalanced as they seemed to reflect 2015, pre-pandemic numbers. Mr. Rangwala responded that it was an old number that came out of the market study that was done about five (5) years ago and was pre-Covid. He acknowledged the need to have more recent updated numbers.

Deputy Director Becker underscored Mr. Rangwala's point about the universe of potential impact that is evaluated under the PEIR and that those are the numbers shown in the General Plan. However, she reminded the Commission to remember that it is a policy document, a guide, and shows what is possible, but not necessarily what is probable. She added that they recognize this particular item in the General Plan is dated, but it is not irrelevant. She explained that if those numbers do not materialize because other things happen, at least they evaluated the maximum possible and wound up with a strategy for disclosing the potential impact and mitigating it to the best extent possible.

Vice-Chair Padilla asked for clarification about two (2) densities that were called out for two (2) residential zones which appeared to be a reduction from what is in the current Zoning Code.

Mr. Rangwala explained that the General Plan recognizes the densities that currently exist within these neighborhoods and suggests that these are the areas that are less likely to see dramatic change. He explained that they are trying to suggest the character of a neighborhood and represent that in the General Plan, while at the same time, allowing those anomalies to continue.

Commissioner Barthakur pointed out that the 434,000 sq. ft. of commercial space on the table is supposed to be incremental. The timeline they are working with in terms of adoption is the service through the Housing Element that the General Plan can provide and there may be other areas that they have to revisit.

Deputy Director Becker shared that she thought we are pretty close to being there and because of the new State law around parking and the concentration of a lot of commercial within commercial districts, a traditionally required in-depth study of the transportation impacts of different types of land uses is removed. Further, at least with respect to the form-based code, we are very agnostic as to what happens inside. She remarked those two (2) things will give the City quite a bit of flexibility as it looks to refresh its economic strategy.

Public Comments:

Kate Sun, owner of 181, 185, and 187 Monterey Road - expressed disappointment in the height and density outlined in the drafted Zoning Code.

Samantha Hill – resident, local architect and affordable housing advocate - spoke on behalf of her clients Kate Sun and Victor Tang who are the owners of a rare vacant property in the Ostrich District. They are requesting that the specific stretch that borders the Arroyo Parkway and the western limits of the City be upzoned to match its neighbors.

Ed Simpson asked several questions about the increase in the number of units to be added and its effect on the City's infrastructure, e.g., sewage and parking. He also asked about the height limit.

Harry Knapp - 417 El Centro - expressed concern regarding rezoning outlined in the Housing Element.

Clarice Knapp - 417 El Centro, former Commissioner on the Cultural Heritage Commission, member of the General Plan Advisory Committee and the Downtown Specific Plan Task Force that generated the last General Plan - asked that the Planning Commission ask Staff to provide the addresses and the actual number of units per parcel which are currently listed as zero (0) or one (1) to more accurately refine the tables as to compliance with the RHNA numbers. She remarked that once you upzone, you cannot downzone, according to SB330. The acceptance of the Housing Element numbers shifted to the General Plan violates the mission of the statements of both the General Plan and the Specific Plan themselves.

Gayle Moulton (via Zoom) – Thanked Mr. Rangwala and the Planning Department for creating an overall really good General Plan. She was impressed with how personal it feels and seems like they understand the community and are doing the

best they can with what is a horrible situation that the State has put us in. She wanted to know why the table depicting 24,000 units, which commits the City to rezoning needed to be included if it was not realistic. She thought it was confusing. Throughout the document they talk about retaining scale – but there seems to be a conflict between page 58 and page 60, which mentions a possible seven (7) story limit. She is hoping they can omit the seven (7) stories. She would hope that at some point in the future they would look at the Arroyo – but she hopes that for the time being we would not sign any long-term leases for the golf course, which is a tremendously under-utilized asset, as well as the stables.

Joanne Nuckols (via Zoom) – a 56-year resident, a member of the General Plan Committee and the Mission Street Specific Plan Committee in the 1990s - Her comments focused on the maximum development capacity envisioned in the General Plan. Her understanding is that the number is about 13,000 units and the City has to upzone for that capacity even though the anticipated realistic development capacity is much less and, in her opinion, does not matter for discussion purposes for potential allowable development which would be allowed by right in the future. Once the City upzones for 13,000 units, they can never go back and downzone as stated to her by an expert when she asked the question. Her request of the City is to be upfront, honest and transparent with people about this process as to what is about to happen to fundamentally change the character of South Pasadena. It may take a couple of decades for the maximum capacity to be realized, but have no doubt that developers will come because they think they have that right with the upzoning that's proposed.

Chair Dahl asked the Staff and Consultants to follow up on several items from the Public Comments. The first one being the proposed zoning for 181 Monterey Road. It is proposed for medium density neighborhood and the property owners are wondering why it is not being proposed for high density.

Deputy Director Becker reminded everyone that this exercise actually did not contemplate making zoning area changes, so this existing swath of RM is a hillside which, on the other side of the street is flat – that is an RH. This is an existing zoning condition which we are not proposing to change. She added that the strategy all along has been to restore density in these zones, but not change zones. That is why the property in question retains the RM and the 35' height limit.

Chair Dahl wanted to clarify her understanding that the 13,000 units number is inclusive of existing units, so that the actual number of new units that would be added would be closer to the 2,800 number. Deputy Director Becker confirmed that was correct.

Commissioner Barthakur asked for clarification from Staff regarding the height limit. His understanding is that until there is a voter initiative, the height limit stays

unless there is an exemption required as part of a density bonus project or something like that. Deputy Director Becker confirmed that was correct.

Commissioner Lesak asked Staff to verify that the zoning included in the General Plan is effectively the zoning that is included in the Housing Element that was approved and is already in effect. Deputy Director Becker confirmed this is correct and that City Council has adopted the Housing Element.

Discussion:

Chair Dahl thanked Commissioners Lesak and Swanborn for working on the weekends with the Ad Hoc Committee and called for their report.

Chair Lesak provided an overview and explained their mission to test the DTSP as architects for usability. Because they were looking at scenarios, much of what they were looking at focused on Part C of the DTSP. Some general observations:

- They had a difficult time working through the document. They used both digital and printed copies.
- As noted previously, maps and diagrams were difficult to read, particularly the text was often too small to read or faint.
- Maps and aerial drawings often lacked sufficient street names.
- North arrows and boundary lines illustrating various Overlay Zones were frequently missing or too faint to read.
- When using the digital document to find general explanations, keys for tables, or definitions for acronyms, are spread across multiple pages.
Suggestion: If it is a digital document, each page could be self-sufficient.
- The table of contents lacks a detailed breakdown and there is no index.
Suggestion: Hopefully, these can be added at a later date.
- The document was primarily authored prior to 2019, so it has a pre-Covid, pre-RHNA feel to it.
- The uses and building types that are emphasized, but not necessarily codified in the DTSP, feel a little bit outdated given the current conditions.
- Several examples were cited, including the School District site, randomly selected, which is a large site.
Suggestion: The requirements call for some adjustment when applied to the actual sites.

- There are several small sites which are pretty well accounted for in the DTSP. If those parcels were all acquired and tied, they could become significantly larger developments in areas that are really transition zones.
- There is information in the other documents, even with form-based code – metrics that apply that are found other places, such as Maximum Unit Density Per Acre and Minimum Unit Size.
Suggestion: It would be helpful if the DTSP was a one stop shop and that information was included. There is a density bonus narrative that would be good to confirm aligns with what is included in the Inclusionary Housing Ordinance.
- There was a lack of nuance in the various charts and forms and development standards, both at a building level and at the zone level. These may not be flexible enough. Sometimes, they are too generalized and sometimes too specific. For example, the maximum lot size requirements – it may be better if they were more flexible, providing a greater range of floor heights to allow the market to decide what is an acceptable height. Maybe providing minimums. But, they are set right now.
- More flexibility for both setback dimensions and courtyard proportions to better meet the open space requirements that are layered. There is a 1:1:1 ratio with the courtyards and that may not be the best ratio, depending on building location, orientation, *etc.*
- There are places where the content could be developed.
Suggestion: Consider adding more Overlay Zones. The transition between the denser elements and the residential may be better to overlay and restrict certain building types.
Suggestion: Street Types could be fleshed out better.
Suggestion: Add a *How to Use* Flow Chart. Flow charts orient and serve as a guide.
Suggestion: Highlight areas where you may need to go to a different part of the Zoning Code or a different planning document in order to get resolution or test something.
Suggestion: Add material standards.

Suggestion: Add a Consulting City Architect or a bench of architects to help Staff with thinking about good design in the context of the DTSP.

Commissioner Swanborn added:

- The diagrams for a form-based code refer to a primary street, side streets, and alleys on the backside. The reality is that some of these properties may actually not have alleys. They may be fronting on another street.
- The idea or the notion of characterization of streets and how you develop along those streets might be more helpful than creating alleys and setbacks.
- The Meridian Mission Project is an example of a lot of things we intend to happen in the form-based code.
- They tested the basic diagram on the site and the reality is that the form-based code allows you to do something significantly different and that probably would not be within the character of the City.

Suggestion: If that's what we want the way the City to develop, perhaps the zoning could be more specific to the plans.

- They identified sites and a lot of diagrams have been developed along the lines specifically for those sites, but the form-based code is so general in some ways that it does not hit the specifics for any particular potential site.
Suggestion: Perhaps having more of those diagrams that have been created for those particular sites as guides for the form-based code would be helpful.
- The minimum heights required for the ground floor plane of potential retail sites make it very difficult to put viable retail in them.
Suggestion: Let the upper portion be market driven so that the lower portion could actually be suitable for active ground floor uses – whether it is retail or something different.

Suggestion: Establish minimum heights that are slightly higher than 12' floor to floor, which would probably be a 10' ceiling.

- Be careful how we wrap corners. Mission Meridian is a great example.

Commissioner Swanborn noted some interesting text about average building heights. Deputy Director Becker addressed the question and said that the change has been noted on the Errata Table.

Commissioner Lesak summarized the Ad Hoc Committee's findings after four (4) hours of testing. He expressed frustration at having to rush something that has to be in place for a while. The intent is to give Staff a written summation of all of their comments and suggestions.

Deputy Director Becker and Commissioner Lesak discussed courtyard dimensions and the requirements for private open space and stepbacks. He suggested providing for more flexibility to allow for design development. He added that the maximum lot standards need to be tested against the actuals.

Commissioner Swanborn added that a big concern of his is that some of the development standards allow for the use of public property for private structures, which seemed incorrect. He pointed to the Arcade Section where the arcades are actually allowed to be within two (2) feet of the curbs, which is presumably 10' over the property line. He noted that somebody could take advantage of that.

Chair Dahl directed Staff to following up on these comments. She also noted the electronic versions of the General Plan and the DTSP are pdfs. She recommended that when those are adopted and are uploaded to the website that there should be more interactivity among those - which would make the documents easier to use.

Deputy Director Becker said that it is currently not budgeted but seems highly desirable.

Vice-Chair Padilla said their views were very much appreciated. She recommended forming a roundtable group in the medium term which would include developers, architects, planners, and residents to evaluate the programs after 18 months or two (2) years and discuss how to adjust things. She added that it is going to take consultant time to do it properly and hopefully can be budgeted.

Commissioner Barthakur added that they are essentially opening the door for a lot of new typologies to the City that have not existed before and there is a lowest common denominator of those typologies, and there is a high-quality version of those typologies. They need enough guidance and is the reason the development standards and the design standards are so important.

Vice-Chair Padilla said she wanted to comment on the importance of encouraging the production of housing.

Commissioner Lesak stated that the discretionary review process was the backstop in South Pasadena and now most of this will be done in a ministerial way. He suggested having consultants who could help bring people through a process to assure a little bit more design quality. He suggested that a City architect is not unusual. Deputy Director Becker added that Staff agrees with the Commission.

Mayor Primuth, Commissioners, Staff and consultants discussed the issue of minimum ground floor heights in commercial areas where there could be mixed use. City Consultant Rangwala proposed a possible remedy of specifying two different minimums – the commercial requiring a minimum 15' height and the residential could be a minimum 12' height.

Commissioner Swanborn clarified his concern and explained it is not residential vs. commercial, because building stock should have capacity to change over time, be adaptable. His concern is that if we allowed commercial to be built in a way that is not adaptable to different uses, the spaces will become obsolete and there will be a street that has a lot of missing teeth.

To address this concern, City Consultant Rangwala proposed having a 15' height minimum, within the envelope of a 45' height limit, which change could be made to the document before going to City Council.

Vice-Chair Padilla, Commissioner Lesak, Assistant City Attorney Snow discussed the Public Comment that related to historic resources and the reference to the historic sites inventory, including clarification on how that works with regard to RHNA, the Housing Element, etc. There was a robust discussion regarding the provisions of SB9 about urban lot splits and that type of development and the statutory relationship to historic resources written into that specific statute. In particular, they discussed that no longer does a property or district just need to be eligible for a historic designation, it has to actually be designated. Commissioner Lesak noted that most of the 5,000 properties in South Pasadena are on the inventory list because they are eligible for designation, but they are not actually designated. Assistant City Attorney Snow added that there are a number of different statutes that refer to historic resources in different ways which has changed that landscape.

Deputy Director Becker added Staff has scrubbed the lists to make sure that every locally designated landmark, every State landmark, every National landmark, every National District, State District, and local district were clearly removed from the inventory table the Housing Element. Staff will release it.

Commissioner Lesak requested for the next meeting it would be good to better understand this, as requested by the Preservation Foundation, so that the Commission and the Cultural Heritage Commission have a better understanding.

Assistant City Attorney Snow offered a clarification of several comments which referenced SB330 and the no net loss issue on *if you upzone, you cannot downzone again*. It was referenced by the speakers that the benchmark for that provision in SB330 is January 1, 2018. He explained the provision - you cannot

take away housing opportunities that would have existed as of that time or the amount. Through this program that number is increasing substantially in response to the RHNA obligations. As long as the City does not take away all of that and more to get beneath what was provided on January 1, 2018, there would not be a problem in downzoning. If, however, you are moving pieces on the RHNA side, then you have to make those up again. January 2018 is an important benchmark for SB330.

Chair Dahl suggested making a table, similar to the Errata Table, to acknowledge that the Commission has heard a comment, is recommending a change to the document(s) or not recommending a change to the document(s) based on that comment before the documents go to the City Council. Deputy Director Becker responded that Staff would be happy to do it. She added that Staff had been adding to the Errata Table, but without the commensurate acknowledgement of where the idea came from.

Vice-Chair Padilla suggested considering maintaining the existing zoning for what is being called RF, Residential Low Density, and RE, Residential Estate, the range that is articulated in the Land Use Designation. The details of this were explained in the Zoning Code item of the Staff Report.

City Consultant Rangwala explained the effects of a change in designation and the creation of a range.

Vice-Chair Padilla explained her question and concern regarding transparency, public conversation, socializing ideas as a community. It stood out in the Staff Report because it seemed the only place the capacity was being brought down. It seemed like an important subtle change.

City Consultant Rangwala remarked that it would be reviewed. As Vice-Chair Padilla mentioned, it's over 60% of the City and over 1,000 acres out of the 1,700 acres. He cautioned increasing the unit count number, because a sizable amount of the City falls within that acreage. Increasing it slightly there, would create a larger increase in the overall unit count.

Deputy Director Becker offered to use the table from the PEIR which was clearer in terms of the different designations and the allocations. Staff could test the numbers in the PEIR against what was presented in the table today and use the PEIR numbers. She added it works very well for the purposes of describing capacity. She noted that it does not actually address the concern about the adjustment in the definition from the '98 Land Use Designation to the proposed designations for RE and RS.

Vice-Chair Padilla said her concern about the change being proposed by the General Plan regarding a reduction in the density of the single-family zones RS and RE and an increase in the RS zone range suggests that we are taking it from one area and putting it in another to hit the development capacities that we are trying to achieve. She appreciated the clarifications.

Chair Dahl called for a motion on the CEQA documents and the PEIR.

Decision:

Commissioner Swanborn moved, seconded by Chair Dahl, to recommend that the City Council adopt the Resolution recommending that the Commission certify the Program Environment Impact Report (PEIR) prepared for the project.

Chair Dahl asked Staff to call the Roll:

Commissioner Swanborn	Aye
Commissioner Barthakur	Aye
Commissioner Lesak	Aye
Vice-Chair Padilla	Aye
Chair Dahl	Aye

Motion carried, 5-0.

Chair Dahl asked if Staff felt like they heard all of the things the Commission said tonight. Deputy Director Becker proposed that Staff prepare the meeting minutes detailed similar to last week's meeting minutes and derive the task lists and requested changes from those meeting minutes.

Commissioner Lesak recommended that the Ad Hoc Committee stay together on the DTSP to work with Staff up through the City Council hearings. Deputy Director Becker welcomed the suggestion.

Chair Dahl called for the motion, recognizing the details of the Commission's discussion in the minutes would be passed on to City Council.

Assistant City Attorney Snow suggested wording for a potential motion.

Decision:

Commissioner Barthakur moved, seconded by Commissioner Swanborn, to adopt a Resolution recommending that the City Council adopt the General Plan and the Downtown Specific Plan (DTSP) Update and rescind the Mission Street Specific Plan, inclusive of the Planning Commission direction and errata revisions to both the General Plan and DTSP, including the additional errata recommendations from

the Commission and forwarding recommendations to the City Council as to be summarized in the meeting minutes.

Chair Dahl asked Staff to call the Roll:

Commissioner Swanborn	Aye
Commissioner Barthakur	Aye
Commissioner Lesak	Aye
Vice-Chair Padilla	Aye
Chair Dahl	Aye

Motion carried, 5-0.

The Commission took a 5-minute recess before proceeding to the next item.

PUBLIC HEARING:

4. Zoning Text and Map Amendments.

Proposed Zoning Text Amendments to the South Pasadena Municipal Code (SPMC) Chapter 36 (Zoning) and Zoning Map Amendments related to increased density by rezoning the existing Focused Area Overlay zone to Mixed-Use Overlay zone and increase density in the certain residential zoning districts in compliance with the updated General Plan and the 2021-2029 (6th Cycle) Housing Element.

A Program Environmental Impact Report (PEIR) has been prepared for this project to analyze any potential effect on the environment pursuant to the California Environmental Quality Act (CEQA). A Notice of Availability was released on July 24, 2023.

Recommendation:

Recommend that the Planning Commission receive the staff presentation prepared for the project, open the public hearing and take testimony, and then adopt a Resolution recommending that the City Council:

1. Amend certain South Pasadena Municipal Code (SPMC) Sections pertaining to rezoning of properties consistent with the General Plan Update and the 2021-2029 (6th Cycle) Housing Element which will do the following:
 - a. Add Section 36.230.050 (Mixed-Use Overlay Development Standards) for the newly established Mixed-Use Overlay District; and
 - b. Amend Section 36.250.340 (Focus Area Overlay District), to eliminate the Focus Overlay District and replace it with the newly established Mixed-Use Overlay; and

- c. Increase density in the RM, RH and Mixed-Use Overlay Districts in compliance with the Housing Element Programs; and
 - d. Amend other Code Sections relating to ancillary changes to the SMPC regarding reference to the new Downtown Specific Plan (DTSP) and minor changes to the Residential and Commercial zoning district standards in relation to the rezoning.
2. Amend the Zoning Map to eliminate the Focus Area Overlay zone and the Mission Street Specific Plan boundary, and replace them with the Mixed-Use Overlay zone and the Downtown Specific Plan boundary, respectively.

Staff Presentation:

Senior Planner Dean Flores presented a PowerPoint presentation.

Questions for Staff:

The Commissioners asked about the requirement that a mixed-use project have 50% residential in the Housing Element.

Assistant City Attorney Snow explained, as with the DTSP, when the City is relying for more than 50% of its lower income sites on mixed-use, it is a requirement in the statute.

Chair Dahl asked about the height limit of 45'.

Deputy Director Becker explained that the City Council, along with support from Staff and the Planning Commission, will formulate a proposal relating to height. It could include properties in multi-family zones. The working assumption is that we are working within the 45' height limit, which can be exceeded in the event of a density bonus waiver or exception determined by the request of the applicant.

Public Comment:

None.

Commissioner Discussion:

Vice-Chair Padilla asked if the form-based code and the DTSP had been compared and were consistent.

Deputy Director Becker explained that this Zoning Code will apply to properties outside of the DTSP area, multi-family, RM, RH and mixed-use overlay areas. It is completely separate from the DTSP. The Objective Design Standards will be back in front of the Commission next month. They are trying to get them as close together as possible.

Commissioner Barthakur remarked that the Objective Design Standards are Citywide – the DTSP is still independent with its form-based code and its own design standards. Deputy Director Becker concurred.

Chair Dahl asked about the proposed mixed-use standards, and if the minimum ground floor height of 12' should be increased to 15' to be consistent with what was recommended in the DTSP.

The Commissioners had a robust discussion about the Commission's design review authority. Deputy Director Becker stated that the design review authorities need to be aligned.

Commissioner Barthakur inquired about alignment with State law on issues such as no parking minimums in transit areas. He did see parking requirements in a number of places, and was looking to see if there was any place where the City does not have parking requirements.

Deputy Director Becker shared that currently, the Zoning Code applies in areas that might be within ½ mile of a transit station where State law would preclude requiring parking requirements, and then for properties outside of that area, parking requirements would be applied.

Senior Planner Flores noted that language is included in the Development Standards Table under *Parking Location and Design*, and states that parking is reduced, not required, for qualifying development projects within ½ mile of a high quality transit station as defined in Government Code Section 65863.2.

Deputy Director Becker added that with regard to the Zoning Text Amendment, the big thing are the new standards that are in Table 26.

The Commissioners and Staff had a robust discussion regarding what is a design standard versus what is a development standard. Deputy Director Becker explained that initially it was just development standards, but as Staff consulted with the Code Consultant, given the uncertainty of the timeframe before arriving at our objective design standards, there was a desire to at least have backstops with a few critical areas.

The Commissioners expressed a need for more time to review this item and discussed their availability for a Special Meeting later this week.

Decision:

Commissioner Swanborn moved, seconded by Commissioner Lesak, to continue this Planning Commission meeting to review the objective design standards for the mixed-use overlay on Wednesday, August 23, 2023 at 6:30 pm. As noted by the

Assistant City Attorney, the Public Hearing has been closed on this item, so this would be for a continuation of the Commission's deliberations.

The Commission recognized that Commissioner Barthakur cannot attend the meeting.

Chair Dahl asked Staff to call the Roll:

Commissioner Swanborn	Aye
Commissioner Barthakur	Aye
Commissioner Lesak	Aye
Vice-Chair Padilla	Aye
Chair Dahl	Aye

Motion carried, 5-0.

5. Zoning Text Amendments – Housing Element 120-Day Programs.

Proposed Zoning Text Amendments to the South Pasadena Municipal Code (SPMC) Chapter 36 (Zoning) pertaining to applicable programs in the 2021-2029 Housing Element (120-Day Implementation Programs).

A Program Environmental Impact Report (PEIR) has been prepared for this project to analyze any potential effect on the environment pursuant to the California Environmental Quality Act (CEQA). A Notice of Availability was released on July 24, 2023.

Recommendation:

Recommend that the Planning Commission receive the staff presentation prepared for the project, open the public hearing and take testimony, and then adopt a Resolution recommending that the City Council:

1. Adopt an Ordinance amending Division 36.370(Affordable Housing Incentives) of Article 3 (Site Planning and General Development Standards) of Chapter 36 (Zoning) of the City Code of the City of South Pasadena to revise regulations to conform to State Density Bonus law (California Government Code Section 65915); and
2. Adopt an Ordinance amending Chapter 36 (Zoning) of the City of South Pasadena Municipal Code including Division 36.220 (Residential Zoning Districts) of Article 2 (Zoning Districts, Allowable Land Uses, and Zone-Specific Standards); Division 36.350 (Standards for Specific Land Uses) of Article 3 (Site Planning and General Development Standards); and Division

36.700 (Definitions of Specialized Terms and Phrases) of Article 7 (Definitions/Glossary), relating to Employee Housing; and

3. Adopt an Ordinance amending Division 36.375 (Inclusionary Housing Requirements) of Article 3 (Site Planning and General Development Standards) of Chapter 36 (Zoning) the City Code of the City of South Pasadena relating to Inclusionary Housing requirements.

Staff Presentation:

Interim Senior Planner Jarvis presented the PowerPoint presentation.

Questions for Staff:

Commissioner Barthakur asked if the density bonus changes were related to projects that would take advantage of the State density bonus. Interim Senior Planner Jarvis responded in the affirmative and that it would make the Municipal Code consistent with the State Density Bonus law.

Assistant City Attorney Snow confirmed that is correct and explained that under the existing provisions in the Code, there are certain provisions that were duplicative of prior iterations of State Density Bonus law. Now the references to the State Density Bonus law include, *as it might be amended from time-to-time*. This language is added so the City does not have to continually go back and update its Ordinance every time a change is made and keeps the provisions consistent with State law.

Chair Dahl noted Employee Housing is a new land use being added to the Code and asked if that was because the State has required it. Interim Senior Planner Jarvis confirmed this and explained that the State has passed a new law regarding employee housing and the proposed revision to the Municipal Code would bring the Code into compliance with State law.

Assistant City Attorney Snow concurred and clarified that one of the focuses of this Employee Housing law is in the context of farm worker type housing. The definitions which are referenced in the proposed Ordinance refer back to those State law definitions about employee housing.

Chair Dahl inquired why it would not be allowed in the RM and RH zones and only in the single-family residential zones.

Assistant City Attorney Snow explained that the specific provision that is referenced in the Housing Element deals with allowing six (6) or fewer on the same terms as single family residential and therefore, it is focused and written to sync up with the single-family zones, not the multi-family. It is six (6) or fewer being treated on par with a single-family residence.

Vice-Chair Padilla inquired about Planning Commission reviews under Section 36.370.100 of the Density Bonus Multi-Color Redline Section called *Processing of Density Bonus Review and Affordable Housing Review*, Items d and e, and requested clarification.

Chair Dahl explained that if a project is coming to the Planning Commission for some other reason - maybe it needs a zone change or a hillside – then the Planning Commission would review the density bonus plan.

Assistant City Attorney Snow concurred and explained the intent is if it is a ministerial approval, the density bonus would be a ministerial approval. If there is some reason that the project is treated as discretionary and must come before the Planning Commission, then the density bonus would travel with that and be subject to the review in conjunction with the other discretionary review.

Chair Lesak asked about employee housing and how it might impact the short-term housing limits on Airbnb-type arrangements put in place. He asked, with employee housing, if they are transitory workers, would that requirement still go into effect.

Assistant City Attorney Snow explained that the general purpose of the Employee Housing Act is that the residents be treated on the same terms as other single-family residences. He would have to do more research as far as how that implementation would work with an overlay of a short term rental.

Public Comment:

None.

Discussion:

Chair Dahl asked if employee housing was intended to be primarily used by farm workers, is that part of the definition or is the definition any six (6) or fewer employees can live in a single-family home and it would be treated as if it were a family.

Assistant City Attorney Snow said he would have to review the specific definition. His recollection is that it is not restricted simply to farm worker housing. It pertains to farm workers or other specialized employees that have to live at or near a work location.

Chair Dahl noted that it has been the general trend of the State to say that any six (6) people that live in a single-family house are treated the same way as if they were a family – that could include childcare or other people that live together for health-related reasons, etc. – so she assumed that it was continuing in that trend.

Assistant City Attorney Snow commented that there are similarities in that six (6) or fewer threshold. Definitely.

Decision:

Commissioner Lesak moved, seconded by Vice-Chair Padilla, to recommend to City Council to adopt the proposed amendments to the South Pasadena Municipal Code, Chapter 36, pertaining to applicable programs in the 2021-2029 Housing Element that are conditioned on the 120-Day Implementation Program, including amendments to the density bonus to be consistent with State law, adding a new land use category for employee housing, and including some previously discussed modifications to the Inclusionary Housing Ordinance.

Chair Dahl asked Staff to call the Roll Call:

Commissioner Swanborn	Aye
Commissioner Barthakur	Aye
Commissioner Lesak	Aye
Vice-Chair Padilla	Aye
Chair Dahl	Aye

Motion carried, 5-0.

ADMINISTRATION

6. Comments from Staff:

Director Frausto-Lupo informed the Commission that the Staff had added new frequently asked questions to the website. She encouraged the Commission, if asked by residents, to refer them to the website.

She also introduced Senior Planner Dean Flores to the Commission and noted that this is his first meeting.

ADJOURNMENT:

7. Adjournment to the Special Planning Commission meeting scheduled on August 23, 2023 at 6:30 pm:

There being no further matters, Chair Dahl adjourned the meeting at 10:32 p.m.



Laura Dahl, Chair