

California Renters Legal Advocacy and Education Fund

1390 Market St #200
San Francisco, CA 94102
hi@carlaef.org

18 MAR 12 03:45PM



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

March 12, 2018

Re: Impact fees on Accessory Dwelling Units

Honorable Members of Pasadena City Council:

The California Renters Legal Advocacy and Education Fund writes to inform the City of Pasadena of their obligations to follow all relevant state laws when evaluating the proposal to reduce impact fees on accessory dwelling units. In particular, California Government Code 65852.2 and related sections as amended by SB-1069 read, in part:

(1) Fees charged for the construction of accessory dwelling units shall be determined in accordance with Chapter 5 (commencing with Section 66000) and Chapter 7 (commencing with Section 66012).

Additionally, a memorandum released in 2016 by the California Department of Housing and Community Development on the interpretation of 65852.2 reads:

All impact fees, including water, sewer, park and traffic fees must be charged in accordance with the Fee Mitigation Act [sic], which requires fees to be proportional to the actual impact (e.g., significantly less than a single family home).

Fees on ADUs must proportionately account for impact on services based on the size of the ADU or number of plumbing fixtures. For example, a 700 square foot new ADU with one bathroom that results in less landscaping should be charged much less than a 2,000 square foot home with three bathrooms and an entirely new landscaped parcel which must be irrigated. Fees for ADUs should be significantly less and should account for a lesser impact such as lower sewer or traffic impacts

The City of Pasadena must consider existing fees levied on non-ADU uses when evaluating what is and is not reasonable, as per the state's Fee Mitigation Act.

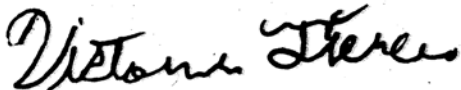
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Pasadena's current adopted Residential Impact Fee is \$19,494.61 for a one-bedroom home. According to a city staff report on December 11th, 2017, the total fees for a 600 square foot ADU amount to \$31,800.00. This is not significantly less than a non-ADU use and as such is out of compliance with California State Law.

California is in a crisis-level housing shortage which contributes to historic levels of household unaffordability. The causes of this shortage are artificial, brought on by excessively burdensome land-use regulations including excessive fees. Accessory dwelling units are a fast, relatively inexpensive opportunity for homeowners to contribute to our state's housing shortage in a meaningful way. We remind the city that there are significant economic, social, health, and legal consequences from failing to provide housing equal to its needs.

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. This includes GOV 65852.2 and other relevant sections governing accessory dwelling units. You may learn more about CaRLA at www.carlaef.org.

Sincerely,



Victoria Fierce
Co-Executive Director
California Renters Legal Advocacy and Education Fund

Martinez, Ruben

From: Mauricio Machuca <morismachuca@gmail.com>
Sent: Monday, March 12, 2018 4:04 PM
To: cityclerk
Subject: A comment for tonight's city council meeting 03/12/18

To whom it may concern:

I am writing in support of keeping medical cannabis dispensaries open in the city of Pasadena. I have been living in Pasadena District 7 for 6 years and have been a law-abiding, taxpayer my entire life. I am a white-collar worker with a college degree, working in a field related directly to my studies. I am also currently a member of the Golden State Collective at 50 N Mentor Ave.

The services I receive at Golden State Collective have had an immeasurably positive impact on the quality of my life. I medicate at home for anxiety and insomnia. By being able to safely take edible cannabis, in clearly defined doses, I have been able to enjoy a life with panic attacks greatly reduced, in addition to being able to have a quality 8 hours of sleep at night.

Prior to being serviced by Golden State Collective, I was much more prone to anxiety and was sleeping about 3-4 hours a night, which was greatly affecting my ability to do my job well. After joining the collective, I feel like I have been able to live a fuller life.

I am grateful to the city of Pasadena for allowing medical cannabis dispensaries to operate within it. Having safe and consistent access to medical cannabis in my hometown means that I can get life-changing medicine while also contributing to our local economy.

While the state of California has now allowed for communities to choose whether or not they will allow recreational cannabis dispensaries, I implore you to not let any decision on that front influence the future of medical cannabis dispensaries in Pasadena.

I am wholeheartedly against any action by this council to close any existing medical cannabis dispensaries. The fellow members of my collective that I've met medicate for conditions that can range from anxiety to adverse effects of chemotherapy. From people in their twenties to grandmothers.

Especially in the face of an exploding opioid epidemic, please continue to allow access to your constituents to this safe, non-addictive medicine.

Thank you,

Mauricio Machuca

Martinez, Ruben

From: Morales, Margo
Sent: Monday, March 12, 2018 3:58 PM
To: cityclerk; McAustin, Margaret
Subject: Fwd: Opposition to ADU

For tonight's agenda

Sent from my iPhone

Begin forwarded message:

From: Bo Thoreen <bothoreen@thoreenlaw.com>
Date: March 12, 2018 at 3:56:13 PM PDT
To: Margo Morales <mlmorales@cityofpasadena.net>
Subject: **Opposition to ADU**

Please register our opposition to to ADUs on lots smaller than 10,000 square feet. Creating an army of amateur landlords and congesting our neighborhoods is not going to solve California's housing crisis.

Thank you,

Bo Thoreen.

Sent from my iPhone

Jomsky, Mark

Subject: FW: Contact Request from Website

On Mar 12, 2018, at 8:54 AM, City Council - District 7 <CityofPasadenaWebMaster@cityofpasadena.net> wrote:

Name : James Ipekjian
Phone: 626/319-2850
Email: ipekjian@sbcglobal.net

Message:

Hi Andy,

This is Jim Ipekjian. I am unable to attend tonight's Council meeting and I have a concern regarding the proposed ADU changes.

As I mentioned in the past I felt the 800 sq. ft. maximum size was too limiting for larger parcels and it seemed the Council dealt with that concern by raising the maximum size to 1200sq. ft.

Now I find that while the maximum is 1200, the building size is also limited to 50% of the existing structure. Here is my problem; our lot is 14,400 sq. ft. with a 1600 sq. ft. house. So I'm still limited to 800 sq. ft. for a potential new ADU.

Would it be possible to just have the 1200 max., and not restricted with the additional burden of 50% max. of the existing structure? Or at least a sliding percent of existing structure restriction to accommodate these sizeable properties?

Thanks for your consideration

Jim

Jomsky, Mark

Subject: FW: Please consider reducing fees for ADUs

----- Original message -----

From: Tera Klein <pastortera@me.com>

Date: 3/12/18 4:11 PM (GMT-08:00)

To: "Wilson, Andy" <awilson@cityofpasadena.net>, "Thyret, Pam" <pthyret@cityofpasadena.net>

Subject: Please consider reducing fees for ADUs

Dear Andy,

How are you? It was nice running into you and your son at Vroman's a couple of weeks ago! He seems like a nice young man.

I'm writing to ask you to consider amending the fee structure for building Accessory Dwelling Units, so that making this type of property improvement is available to more moderate-income people, like myself.

Jonathan and I own a historic home in Highland Park. It's an 1876 simple Victorian farmhouse, on an 11,000 square foot lot. It feels really special to us. Our home is a contributing structure for our Historic Preservation Overlay Zone.

When Jonathan and I were dating, and deciding to get married, we knew we wanted to create home together on this property, which I already owned. The problem was - the original home had 3 bedrooms. And we have four children between us!

We jumped through a million hoops with the city of LA - long story short, we were able to build a 600 square foot accessory dwelling unit whose design mirrors that of the original structure, but doesn't overwhelm it, and allowed us to have an extra bedroom, bathroom, kitchen, and hang-out room for the children. It's a sweet little one bedroom house, with a front porch that includes a porch swing. As we were building it - I had in mind making it comfortable enough so that (heaven forbid) I ended up on my own, I would be happy living in the "little house" as we call it.

The construction cost was around \$120,000. Honestly, if the LA fees were similar to what Pasadena is proposing - we would have been priced out. My understanding is the proposed Pasadena fees are between \$20-30,000.

We feel really lucky that we were able to build. We had a very specific budget we worked within, and there wasn't room to go over (we are both clergy!). It has enabled us to be stewards of a really sweet, historic property while meeting the needs of our family. Our hope is that as the children move out, we will either keep the house empty for them to stay in when they visit us with their families, or we will rent it out to a student, artist, or someone who is in need of affordable, nice, comfortable housing.

I know you will receive a lot of comments tonight. Bless you for staying present in those long meetings! This ADU has greatly improved our family life, and we feel it has added value to our property. So many people stop by, and can't believe it wasn't always there - it fits in so nicely.

May your day be filled with faith, love, and purpose,
Rev. Tera Klein
pastortera@me.com

David R. Whitehead
388 E. Mountain Street
Pasadena, CA 91004

18 MAR 12 05:16PM

CITY CLERK

March 12, 2018

Mayor Tornek and City Council
City Hall, City of Pasadena
100 N. Garfield Avenue, Room S228
Pasadena, CA 91109-7215

Good afternoon Mayor Tornek and Council Members:

I wish to, respectfully, proposed this Alternative to the proposed **ADU Size Limitations**:

"Parcels meeting the proposed minimum parcel size of 7,200 square feet (or which are zoned for multiple housing units [RM-zoned]) with a primary dwelling of less than 1,200 square feet in size, will be limited to a maximum ADU size of 800 square feet. For parcels with an existing primary dwelling of 1,600 square feet or greater, the maximum ADU size be the lesser of 800 square feet or 50% of the size of the primary dwelling to a maximum size of 1,200 square feet. In all cases, new ADUs must conform to proposed setback limits."

In other words, ***the 50% maximum size limitation would not go into effect until the size of the Primary Dwelling reaches 1,600 square feet.***

My reason for proposing this alternative is simple and practical: As a homeowner of an existing 920 sq. foot house, I would be limited - by the currently proposed 50% size limit - to constructing an ADU of 460 square foot (20' x 23'). An ADU that size is barely larger than a one-car garage ADU provides little or no incentive to that homeowner to construct such an ADU. A 460 square foot ADU is **extremely** small - barely larger than a one-car garage - and would limit that ADU to being only a small studio apartment. However, at 800 square feet, a one bedroom - or compact two-bedroom - unit could be built to provide a more comfortable dwelling that could house a small family.

Please note the attached diagram of a 7,000 sq.ft. RM12-zoned parcel.

- Primary Dwelling and its detached garage are in gray.
- Green section indicates the size of a 50% ADU (with the gray garage inset for comparison).
- Blue section represents an 800 sq. ft. ADU (per the Alternative ADU Size presented above).
- Purple section shows the size of a 2nd house that could, under current RM12-zoning limits, be placed on this RM12 parcel. Furthermore, the 2nd house could be a two-story structure.
(Note: All these colored areas comply with existing *and* proposed setbacks.)

If the proposed ADU size limits are too restrictive and the impact fees too high, I might just as well construct a two-story, 3,000 sq. ft., RM12-zoned structure that I am allowed to build and rent it at price necessary to re-coup the cost of construction and impact fees.

But I would very much prefer to build an ADU on my property - something attractive and complementary to the existing structures and overall character of the neighborhood.

Please consider the ADU Size Limits changes I have proposed.

Thank you for your time and attention.
Sincerely,



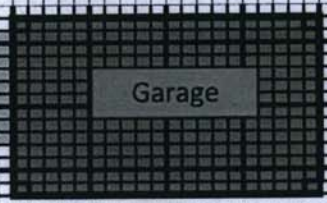
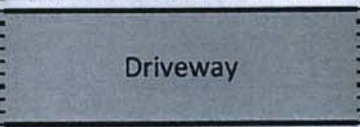
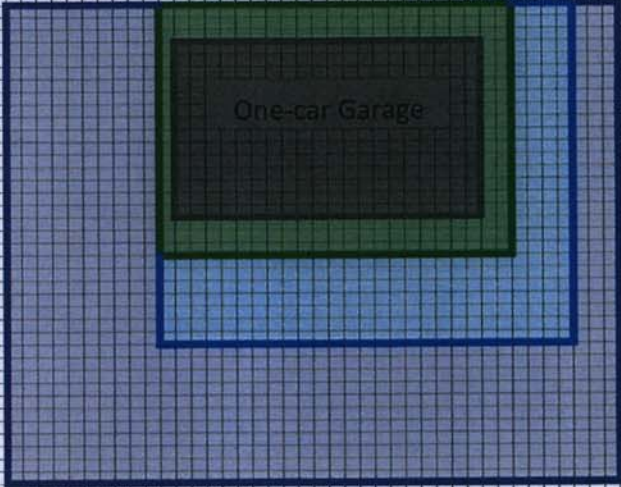
David Whitehead (Pasadena homeowner/resident)

03/12/2018
Item 8

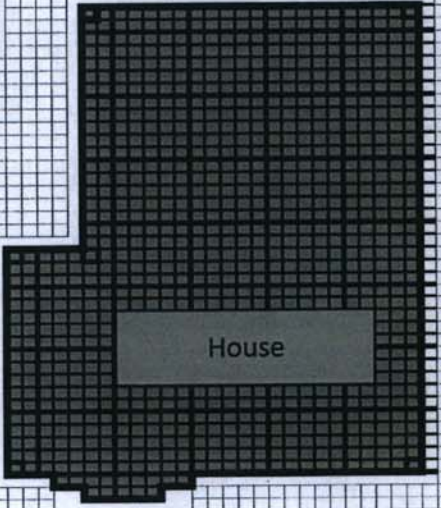
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... sidewalk ... sidewalk ... sidewalk ... sidewalk ... sidewalk ...

Green = 50% of Primary Dwelling.
 Blue = 800 square foot ADU.
 Purple = 2nd House allowed an RM12.



Tree



... sidewalk ... sidewalk ... sidewalk ...

... Euclid Street ... Euclid Street ...