

California Renters Legal Advocacy and Education Fund

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Pasadena City Council
100 North Garfield Avenue, Room S249
Pasadena, California

June 11, 2018

Re: Consideration of an interim ordinance to reduce allowable building capacity

Honorable Members of Pasadena City Council:

CaRLA writes in opposition to item #23 on the June 11, 2018 city council meeting agenda. This measure is designed to reduce or eliminate construction of new housing at a time when California is experiencing a statewide, crisis-level housing shortage, including in Pasadena. The City of Pasadena has a moral and legal obligation to provide sufficient housing for its residents, both present and future; an ordinance that is tantamount to a moratorium on new housing production runs contrary to that obligation.

Further, the City of Pasadena may be committing a blatant violation of CEQA by refusing to complete even an initial study evaluating the consequences of this action. While the city cites section 15305 of the CEQA Guidelines as justification to preclude such a study, the cited regulations in fact apply only to decisions that do not result in a change in density. Additionally, the city cites section 15061 with the justification that “The proposed interim measures would inherently reduce any potential environmental effect.” This is blatantly false. The record numbers of Californians experiencing homelessness is *itself* both a public-health and environmental crisis.

Even the most casual of CEQA studies would demonstrate the nexus between a reduction in housing capacity and increased displacement, greenhouse gases, and suburban sprawl. Pasadena must consider in its analysis:

- The environmental effects of extended commute times for Californians who, failing to find housing in Pasadena, are instead forced to drive further in the LA basin between their homes and their jobs.
- The inevitable loss of pristine, undeveloped land in suburban cities as development pressures are removed from Pasadena and instead redirected towards greenfield development elsewhere. The proposal would decrease the potential for more environmentally responsible infill development, instead incentivising further expansion of our urban footprint into untouched natural habitats and ecosystems.

- The very real threat to human health and safety imposed on Californians by increased displacement resulting from an extremely competitive housing market where more Californians compete for an ever shrinking number of homes. In any capitalist economic system such as that in California, those with the least means are the most vulnerable to market forces; this often means living on the street as they are outbid by others who are also simply looking for a home.

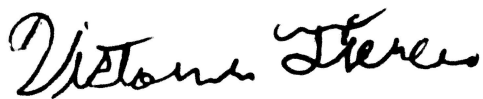
Additionally, Pasadena's economic analysis of a proposed reduction in housing capacity leading to increased affordable housing is indefensible. With an inclusionary housing scheme as proposed in the city's report, affordable housing production is necessarily tied to market-rate housing production. Reducing the number of homes that may be built in the city does not equate to an increase in the number of affordable homes actually built in the city.

CaRLA objects particularly to the staff report's suggestion that the city of Pasadena could legitimately find multi-family apartment buildings to be a specific, adverse impact to human health and safety as a mechanism to extend this moratorium on new housing production. Sprawl as induced by single-family-home exclusive zoning is several orders of magnitude more harmful to human health and safety than any single apartment building. What is more, apartments are occupied by renters—to argue that the buildings they live in pose such a hazard is classist, exclusionary language that risks running afoul of the Fair Housing Act, among other laws.

A housing moratorium is predatory delay that harms renters first and foremost. The City of Pasadena must be able to demonstrate that this proposal advances a legitimate public purpose and does not contribute to further displacement of Californians both within and without the city. While such a moratorium may seem appealing to those who are already housing secure, it undoubtedly presents an insurmountable barrier to members of the affordable housing development community. As with any government decision, it is the responsibility of the body tasked with the decision to consult with all stakeholders who will be impacted. This does not appear to have happened and must be immediately corrected.

CaRLA is a 501(c)3 non-profit organization whose mission includes advocating for increased access to housing for Californians at all income levels, including low-income households through legal enforcement of state housing law. You may learn more about CaRLA at www.carlaef.org.

Sincerely,



Victoria Fierce
Co-Executive Director

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