

Introduced by: _____

ORDINANCE NO. _____

AN EXTENSION OF THE INTERIM URGENCY ORDINANCE OF THE CITY OF PASADENA TEMPORARILY PROHIBITING THE CONVERSION OF RENTAL APARTMENT UNITS TO FOR-SALE CONDOMINIUM UNITS

WHEREAS, the City of Pasadena (“City”) has adopted the Land Use Element, and a Housing Element, of its General Plan; and

WHEREAS, the Land Use Element sets forth policies and goals toward the protection of land use planning that is protective of the social impacts of land uses, and the Housing Element sets forth the City’s policies and goals toward providing a supply and range of housing opportunities throughout the community; and

WHEREAS, the Housing Element’s overarching “housing vision” is as follows:

All Pasadena residents have an equal right to live in decent, safe and affordable housing in a suitable living environment for the long-term well-being and stability of themselves, their families, their neighborhoods, and their community. The housing vision for Pasadena is to maintain a socially and economically diverse community of homeowners and renters who are afforded this right.

WHEREAS, the City Council of the City of Pasadena has expressed concern regarding the potentially adverse impacts that the conversion of rental apartment units to for-sale condominium units may have on the City’s rental housing stock and resident socio-economic population mix; and

WHEREAS, in September of 2007, the City received from the State Department of Housing its Regional Housing Needs Assessment (“RHNA”) allocation, and is in the process of revising its Housing Element in compliance with the Government Code, to account for the RHNA allocation; and

WHEREAS, the City Council finds that there is a current and immediate threat to the public health, safety and welfare because, without a moratorium, condominium conversions could occur at such a rate as to drive out of Pasadena those residents that cannot afford to purchase a condominium, thus eroding not only the City’s resident socio-economic population mix, but also impact City businesses who rely on residents in that mix as a valuable employee pool; and

WHEREAS, further regulation of condominium conversions through amendments to the Zoning Code may reduce the potential for adverse impacts on the City’s rental housing stock and resident socio-economic population mix; however, to better understand the impacts of conversion, City staff would need adequate time to study the matter; and

WHEREAS, on October 22, 2007, the City Council adopted an INTERIM URGENCY ORDINANCE OF THE CITY OF PASADENA TEMPORARILY PROHIBITING THE CONVERSION OF RENTAL APARTMENT UNITS TO FOR-SALE CONDOMINIUM UNITS (“Interim Urgency Ordinance”); and

WHEREAS, during the initial effective period of the Interim Urgency Ordinance, the City Manager formed a Condominium Conversion Task Force (“Task Force”) composed of City staff and a broad spectrum of stake holders interested in housing issues in Pasadena whose purpose it is to study the potential impacts on the City’s rental housing stock and resident socio-economic population mix, to better understand the impacts of conversion, and to attempt to development proposals for the City Council to consider in addressing this issue; and

WHEREAS, the Task Force has been meeting and studying the impacts of conversions but has not had adequate time to fully study these impacts nor to develop proposals for the City Council's consideration; and

WHEREAS, based on the proceedings of the Task Force thus far, the most urgent and compelling threat of adverse impacts on the City's rental housing stock and resident socio-economic population mix arises out of the conversion of rental apartment units that are affordable to very low, low, and moderate income households ("affordable rental units") to for-sale condominium units; and

WHEREAS, on those bases, the City Council continues to find that there is a current and immediate threat to the public health, safety and welfare because, without the extension of a narrowed version of the moratorium, condominium conversions could occur at such a rate as to drive out of Pasadena those residents that cannot afford to purchase a condominium, thus eroding not only the City's resident socio-economic population mix, but also impact City businesses who rely on residents in that mix as a valuable employee pool; and

WHEREAS, pursuant to California Government Code Section 65858, and in order to protect the public health, safety and welfare, the City Council may extend the Interim Urgency Ordinance for a period of up to 10 months and 15 days

NOW THEREFORE, the People of the City of Pasadena ordain as follows:

SECTION 1. The provisions of this ordinance extend the temporary prohibition on the conversion of rental apartment units that are determined to be affordable to very low-income households, low-income households, and/or moderate-income households, as those terms are defined in Section 50079.5 of the California Health and Safety Code, to for-sale condominium units. This ordinance shall not apply to the "development of multifamily housing projects" as that term is defined in California Government Code Section 65858. For purposes of establishing the rental rates of any rental

apartment units proposed for conversion, the applicant must supply evidence of the rental rates of any and all units proposed for conversion as of October 25, 2007. Such evidence shall be submitted at the time of application and shall be in a form and clarity satisfactory to the City.

SECTION 2. During the effectiveness of this ordinance, the City will continue a review of its land use regulations and study whether any amendments to the Zoning Code, particularly whether the addition of an inclusionary housing requirement for condominium conversions, may avoid or reduce the potentially adverse impacts of a loss of rental apartment units, in consideration of the goals and policies established in the City's Land Use Element, Housing Element, and Zoning Code.

SECTION 3. Unless extended pursuant to California Government Code Section 65858, the provisions of this ordinance shall expire at the end of the 10 month and 45 day period following its date of publication. The City may cause this ordinance to expire at an earlier time if possible.

SECTION 4. This ordinance is additional to and supplemental to, and shall not affect, except as specifically provided herein, any provision of the Pasadena Municipal Code, which shall be operative and remain in full force and effect without limitation with respect to all such land use applications.

SECTION 5. The City Council hereby declares that, should any section, paragraph, sentence, phrase, term or word of this ordinance, hereby adopted, be declared for any reason to be invalid, it is the intent of the City Council that it would have adopted all other portions of this ordinance irrespective of any such portion declared invalid.

SECTION 6. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published in full text.

SECTION 7. This ordinance shall take effect upon publication, and shall remain in effect for a period of 10 months and 15 days from the date of publication, in accordance with California Government Code Section 65858.

Signed and approved this _____ day of _____, 2007.

Bill Bogaard
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its meeting held this _____ day of _____ 2007, by the following vote:

AYES:

NOES:

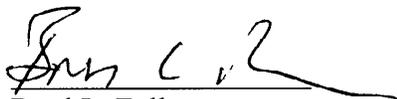
ABSENT:

ABSTAIN:

Date Published:

Jane L. Rodriguez, CMC
City Clerk

Approved as to form:



Brad L. Fuller
Assistant City Attorney