



CALIFORNIANS FOR  
HOMEOWNERSHIP

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January 11, 2021

**VIA EMAIL**

City Council  
City of Pasadena  
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vgordo@cityofpasadena.net; correspondence@cityofpasadena.net

RE: January 11, 2021 City Council Meeting, Agenda Item 15

To the City Council:

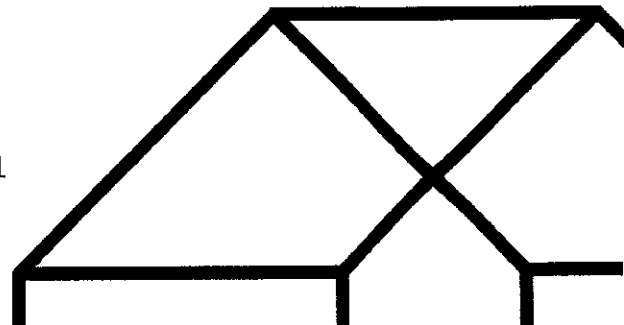
Californians for Homeownership is a 501(c)(3) non-profit organization devoted to using impact litigation to address California's housing crisis. I am writing as part of our work monitoring local compliance with Government Code Section 65913.10, as established by SB 330, Stats. 2019 c. 659 § 13. Under SB 330:

For purposes of any state or local law, ordinance, or regulation that requires the city or county to determine whether the site of a proposed housing development project is a historic site, the city or county shall make that determination at the time the application for the housing development project is deemed complete. A determination as to whether a parcel of property is a historic site shall remain valid during the pendency of the housing development project for which the application was made unless any archaeological, paleontological, or tribal cultural resources are encountered during any grading, site disturbance, or building alteration activities.

Gov. Code § 65913.10 (a) (emphasis added). This limitation is in place until at least 2025.

At your January 11 meeting, you will discuss updates to the City's historic preservation policies. As you consider these updates, it is critical that you keep in mind the City's obligations under SB 330. To the extent that these updates would require or allow the City to make

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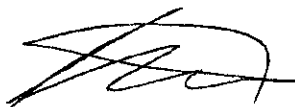
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determinations about the historic nature of a site after an application to develop new housing has been deemed complete, they are unlawful.

The staff report before you also references existing City policies that involve making historic designation determinations for undesignated sites at some point after a housing development application has been deemed complete. We trust that the City ceased enforcing these provisions, to the extent incompatible with state law, on January 1, 2020. To the extent that it did not, the City may be exposed to legal liability.

We look forward to reviewing the specific language for the City's new Historic Preservation Ordinance, and we expect to provide further comments once that language is available.

Sincerely,



Matthew Gelfand

cc: Steve Mermell, City Manager (by email to [smermell@cityofpasadena.net](mailto:smermell@cityofpasadena.net))  
David Reyes, Planning Dept. Director (by email to [davidreyes@cityofpasadena.net](mailto:davidreyes@cityofpasadena.net))  
Kevin Johnson, Senior Planner (by email to [kevinjohnson@cityofpasadena.net](mailto:kevinjohnson@cityofpasadena.net))  
Leon White, Principal Planner (by email to [lwhite@cityofpasadena.net](mailto:lwhite@cityofpasadena.net))

## Martinez, Ruben

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**From:** RZ Ullrich <  
**Sent:** Monday, January 11, 2021 12:26 PM  
**To:** PublicComment-AutoResponse  
**Subject:** HPO Comment

**CAUTION:** This email was delivered from the Internet. Do not click links or open attachments unless you *know* the content is safe. Report phish using the Phish Alert Button. [Learn more...](#)

With regard to maintain consistency at all costs: Rigid consistency is antithetical to a changing world. Historic Preservation is an admirable cause, one that I wholly support, but not at the expense of reasonable, considered accommodation.

Miranda Zorn Ullrich

Pasadena, CA 91104

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