



November 9, 2022

Public Comment Re: Agenda Item 2, Housing Element and Caltrans Houses

In the past few weeks, the contours of a backroom deal regarding the 20 vacant Caltrans houses in South Pasadena surfaced. The gist is that South Pasadena Councilmembers are entertaining a demand by the South Pasadena Preservation Foundation to defy state law requirements to develop affordable housing on the non-historic vacant houses, and to give control over who gets to purchase and restore the houses to a small group of local preservationists. To date, neither the City nor the Preservation Foundation has made this plan public.

We are opposed to this proposal for myriad reasons: the lack of transparency, the absence of information about where and how the City will build affordable housing if not on the vacant Caltrans properties, and the plan's inconsistency with the City's stated commitment to racial justice. **Housing justice is critical to racial justice.**

Last week, members of the Preservation Foundation communicated threats of legal and other adverse action against Care First member Ella Hushagen in response to her public comment and a social media post about the vacant Caltrans houses. The comment connected the Preservation Foundation's plan to "protect the and preserve the character of the city" to the City's history as a sundown town.¹ Specifically, in 1942, Japanese-Americans were forced from their homes and detained under Executive Order 9066. In response, White South Pasadenans proposed improving the vacant houses such that they would be unaffordable to "undesirables" and "colored families." (Housing Element, Third Draft, at 97). Ms. Hushagen pointed out that that ugly history has an echo in the Preservation Foundation's proposal for the City to sell the vacant Caltrans houses to private buyers rather than develop affordable housing on the sites.²

¹ *South Pasadenan*, "Letter to the Editor: Caltrans Homes Plan 'An Opportunity for Reset' and Move Forward." September 21, 2022. Available online at <https://southpasadenan.com/letter-to-the-editor-caltrans-homes-plan-an-opportunity-for-reset-and-move-forward/>

² A number of public comments opposing SB381 and favoring the Preservation Foundation plan have characterized SB 381's requirement to build affordable housing as a threat to neighborhood safety, property values, and the City's coffers. One resident commented: "[T]he County and the City of Los Angeles cannot expect to use our single-family residence[s]...to solve their housing, drug, or prisoner problems." November 2, 2022 City Council meeting, public comment regarding agenda item 16. Another resident commented: "I want to know what you'll do if a HRE brings in a drug rehab, and how you'll keep dealers out of my neighborhood because drug dealers often tend to target drug rehab facilities and drug rehab housing...Bringing HREs into neighborhoods will lower the value of our homes which will negatively impact the property taxes which fund this city." September 21, 2022 City Council meeting, general public comment. Such comments appear to be based on misconceptions about what non-profit HREs are, who the future low- or moderate-income occupants of the houses will be, and how the existence of affordable housing will impact the tax base.

The connection between South Pasadena’s history as a sundown town³ and the way it looks today exists whether we choose to acknowledge it or not. But don’t take our word for it. Read the City’s Housing Element.⁴ (Housing Element, § 6.4.6, at 96-100).

The Housing Element reports:

- Black or African American residents make up just 3.6% of South Pasadena, lower than the countywide portion of Black or African American residents at 8.1 percent. (Housing Element at 38).
- Only 18.5% of South Pasadena’s residents identify as Hispanic, far lower than the 48.5 percent of the County’s population that claims Hispanic ethnicity. (*Id.*).
- The median household income for the City is \$104,308, well above the County median of \$68,044. (*Id.* at 46).
- The number of single-parent households with children in South Pasadena has declined by approximately 17% from 2010. (*Id.* at 55).
- Approximately 36% of all households in South Pasadena overpay for housing (*i.e.*, spend 30% or more of their income on housing), and of these households, renter-households have the highest incidence of overpayment, with 64% spending more than 30% of their household income for housing. (*Id.* at 68).
- The median home sales price in South Pasadena increased 223% between 2000 and 2018 (more than the 151% increase in the SCAG region). (*Id.* at 95).
- Rental prices increased significantly since 2015, with an average annual increase ranging from 5.7 percent for studio apartments to 8.7 percent for 3-bedrooms. (*Id.* at 95).

Based on these stark facts, the Housing Element concludes that the City’s “prior race and ethnic-based socio-economic discrimination had a long-term impact on racial diversity in the City.” (Housing Element at 98). “South Pasadena must reckon with past racism within the community that precluded the opportunity to become a homeowner in the City based on race[.]” (*Id.* at 96).

³ For additional history about the City’s sundown town practices, see February 16, 2021 Care First South Pasadena public comment Re: Open Session, Agenda Item 11, Sundown Town Resolution, https://www.carefirstsouthpasadena.com/files/ugd/da1335_5e795a4539aa4217bb8cf300bc229d88.pdf; Anti-Racism Committee of South Pasadena, The Racist History of South Pasadena, <https://arcsouthpasadena.org/racist-history-of-south-pasadena/>

⁴ State law requires the City to affirmatively further fair housing, which means “taking meaningful actions, in addition to combatting discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics.” Cal. Gov’t Code § 8899.50(a)(1). The City’s Housing Element must “analyze areas of segregation, racially or ethnically concentrated areas of poverty, disparities in access to opportunity, and disproportionate housing needs, including displacement risk[.]” and assess “the contributing factors, including the local and regional historical origins and current policies and practices, for...fair housing issues.” Cal. Gov’t Code § 65583(c)(1)(C)(10)(A)(ii).

To be clear, a reckoning is necessary not only with the City’s overtly discriminatory practices during the early to mid-1900s, but with its more recent history of implicit discrimination through land use restrictions.

- The Housing Element describes South Pasadena’s 1963 Land Use Plan as an effort to “hold[] onto its perceived ‘stability and exclusiveness,’ terms that are often proxies for racist intent to keep people out of the community.” (Housing Element at 98).
- The 1998 South Pasadena General Plan proclaimed that the City faced the “threat” of multiresidential growth, and it must commit to “preserving its single-family residential character[]”—reflecting a desire to maintain the status quo. (*Id.* at 99). The 1998 Plan downzoned residential land, reducing the number of acres designated as high-density residential use and increasing the medium density zoning along with more land area for low density and estate. (*Id.*).
- August 2021 zoning data revealed that that approximately 75% of all residentially zoned land in South Pasadena is zoned exclusively for one or two dwelling units per parcel that do not allow for higher density housing such as apartments or condominiums. (*Id.* at 102). Jurisdictions with the highest proportion of exclusively single-family zoning have the highest percentage of White residents and lower rates of diversity generally. (*Id.* at 101-102).

The Housing Element explains:

Slow-growth strategies often have indirect racist overtones, particularly slow-growth furthered by reducing densities, by prioritizing lower density housing types, which often are more expensive to purchase or rent than smaller, middle- and high-density housing types. While not directly discriminatory, this prioritization can present a barrier to lower- and moderate-income households to live in the city, which can result in both income and racial isolation.

(Housing Element at 99).

The Housing Element declares that due to South Pasadena’s “**lack of housing for lower- and moderate-income households, and the historic denial of access to the black [sic] community and others due to past-century racist practices,**” the City has identified “[a]ddressing the continuing effects of exclusionary housing policies...as the highest priority action to affirmatively further fair housing in South Pasadena.”⁵ (Housing Element at 120).

⁵ The City’s Third Draft Housing Element failed to comply with the State’s requirements, but that does not undermine its facts and findings related to South Pasadena’s history of exclusion as set out above. The City added much of that information in response to the California Department of Housing and Community Development’s (HCD) instruction that South Pasadena must include “additional discussion of land use practices including zoning, growth controls, height initiatives and any other practices that affect housing choices since the latter half of the 20th century[,]” and “formulate appropriate policies and programs to combat past patterns and impacts on inclusive communities.” (HCD Letter of July 8, 2022, Appendix, § A(1), <https://www.southpasadenaca.gov/home/showpublisheddocument/30220/637952980769470000>) . HCD’s October 28, 2022 letter informed South Pasadena that to affirmatively further fair housing, the Fourth Draft Housing Element “should include specific commitment and additional

Any approach to the vacant Caltrans houses that ignores South Pasadena’s exclusionary history and its imperative to build affordable housing throughout the City is an extension of these practices.

South Pasadena is a beautiful town with so much to offer. **With strong leadership, the City can organize to share South Pasadena’s resources, rather than to protect the status quo for those fortunate enough to already live here.** Please build consensus around a new way forward, rather than capitulate to the resistant few.

actions to improve housing mobility and increase new housing choices and affordability in higher resource or income areas (not limited to the RHNA) throughout the City.” (HCD Letter of October 28, 2022, <https://www.southpasadenaca.gov/home/showpublisheddocument/30866>).