

# 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.

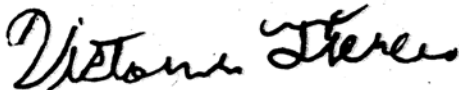
03/12/2018  
Item 8

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](http://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](mailto:bothoreen@thoreenlaw.com)>  
**Date:** March 12, 2018 at 3:56:13 PM PDT  
**To:** Margo Morales <[mlmorales@cityofpasadena.net](mailto: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](mailto:CityofPasadenaWebMaster@cityofpasadena.net)> wrote:

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