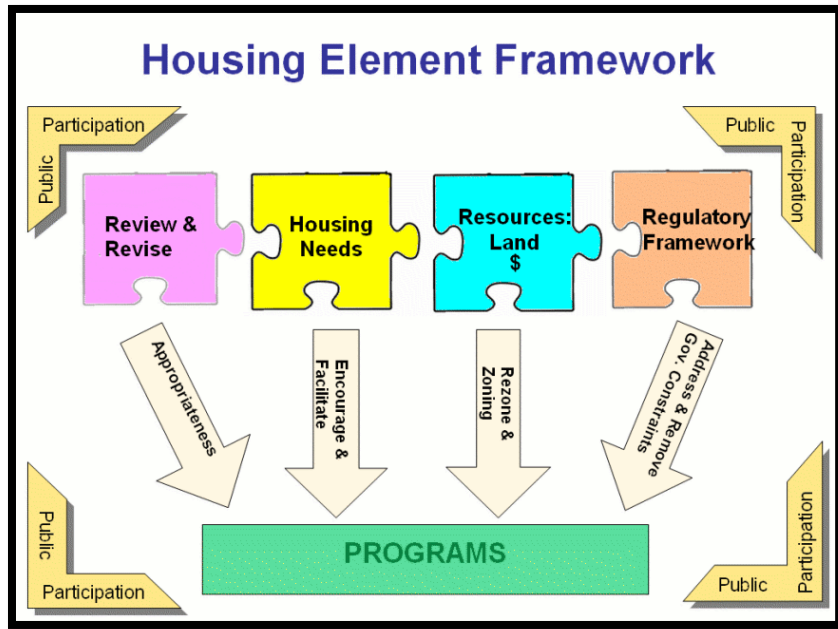


Pasadena Affordable Housing Coalition



Graphic credit: California Department of Housing and Community Development

July 28, 2021

Honorable Mayor
Pasadena City Council
City Hall
100 N. Garfield Avenue
Pasadena, California 91109

RE: Consideration of Draft Housing Element

Honorable Mayor and City Council Members:

The State Department of Housing and Community Development provides guidance to cities on revising their Housing Elements, noting that California law requires all cities in California to “adequately plan to meet the housing needs of everyone in the community.”

This broad mandate is too often narrowly interpreted to mean compliance with the minimum standards needed for State certification.

The Pasadena Affordable Housing Coalition, made up of a widely representative group of community and civic organizations, urges the City Council to go beyond demonstrating that

Pasadena has the *theoretical* capacity to meet our city’s Regional Housing Needs Assessment of 9,429 total units.

The dominant theme of the public’s comment at the City’s outreach meetings has been the demand for effective solutions to the affordable housing crisis facing our rent-burdened tenants and unhoused residents.

To that end, the Housing Element must be a plan that goes beyond potentially *allowing* for 5,974 units of affordable housing (to be added in Pasadena over the next eight years) but instead provides a comprehensive approach to *achieving* that goal.

Each night, thousands of Pasadenans go to sleep worrying about their housing security – and hundreds more do not have a place to sleep at all. It is cold comfort to them to offer a plan that addresses their needs *in concept*, but not *in reality*.

The Coalition’s member organizations support a comprehensive set of recommendations based on three key overarching principles to ensure the plan not only meets the minimum standards of

State law but most importantly meets the needs of Pasadena’s families, seniors, workers, disabled and low-income renters.

These principles are:

- **Make affordable housing easier and less expensive to build in Pasadena** by removing the myriad local barriers that inflate the costs and discourage development of affordable housing.
- **Provide augmented local funding to help bridge the gap between the cost of providing affordable housing and the current resources available.** Pasadena cannot fill the gap on its own, but can ensure that Federal, State, regional, private and non-profit resources can be leveraged to maximize the supply of local affordable housing.
- **Provide housing security to Pasadena’s rent-burdened tenants,** recognizing the dire crisis facing them now as they cope with rising rents, inadequate legal protections against evictions and harassment and often substandard living conditions that go unreported for fear of retaliation.

Making affordable housing easier and less expensive to build in Pasadena starts with common sense policies that include enabling construction of deed-restricted affordable housing by right on congregational land and in commercial zones; removing parking minimums citywide; incentivizing the building of accessory dwelling units (ADUs); and streamlining the cumbersome processes that impede the development of affordable housing as well as permanent supportive housing for unhoused residents.

Consideration of an affordable housing overlay on congregational land has been needlessly delayed and if not pursued immediately should be among the first priorities for implementation in the Housing Element. Given the changing face of retail, development “by right” of adaptive

reuse with affordable housing should also be a critical priority.

ADUs can provide “elegant density” that not only increase the housing supply overall, but help low-income owners and young families afford their mortgages.

Finally, Pasadena should recognize that tortuous entitlement processes don’t produce equitable outcomes. Pasadena should set high standards -- and grant permits to those who comply.

Providing augmented local funding to help bridge the gap between the cost of providing affordable housing and the current resources available is the only way to adequately leverage the resources from Federal, State, regional, private and non-profit resources. Using redevelopment set aside for affordable housing, Pasadena compiled an exemplary record of supporting local affordable housing.

Since its abolition in 2011, the only local stream of funding for affordable housing has come from housing developers who’ve chosen not to provide onsite units to meet their inclusionary responsibilities. This is grossly inadequate to the need. Voters in other jurisdictions including Los Angeles, Culver City and Santa Monica have approved local taxes or bonds.

As Pasadena considers meeting its overall fiscal needs, affordable housing should be a paramount goal to maintain our character as an inclusive and diverse community dedicated to safe and decent housing for all our residents.

Enhancing housing security for Pasadena’s rent-burdened tenants is necessary because renters’ lives can’t wait for the city to meet the pent-up demand for additional affordable housing options.

Just as developers often require grants and below market financing to make their projects viable, low and very low income tenants often require

subsidies and protections against undue escalations in housing costs to make their rents affordable. No one knows whether the State’s program for forestalling mass evictions after the expiration of the present eviction moratorium will be adequate.

Even if mass displacement does not immediately occur, over the past two decades thousands of long-term residents, many of them multi-generational Pasadenans, have been involuntarily displaced out of the city.

This tragedy has fallen most heavily on people of color, particularly the historic Black community in Pasadena, which the 2010 Census showed had been reduced by 24% in just ten years. Given the drastic escalation in rents and home values during the last decade, a similar or greater decline is to be expected upon the release of the 2020 Census figures.

To stem the tide of displacement, the city must fashion remedies to meet not only its RHNA goals - as important as they are - but the affordable housing concerns of its existing residents-over 60% of whom are renters.

Our coalition urges the City to recognize the dire crisis of its existing residents with means adequate to the challenge, adopting a comprehensive set of tenant protections including rent control, just cause eviction rights,

adequate legal representation for low-income tenants and a citywide rent registry. If any of these policies are not included in the Housing Element, the City must propose adequate alternatives for providing housing security to ensure Pasadenans are not forced out of their homes, their neighborhoods, their children’s schools and in some cases out onto the streets.

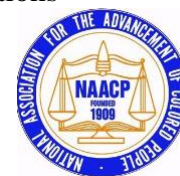
These three principles and the policies we’ve enumerated in this letter represent a framework for development of a comprehensive Housing Element. Our Coalition has extensively discussed a more detailed set of policies and programs which are all vital to a balanced and realistic plan for housing affordability in Pasadena.

We ask the Commission members and City staff to give thoughtful consideration to each and every one of our recommendations for inclusion in the Housing Element.

We appreciate this opportunity to provide the views of hundreds of informed and active local community members who insist their City “adequately plan to meet the needs of everyone in the community.”

Respectfully submitted,

The Pasadena Affordable Housing Coalition
Member Organizations



Proposed Housing Element Policy Solutions
Submitted by Pasadena Affordable Housing Coalition
July 28, 2021

Tenant Protection Solutions:

- **Tenant Anti-Harassment:** This defines and codifies illegal harassment activities and toughens civil and criminal penalties for landlords who are abusing their tenants. [Source 1 from Abundant Housing LA](#), [Source 2 from City of Los Angeles City Clerk Connect](#)
- **Just Cause and Rent Control:** Under just cause a tenant cannot be unfairly evicted and under rent control a cap is placed on the amount a landlord can increase the rent every year. [Source 1 from Local Housing Solutions](#), [Source 2 from Princeton University evaluated the effect of just cause eviction ordinances across the United States](#), [accept Santa Monica Rent Control Info](#)
- **Rental Registry:** A rental registry allows a city to require landlords to report the number of bedrooms per unit, rent amounts, the date of last rent increase, provided utility services, parking costs, and more. [One example is the City of San Jose](#). [The City of El Cerrito has a rent registry that applies to all owners of residential rental property](#)
- **Tenant’s Right to Legal Counsel:** This program provides free legal counsel to tenants going through eviction. [ACLU article on tenant’s right to council](#)

Zoning Solutions:

- **Congregational Land Overlay Zone:** A congregational land overlay zone is a zoning tool which allows religious congregations to build affordable housing at sufficient densities on their land. The congregational land overlay zone should be implemented within 6 months of the housing element’s adoption. [See this factsheet for information on the congregational land overlay zone](#).
- **Incentivize affordable ADUs and Junior ADUs:** Allow more flexibility on ADU size (e.g. build a second story above parking on 1st floor), Make it less costly and less time intensive to develop ADUs. [City of Los Angeles ADU Accelerator Program](#).
- **Remove Parking Minimums Citywide:** Parking minimums increase the developer’s cost for building housing, take up space that could be used for more housing units, and disincentivize the use of transit. [Report on effect of the City of Buffalo’s cutting of parking minimums](#), [San Francisco](#), [and Berkeley](#)
- **Encourage “Missing Middle” housing types:** Missing middle housing is house-scale buildings (duplexes, fourplexes, cottage courts, courtyard buildings) with multiple units built in walkable neighborhoods. [Missing Middle Housing Source](#). [Congress for New Urbanism Source](#)
- **Housing Overlay Zone, such as an Affordable Housing Overlay Zone:** A housing overlay zone provides a package of incentives to developers who include in their projects homes that people can afford. [Factsheet on Housing Overlay Zones](#). [Berkeley Affordable Housing Overlay Zone](#).
- **Local density bonus program near transit:** These programs encourage developers to build more housing units – including affordable units – near major public transportation stops. [City of Los Angeles TOC Program](#)
- **Allow housing in commercially zoned areas:** The majority of Pasadena is built out, therefore, vacant or underutilized commercially zoned areas are opportunities to build housing where vacant land is hard to come across. [Berkeley Turner Center Report on Residential Redevelopment of Commercially Zoned Land in California](#).

Attachment

- **Streamline the approval of deed-restricted, affordable housing, and permanent supportive housing.** [Habitat of Humanity Report on Streamlining Approvals for Affordable Housing in California.](#)
- **Form-Based Code (FBC):** This type of code removes barriers and incentivizes Missing Middle Housing in appropriate locations. FBC represents a paradigm shift in the way that we regulate the built environment, using physical form rather than a separation of uses as the organizing principle, to create predictable, built results and a high-quality public realm. [Missing Middle Housing on Form-Based Code](#)

Funding Solutions:

- **Vacancy Tax:** A vacancy tax places a fee on property owners who allow their residential rental units to remain vacant for a certain length of time. [City of Oakland Vacant Property Tax.](#) [Report to City of Los Angeles Council about vacancy tax applicability to the city.](#)
- **Unbundle Parking Cost from Rent Cost:** Unbundling parking costs from the cost of housing makes housing more affordable as renters can choose to rent a housing unit without paying for the cost of a parking space [City of Santa Monica Unbundling Parking in municipal code.](#) [Report from Mike Manville \(UCLA\) about the benefits of unbundling the cost of parking from rent costs.](#) [Article from Mobility Lab about transportation benefits of unbundling parking.](#)
- **Local Transfer Tax:** Transfer taxes are assessed on the sale value of a property when it changes ownership. The revenue potential for transfer taxes can be large and can be directed towards an affordable housing production fund. [Report from Shane Phillips \(UCLA\) on Real Estate Transfer Tax Reform.](#)
- **Affordable Housing Bond:** An affordable housing bond will issue a certain amount of bonds to fund housing projects and assistance for low-income and middle-income households and for people experiencing homelessness. [City of Emeryville Affordable Housing Bond, passed](#)
- **Create an Affordable Housing Fund, funded by an Impact Fee:** An impact fee is a development fee whose purpose is to offset the impact of new development on the need for affordable housing. The fees are collected and dedicated towards affordable housing production fund. [Berkeley Turner Center Report on Residential Impact Fees.](#) [Grand Nexus Study on Impact Fees in San Mateo County.](#)
- **Increase general funds to the housing department so that it is fully staffed to be open to the public during all City business days.**
- **Rent forgiveness due to the COVID-19 pandemic and resulting economic conditions.** Divert some Housing Department funds/grants to forgive back rents so that tenants are not evicted.

Preservation Solutions:

- **Long-Term Preservation of Housing Subsidies and Stewardship:** Community land trusts should be implemented to preserve housing subsidies and provide stewardship to ensure that affordable housing and the land underneath is maintained long-term. [Source 1 from the Lincoln Institute of Land Policy.](#) [Source 2, second report from Lincoln Institute of Land Policy.](#)
- **City Purchases and Covenants (Preserves) Naturally Occurring Affordable Housing:** This is a fairly affordable way for cities to preserve naturally occurring affordable housing and prevent the displacement of low-income households. If the city does not want to own the housing, they can hand it over to a local community land trust for operation and ownership. [Shelter force article on Naturally Occurring Affordable Housing.](#)

Attachment

- **Code Enforcement** (e.g., recent visits to tenant housing reveals that enforcement has been lax resulting in poor living conditions.)

Other Solutions:

- **Strategic Use of City-Owned Land:** Devote City-Owned land exclusively to the creation of 100% affordable and/or supportive housing projects through below-market or no-cost sale or lease to non-profit developers of community land trusts. [Source 1, page 13 of ACT LA Housing Element Recommendations Letter. Local Housing Solutions Source.](#)
- **Provide "bridge housing" and "tiny homes" and supportive services to help people become housed** [Volunteers of America Article on Housing Options for Unhoused Folks.](#) [SAMHSA Article on Housing Options](#)
- **Mandate on-site affordable housing** in the Inclusionary Housing Ordinance.