



Community Development
Department

Memo

DATE: May 17, 2023

TO: Planning Commission

FROM: Angelica Frausto-Lupo, Community Development Director
Alison Becker, AICP, Deputy Community Development Director

RE: Additional Document, Item No. 2, Public Hearing – Proposed 6th
Cycle (2021-2029) Housing Element and Environmental
Assessment

Please see attached:

1. Letter from the California Department of Housing and Community Development Department (HCD) regarding the 5th Draft Housing Element.
2. Public comment email received by 12:00 p.m. on May 17, 2023.

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

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May 16, 2023

Angelica Frausto-Lupo, Director
Community Development Department
City of South Pasadena
1414 Mission Street
South Pasadena, CA 91030

Dear Angelica Frausto-Lupo:

RE: South Pasadena 6th Cycle (2021-2029) Revised Draft Housing Element

Thank you for submitting South Pasadena's (City) revised draft housing element that was received for review on May 8, 2023. Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review. In addition, HCD considered comments from Josh Albrektson and the South Pasadena Tenants Union pursuant to Government Code section 65585, subdivision (c).

The revised draft element meets the statutory requirements of State Housing Element Law. However, the housing element cannot be found in substantial compliance until the City has completed necessary rezones to make prior identified sites available or address the shortfall of sites to accommodate the regional housing needs allocation (RHNA) pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021) as described below. The housing element will substantially comply with State Housing Element Law (Gov. Code, § 65580 et seq.) when the necessary rezoning is complete and the element is adopted, submitted to, and approved by HCD, in accordance with Government Code section 65585.

Pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), a jurisdiction that failed to adopt a compliant housing element within one year from the statutory deadline cannot be found in compliance until rezones to make prior identified sites available or accommodate a shortfall of sites, pursuant to Government Code section 65583, subdivision (c)(1)(A) and Government Code section 65583.2, subdivision (c), are completed. As this year has passed and rezoning has not been completed, the housing element is out of compliance and will remain out of compliance until the rezoning has been completed. Once the City completes the rezone, a copy of the resolution or ordinance should be transmitted to HCD. HCD will review the documentation and issue correspondence identifying the updated status of the City's housing element compliance.

As a reminder, pursuant to Government Code section 65583.3, the City must submit an electronic sites inventory with its adopted housing element. The City must utilize standards, forms, and definitions adopted by HCD. Please see HCD's housing element webpage at <https://www.hcd.ca.gov/planning-and-community-development/housing-elements> for a copy of the form and instructions. The City can reach out to HCD at sitesinventory@hcd.ca.gov for technical assistance.

Public participation in the development, adoption, and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City must continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available while considering and incorporating comments where appropriate. Please be aware, any revisions to the element must be posted on the local government's website and a link must be emailed to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting to HCD.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB1) Sustainable Communities grant; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City will meet housing element requirements for these and other funding sources.

HCD appreciates the hard work, cooperation, and responsiveness the City's housing element team provided throughout the housing element review and update. If you have any questions or need additional technical assistance, please contact Connor Finney, of our staff, at Connor.Finney@hcd.ca.gov.

Sincerely,



Paul McDougall
Senior Program Manager

From: [Josh Albrektson](#)
To: [PlanningComments](#)
Subject: Item 2 Public Comment
Date: Wednesday, May 17, 2023 11:30:18 AM

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

It was 3 years ago this month that we had the kickoff meeting for the Housing Element. I am glad that we are finally at a point that South Pasadena turned in a document that actually would increase the amount of housing and not some bullshit that claimed mountain sides would be developed.

Sadly for you guys, you guys had no input in this Housing Element. And that was mostly because past and present staff kept trying to do illegal things in the Housing Element and claim things like the highest inclusionary housing ordinance in state was viable when it clearly is not.

So now you have to accept this and you are not allowed to change any part of it. And that also means the downtown specific plan and the general plan must follow what is in the housing element and most specifically CANNOT include anything that would make the 70 DU/acre and 110 DU/acre less feasible.

One of the penalties for having this accepted 19 months after the deadline is that you cannot be found in compliance until after you rezone. HCD is going to allow you to be in compliance in 120 days once you implement the planned rezone, even though the rezone actually isn't complete until after the voter initiative.

You guys don't care about this as much as city council, but I want to be sure that you guys know that if I e-mail the Assistant AG in charge of HCD, David Pai, and point out HCD legally cannot find you in compliance until after the voter initiative, then you won't be in compliance until Jan 2025. And for the next 20 months any building that has 20% low income units can completely ignore the zoning in South Pasadena.

I'm telling you guys this threat in case you want to try to add things into the Downtown Specific Plan or General Plan to make it so that the housing cannot be built as stated in the Housing Element.

And also because your staff is currently fucking around with Carrows and a builders remedy project and if they keep doing that then they will end up with a lot more builders remedy projects.

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Josh Albrektson MD
Neuroradiologist by night
Crime fighter by day