

RESOLUTION NO. 7817

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA REGARDING 1) APPROVAL OF THE ENVIRONMENTAL ASSESSMENT; AND 2) ADOPTION OF THE 2021-2029 GENERAL PLAN HOUSING ELEMENT (SIXTH CYCLE, FIFTH DRAFT) UPDATE OF THE SOUTH PASADENA GENERAL PLAN, CONSISTENT WITH THE STATUTORY REQUIREMENT OF CALIFORNIA HOUSING ELEMENT LAW.

WHEREAS, Government Code § 65580, et seq., requires the City of South Pasadena to periodically prepare and update its Housing Element in its General Plan. A city's housing element establishes goals, policies, and programs to accommodate the maintenance and expansion of the city's housing supply; and

WHEREAS, the 2021-2029 General Plan Housing Element Update ("the 2021-2029 Housing Element") has been prepared for the City of South Pasadena based on input from the City Council, Planning Commission, the California Department of Housing and Community Development (HCD), and public comments, and is incorporated herein by reference as Exhibit A; and

WHEREAS, the City of South Pasadena's 2021-2029 Housing Element includes updated data in compliance with state housing laws and a variety of programs and strategies to address citywide housing needs and priorities; and

WHEREAS, a draft 2021-2029 Housing Element was released for 60-day public review on October 12, 2021, and was submitted to HCD on October 22, 2021. A response letter was received from HCD on December 21, 2021; and

WHEREAS, on April 12, 2022, the City of South Pasadena was sued by Californians for Homeownership for non-compliance with State Housing Law for failing to have adopted a compliant Housing Element by October 15, 2021 (*Californians For Homeownership v. City of South Pasadena*, LASC Case Nos. 22STCP01388 & 22STCP01161); and

WHEREAS, on May 11, 2022, the City submitted a Second Draft 2021-2029 Housing Element to HCD for review; and

WHEREAS, on July 8, 2022, HCD provided a response letter on Second Draft 2021-2029 Housing Element; and

WHEREAS, on August 15, 2022, the City entered into a Settlement Agreement with Californians for Homeownership to resolve the lawsuit that committed the City to a number of actions, including: removal of certain parcels as identified housing sites; addition of a program to issue a request for proposal for city-owned housing sites no later than January 1, 2028; provide specific information for sites identified to meet the City's housing needs; and addition of a program to seek, through voter approval, the

removal of the City's existing 45-foot height limit for at least any parcel identified in the Housing Element for which the base density is anticipated to exceed 50 dwelling units per acre; and

WHEREAS, on August 19, 2022, the Settlement Agreement was adopted as the Court's Order and committed the City to adopting a housing element certified by or eligible for certification by HCD no later than May 31, 2023; and

WHEREAS, on September 15, 2022, the City submitted a Third Draft 2021-2029 Housing Element to HCD for review. On October 28, 2022, the City received a response letter on the Third Draft 2021-2029 Housing Element from HCD. On December 12, 2022, the City submitted a Fourth Draft 2021-2029 Housing Element to HCD for review. On January 27, 2023, the City received a response letter on Fourth Draft 2021-2029 Housing Element from HCD. On March 24, 2023, the City submitted a Fifth Draft 2021-2029 Housing Element to HCD for review. On April 28, 2023, based on recommendations in a status conference with HCD reviewers, the City made minor text edits and a program revision and rereleased the Fifth Draft 2021-2029 Housing Element for a seven-day comment period through May 5, 2023 (Exhibit A); and

WHEREAS, the City Council has reviewed the Fifth Draft 2021-2029 Housing Element for consistency with the City's General Plan and Municipal Code, and programs have been identified to address any required changes to the General Plan and Municipal Code to ensure consistency, as necessary; and

WHEREAS, pursuant to Government Code Section 65759(a), the California Environmental Quality Act (CEQA) commencing with Public Resources Code section 21000 does not apply to any action necessary to bring a general plan or relevant mandatory element of the plan into compliance with any court order; and

WHEREAS, pursuant to Government Code section 65759, agencies subject to a court order to bring their general plan or relevant mandatory elements into compliance are required to prepare an Initial Study in conformity with 14 CCR 15080(c) to determine the environmental effects of the proposed action necessary to comply with the court order, and, if warranted due based on such Initial Study, prepare an Environmental Assessment in conformity with 14 CCR 15140, et seq., within the timelines under the court order; and

WHEREAS, an Initial Study in conformity with 14 CCR 15080(c) and an Environmental Assessment in conformity with 14 CCR 15140, et seq., were prepared for this project. The Initial Study and Environmental Assessment are incorporated by reference as Exhibit B; and

WHEREAS, the Environmental Assessment was presented for evaluation by the City Council, identifying seven significant and unavoidable impacts, as well as thirteen impacts that can be mitigated to less than significant; and

WHEREAS, based on the analysis presented in the Environmental Assessment, and as more thoroughly described therein, implementation of the proposed Project would result in the following significant and unavoidable impacts after implementation of feasible mitigation measures: Air Quality (Air Quality Management Plan Consistency, Air Quality Standards Violation; Cumulative Air Quality Impacts); Greenhouse Gas Emissions (GHG Emissions); Noise (Direct and Cumulative Construction and Exterior Traffic Noise Standard Violation); and, Population and Housing (Population Growth). Table ES-1 therein presents a summary of significant environmental impacts identified in Sections 3.1 through 3.16 of the Environmental Assessment; Mitigation Measures (MMs) that reduce any significant impacts; and the level of significance of each impact after mitigation. Significant irreversible environmental changes and growth-inducing impacts are addressed in Section 5.0, Other CEQA Considerations of the Environmental Assessment; and

WHEREAS, pursuant to Government Code Section 65759(a), no further action is required regarding such findings; and

WHEREAS, the adoption of the Fifth Draft 2021-2029 Housing Element would supersede and replace the existing 2013-2021 Housing Element of the General Plan; and

WHEREAS, on May 30, 2023, the City Council held a duly noticed public hearing, at which time it considered all material and evidence, whether written or oral; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

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

SECTION 1. The above recitals are hereby declared to be true and correct.

SECTION 2. Based upon substantial evidence presented to this Council during the public hearing, including public testimony and written and oral staff reports, and the environmental documentation, the City Council finds:

- A. All necessary public hearings and opportunities for public testimony and comment have been conducted in compliance with applicable law;
- B. That the Fifth Draft 2021-2029 Housing Element addresses all of the requirements as set forth in Government Code §§ 65302 and 65580, et seq.; and
- C. That the Fifth Draft 2021-2029 Housing Element is compatible with, consistent with and integrated with all other elements of the City's General Plan.

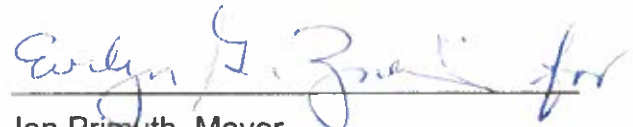
SECTION 3. Based upon the foregoing, the City Council:

- A. Approves the Initial Study and Environmental Assessment for the Fifth Draft 2021-2029 Housing Element as an adequate description of the impacts of the Project in conformity with 14 CCR 15080(c) and 14 CCR 15140, et seq.,
- B. Adopts the Fifth Draft 2021-2029 Housing Element, with any revisions necessary to obtain certification from HCD, as the 2021-2029 Housing Element Update to the General Plan; and
- C. Repeals the 2013-2021 Housing Element.

SECTION 4. This Resolution shall take effect immediately upon its adoption.

SECTION 5. The City Clerk of the City of South Pasadena shall certify to the passage and adoption of this resolution and its approval by the City Council and shall cause the same to be listed in the records of the City.

PASSED, APPROVED AND ADOPTED on this 30th day of May, 2023.




Jon Primuth, Mayor

ATTEST:



Mark Perez, Deputy City Clerk

APPROVED AS TO FORM:



Andrew L. Jared, City Attorney

I HEREBY CERTIFY the foregoing Resolution No.7817 was duly adopted by the City Council of the City of South Pasadena, California, at a special meeting held on the 30th day of May, 2023, by the following vote:

AYES: Braun, Cacciotti, Donovan, Zneimer

NOES: None.

ABSENT: Mayor Primuth

ABSTAINED: None.



Mark Perez, Deputy City Clerk