

**McMillan, Acquanette (Netta)**

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**From:** p brown  
**Sent:** Thursday, June 18, 2026 11:18 PM  
**To:** PublicComment-AutoResponse  
**Subject:** Public Comments for 6/22 City Council Meeting - AGENDA ITEM 22 - SB79 Ordinance

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Dear Hon. Mayor Gordo and Council Members:

I write to express disappointment that the Council seeks to delay SB79 through this proposed Ordinance, although big kudos to the Council for voting to narrow the scope of properties subject to the delay.

In May, the New York Times editorialized that especially blue cities across the US need to "loosen zoning laws to allow more multifamily housing, and to make it easier to build where it is already legal."

The proposed ordinance does the opposite - seeks delay where SB79 would make it easier to build, including properties where it is already legal to do so. Seems crazy to delay what is already permitted.

The evidence is clear that Pasadena and many other cities in California are way behind on their housing goals. That is why Sacramento had to step up and step in.

On the climate crisis, the Council set ambitious policy – demanding all hands on deck for renewable energy by 2030. The Council has also commendably demanded action sooner rather than later on a homeless shelter.

Unfortunately this deferral ordinance sends a different message. In kicking the can, it's bad news for those seeking to find places to live in our community.

Meanwhile, the City confronts stagnant tax revenues, rising rents, a dramatically declining school age population, and too many vacant retail storefronts and office space -- all problems that could be addressed by increased density and the increased population (and taxpayers and shoppers) it would bring.

I love Pasadena. Abundant housing will enable more people to enjoy our city as well.

Respectfully,

P.A. Brown (Mr.)  
District 6

**06/22/2026**  
**Item 23**

**McMillan, Acquanette (Netta)**

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**From:** Sam Alcorn <[REDACTED]>  
**Sent:** Monday, June 22, 2026 4:34 PM  
**To:** PublicComment-AutoResponse  
**Subject:** Written Comment for Item 23 of June 22 City Council Meeting  
**Attachments:** SSA\_6222026\_Item\_23\_Written\_Comment.pdf

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Please find attached comment for Item 23 on tonight's meeting.

Thanks,  
Sam Alcorn  
District 3

**06/22/2026**  
**Item 23**

Sam Alcorn  
District 3, Pasadena

June 22, 2026

Mayor Victor Gordo and Members of the City Council  
City of Pasadena  
100 N. Garfield Avenue  
Pasadena, CA 91101

**Re: Item 23 (second reading) — Uncodified Ordinance to Delay Effectuation of SB 79. The ordinance excludes categories of sites that Government Code section 65912.161(b) does not authorize, and the delay is in tension with the City’s duty to affirmatively further fair housing (Gov. Code § 8899.50). I respectfully urge the Council not to adopt it.**

Dear Mayor Gordo and Councilmembers:

My name is Sam Alcorn. I am a renter in District 3, near the Memorial Park station, where the large majority of my neighbors also rent. This letter is for the written record on Item 23. I am addressing one procedural matter only briefly here, because I intend to raise it in oral comment; the substance of this letter concerns two points that deserve a fuller treatment than the speaker’s podium allows: the ordinance reaches beyond its own statutory authority, and the delay sits uneasily with the City’s fair-housing obligations. I ask that this letter be entered into the record for the item.

**1. Whom the delay serves, and what tonight’s supplemental data does and does not show.**

Renters are most of Pasadena: roughly 57 percent of households citywide, and nearly four in five households in my District 3. By a reasonable estimate crossing district tenure with registration and turnout, renters are also a majority of the likely electorate in most council districts, and roughly three-quarters of likely voters in District 3. A delay in the station areas is not a neutral “pause”; it withholds homes in exactly the transit-served places this law was written to open, at the expense of the renter majority who most need them.

Tonight’s supplemental memo (Item 23, June 22) defends pausing the Del Mar, Memorial Park, and Lake TOD zones under the capacity thresholds in Government Code section 65912.161(b)(1)(B): that at least 33 percent of sites in the zone already permit at least 50 percent of SB 79 density and FAR, and that the zone cumulatively allows at least 75 percent of SB 79’s aggregate density. Even taking the City’s figures at face value, that pathway justifies a capacity-based pause; it does not authorize the separate historic exclusions the ordinance also imposes, which I address next. The two should not be conflated: meeting the (b)(1)(B) capacity test for a zone is not authority to exclude individual historic-resource sites on grounds the statute does not list.

**2. The ordinance excludes categories of sites that section 65912.161(b) does not authorize.**

On a historic-resource basis, subdivision (b) authorizes the exclusion of exactly one category: “Sites with a historic resource designated as of January 1, 2025, on a local register.” (§ 65912.161(b)(1)(F).) Neither the state register nor the National Register appears anywhere in subdivision (b).

The ordinance nonetheless excludes state-register sites, and National Register sites along with them, in the Memorial Park, Del Mar, and Lake station areas. The City’s stated authority for pausing those three zones, in both the ordinance’s recitals and tonight’s supplemental memo, is the capacity-threshold pathway in section 65912.161(b)(1)(B), which turns on zone-wide density and floor-area thresholds. But a state- or National-Register historic site is not excluded by that density math; it is excluded because it is historic. Subdivision (b) provides no historic-resource basis for excluding state- or National-Register sites: the only historic category it authorizes is the local register, in (b)(1)(F). The ordinance thus invokes the density pathway but uses it to carry an historic-status exclusion the statute does not grant. The bill that would extend SB 79’s historic exclusion to the state register is AB 2576, coauthored by Pasadena’s own state senator and assemblymember; it is still moving through the Legislature and is not law. The supportive correspondence in the packet thanks the Council for advocating AB 2576, which only underscores that the authority the ordinance assumes does not yet exist. I respectfully urge the Council, at a minimum, to strike the state-register and National Register exclusions before any adoption.

This is not a defect the City can simply absorb. Under Government Code section 65912.160(d), an ordinance adopted under this section is subject to HCD review for substantial compliance, and HCD may find that an ordinance excluding categories of sites the statute does not authorize is not in substantial compliance. If the City neither amends the ordinance nor adopts findings answering HCD’s determination, HCD may refer the matter to the Attorney General. Adopting exclusions that exceed subdivision (b) therefore does not secure the delay the ordinance seeks; it invites a compliance finding the City will then have to cure or defend, with the excluded sites subject to SB 79 in the meantime.

### **3. The delay is in tension with the City’s duty to affirmatively further fair housing (Gov. Code § 8899.50).**

Section 8899.50 imposes on the City an independent, affirmative obligation to administer its housing and community-development activities in a manner that affirmatively furthers fair housing, and to take no action materially inconsistent with that obligation. To affirmatively further fair housing means taking meaningful actions that, taken together, address disparities in access to opportunity, replace segregated patterns with integrated ones, foster inclusive communities, and invest in housing and infrastructure in lower-resource areas.

The three station areas the ordinance pauses span both ends of the State’s opportunity map, and the delay is in tension with the City’s duty as to each. The Del Mar area is largely designated High Resource on the TCAC/HCD opportunity map; delaying transit-served housing there perpetuates exclusion from a high-opportunity, well-resourced community. The Memorial Park and Lake areas are largely designated Low Resource; delaying housing there, including the deed-restricted affordable units SB 79 requires, withholds precisely the affordable-housing investment that the duty to affirmatively further fair housing calls for in lower-resource, transit-connected communities. The ordinance cannot further fair housing in a high-resource area by restricting access to it, and at the same time further fair housing in low-resource areas by withholding

investment from them. The findings incorporated by reference from June 8 do not undertake this analysis.

**4. A procedural concern I will raise in oral comment.**

Separately, I will raise in oral comment a question about whether the ordinance has been adopted “in accordance with Section 65912.160,” which is the express condition under which section 65912.161(b) suspends SB 79 for excluded sites. I flag it here only so the record reflects that the point was raised in good faith, and so the Council and City Attorney can confirm the relevant facts before relying on the ordinance. I do not repeat the argument here; I raise it so it can be verified, not to spring it on anyone.

**5. Request.**

The course most consistent with the interest of the City as a whole is to take no action and let SB 79 take effect as written; the City is not required to adopt any ordinance at all. Short of that, I urge the Council, before adoption, to strike the state-register and National Register exclusions that subdivision (b) does not authorize, and to make findings demonstrating that any delay affirmatively furthers fair housing as section 8899.50 requires. Absent those steps, I respectfully ask the Council to reject the ordinance and to direct staff to implement SB 79 rather than delay it.

Thank you for your consideration. Please enter this letter into the record for Item 23.

Respectfully,

Sam Alcorn  
District 3, Pasadena

**McMillan, Acquanette (Netta)**

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**From:** Bridget Lawlor <bridget@pasadenaheritage.org>  
**Sent:** Monday, June 22, 2026 4:45 PM  
**To:** PublicComment-AutoResponse  
**Subject:** RE: Support for Continued Implementation Measures Related to SB 79

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Dear Mayor Gordo and Members of the City Council:

Pasadena Heritage appreciates the City's continued efforts to address the impacts of SB 79 and to thoughtfully prepare for its implementation. We are grateful for the leadership demonstrated by the City Council, Planning Commission, and staff in developing a strategy that seeks to balance state housing mandates with the protection of Pasadena's historic resources and neighborhood character.

As we have previously stated, SB 79 provides only limited protections for historic resources and does not adequately safeguard many of Pasadena's most significant historic districts and properties, including resources listed in the California Register of Historical Resources and the National Register of Historic Places. These omissions create uncertainty for some of the City's most important historic neighborhoods and cultural assets.

Pasadena Heritage remains supportive of the City's efforts to utilize every available tool to protect historic resources while ensuring compliance with state law. We encourage the City to continue pursuing local implementation measures that recognize the unique historic character of Pasadena and provide clear guidance regarding the treatment of historic districts and contributing properties.

We also urge the Council to continue advocating for the passage of AB 2576 (Harabedian), which would provide additional protections for contributing properties within State Historic Resources Inventory districts and individually listed historic resources. This legislation represents an important step toward addressing shortcomings in SB 79 and ensuring that historic preservation remains a meaningful consideration in transit-oriented development areas.

Pasadena Heritage stands ready to assist the City in these efforts and appreciates the Council's ongoing commitment to preserving the historic places that define Pasadena's identity.

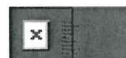
Thank you for your consideration.

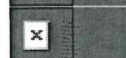
Sincerely,  
Bridget Lawlor, Ph.D.

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**Bridget Lawlor, Ph.D.**  
Executive Director

 bridget@pasadenaheritage.org

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**06/22/2026**

**Item 23**