

May 5, 2023

Paul McDougall, Senior Program Manager
Department of Housing and Community Development
Division of Housing Policy Development
2020 W. El Camino, Suite 500
Sacramento, CA 95833

**Subject: City of South Pasadena Revised Draft 2021-2029 Housing Element
Submitted Pursuant to Government Code section 65754**

Dear Mr. McDougall:

We are pleased to submit a revised fifth draft of the 2021-2029 South Pasadena Housing Element for review. This draft being submitted to HCD pursuant to the review procedure set forth in Government Code section 65754, and based on the terms of the Stipulated Judgment and Settlement Agreement (the "Court Judgment") in the action captioned *Californians for Homeownership v. City of South Pasadena* (LASC Case No. 22STCP01388). Such action was brought against the City under Code of Civil Procedure section 1085 and section 65751 of Article 14 of Chapter 3 of Division 1 of Title 7 of the Government Code, alleging that the City failed to adopt its housing element within the time required by law prior to the October 15, 2021 deadline. The Court Judgment was approved by the Court on August 3, 2022.

This revised fifth draft is being submitted at HCD's request during the City's April 24, 2023 meeting with Connor Finney. At that meeting, Connor identified three areas in the Fifth Draft Housing Element that needed to be revised in order for the document to comply with State Housing Law. Instead of resubmitting an entirely new draft, Connor suggested that the City withdraw its previous fifth draft, which the City did on April 27th, and resubmit this revised fifth draft. By doing so, HCD has committed to an abbreviated review process, with a determination letter available from HCD the week of May 8th. This will allow the City to adopt a certified Housing Element no later than May 31st, in compliance with the Court Judgment.

The table below identifies specific comments provided by HCD during the meeting on April 24, 2023 and Connor's follow-up email that same day, along with the City's response to each comment.

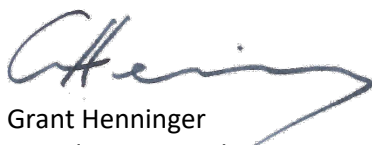
Comment	Response
<u>Program 3.b (Mixed Use Development):</u> All dev standards look okay other than FAR which they plan to make 2.5 at most. Should be higher. Or make statement committing to achieving maximum densities.	The mixed-use development standards in Program 3.b have been updated to state that, "FAR will facilitate maximum allowable densities in each DTSP zone."
<u>Programs 2.i and 2.m (Inclusionary Housing Regulations):</u> 2.i and 2.m did not make the specific commitments to engage development community.	Programs 2.i and 2.m were updated to include engagement with the development community when the City reviews and updates its Inclusionary Housing Regulations.
<u>Affirmatively Furthering Fair Housing:</u> They use the word "May" to include duplexes (already covered by SB 9), triplexes, fourplexes, and cottage apartments and restricts this to transit rich areas but 1. Does not specify these transit rich areas 2. Does not commit to going above Sb 9, despite conversations about the necessity to achieve AFFH 3. Does not include development targets or commitments to increasing density if not on track to hitting them at the mid cycle.	Program 3.m has been completely rewritten to state that the city will implement its Missing Middle housing program within high quality transit areas at a baseline density of 15 du/ac. A goal for this program was set at 50 units through the planning period, with a progress review by December 2027 to make any necessary revisions to the program to meet the goal.

The City reviewed these revisions with Connor during a meeting on April 28, 2023 to ensure that they adequately responded to HCD's comments. Subsequent to this meeting, the City released the Housing Element for a seven (7) day public review prior to this submittal to HCD.

The City of South Pasadena appreciates this opportunity to submit this revised fifth draft so it may fulfill its requirements under the Court Judgement. We look forward to receiving HCD's response letter and certification of this Housing Element next week. Please do not hesitate to contact Angelica Frausto-Lupo, Community Development Director (afraustolupo@southpasadenaca.gov) or me at (714) 323-5731/ grant@mobius-planning.com with any questions regarding the draft.

Sincerely,

Mobius Planning



Grant Henninger
Founding Principal

Cc:

Angelica Frausto-Lupo, Community Development Director, City of South Pasadena
Andrew L. Jared, City Attorney

Attached:

1. City of South Pasadena Revised Fifth Draft 2021-2029 Housing Element
2. City of South Pasadena Revised Fifth Draft 2021-2029 Housing Element – Tracked Version from Fourth Draft
3. City of South Pasadena Revised Fifth Draft 2021-2029 Housing Element – Tracked Version from First Draft