

2021 – 2029 Housing Element Update



CITY *of* CALABASAS

City Council

September 28, 2021

Planning Commission Review

- On September 13, 2021, the Planning Commission held a noticed public hearing to review the 2021-2029 Housing Element update, Draft Land Use Element, Draft EIR and Draft Ordinance No. 2021-395:
 - Staff provided the Commission with a detailed analysis and discussion of the State Requirements for Housing Elements, and the City’s approach to meeting those requirements;
 - The Draft EIR was reviewed and discussed by the Commission;
 - Public testimony and input was provided, including written comments; and
 - The Commission voted unanimously to recommend approval of the aforementioned to City Council (no changes were made to the Draft 2021-2029 Housing Element, Draft Land Use Element or Ordinance No. 2021-395).



The Housing Element Update and Other General Plan Updates Dictated by California Law

- Cal. Gov. Code sections 65580, *et. Seq.* require regular updates to a local jurisdiction's General Plan **Housing Element**; the 2021 – 2029 updates must be completed and adopted by October 15, 2021.
- Under State law, all elements of a General Plan must be consistent, thus, the Housing Element update automatically triggers **Land Use Element** updates.
- SB 743 requires **Circulation Element** updates to replace LOS metrics with VMT metrics.
- Updates to the **Safety Element** are required, per Cal. Gov. Code section 65302.
- *NOTE: The Circulation Element and Safety Element updates are well underway; those documents will come forward for consideration within the next three to six months.*



Land Use Element Update

- The Land Use Element update is triggered also by Government Code Section 65302(f) which requires consistency with the State's most recent (2017) *General Plan Guidelines*, and by SB 1000 which requires incorporation of certain Environmental Justice components.
- Land Use Element updates include:
 - Updated land use map, charts and figures;
 - Updated goals, policies, and programs regarding the proposed Affordable Housing Overlay, and incorporating the City's obligations to promote and comply with *Fair Housing* and *Environmental Justice* requirements. (See particularly page II-8 of Attachment C to the staff report)
 - A few error corrections.



City's Existing Housing

Total Units (approx.) = 9,190

- Single-Family = 6,920 (75.3%)
- Multi-family = 2,041 (22.2%)
- Mobile Homes = 231 (2.5%)

- Affordable Units = 87 (1.0%) *

**Long-term; e.g., via deed restriction or equivalent*



Housing Production During City's 4th and 5th RHNA Cycles

YEAR	PROJECT	TOTAL UNITS	AFFORDABLE UNITS
2011	Canyon Creek Apartments	75	75
2012	Horizons 55 Senior Condominiums	60	0
2016	Avanti	80	8
2019	Paxton Multi-family Condominiums	78	4
(Multiple)	Infill -- New Single-Family Homes	36	0
2015-21	Accessory Dwelling Units	22	11
	TOTALS	351	98

NOTE: ADUs are not deed-restricted; # of units indicated as "affordable" is an estimate



Planning for Future Housing

Under State law, the Housing Element of the City's General Plan must include policies and programs covering:

- Preservation of existing housing stock, particularly affordable and assisted housing units;
- Elimination and/or reduction of barriers to housing development and housing affordability;
- Affordable housing development incentives (e.g., density bonus, inclusionary housing, etc.)
- Inventory and analysis of potential future housing development sites adequate to accommodate RHNA;
- Policies, programs, and adequate sites/zoning to accommodate: group homes, accessory dwelling units, transitional housing, etc.



City's Current (2014 – 2021) Housing Element

- Prepared and adopted in 2013 for the 5th RHNA Cycle planning period.
- Included a sites inventory sufficient to accommodate a RHNA of 330 total new housing units, including 199 affordable units (Very Low, Low, and Moderate Income).
- Affordable units accounted for 60% of the total.
- Included all required policies and programs and was certified by HCD as being compliant with State law.



2021 - 2029 Housing Element Update

- Must include all the same components as the prior Housing Element, plus additional new features to meet new State laws, including:
 - Analysis of local ordinances and regulations that “impact the cost and supply of residential development”, and (per AB 879);
 - Sites inventory to accommodate all income categories and which can be maintained throughout the planning period, as required to meet strengthened “No Net Loss” housing statutes (per SB 166).
 - Sites inventory which includes only properties realistically available and capable of supporting new housing development - e.g., by having all necessary utilities, are not encumbered by legal constraints, etc. (per AB 1397).
 - Program(s) to address Affirmatively Furthering Fair Housing (AFFH)



2021 - 2029 Housing Element Update

Extensive community input and involvement:

- An on-line community survey (913 responses)
- Senior Needs Survey on-line and hard copy (324 responses)
- One community workshop
- Three public study sessions before the Planning Commission
- One public study session before the City Council
- Public input into the Draft EIR
- Public hearings (P. C. and Council)
- Dedicated website



What is the Regional Housing Needs Assessment (RHNA)?

- RHNA is mandated by State Housing Law as part of the periodic process of updating the housing elements of local jurisdictions' General Plans.
- RHNA quantifies the need for housing within each jurisdiction during specified planning periods (typically 6 to 8 years); the current planning period is the sixth one, covering eight years from October 2021 through October 2029.



The RHNA for City of Calabasas is heavily weighted toward affordable housing.

TOTAL RHNA FOR CALABASAS CITY	354	% of Total
77% in the “Affordable” categories		
Very-low income (<50% of AMI)	132	37.0%
Low income (50-80% of AMI)	71	20.0%
Moderate income (80-120% of AMI)	70	19.8%
Above moderate income (>120% of AMI)	81	22.8%



The 6th Cycle RHNA and Adequate Sites

- During the 5th RHNA cycle, only 10% of all new housing units produced fell within the affordable housing (lower income) categories; based on this (a 9:1 production ratio for market-rate units to affordable units), HCD would require the City to demonstrate sufficient new overall housing capacity to produce 273 affordable units. (*Doing the math: $273 \times 10 = 2,730$ total new units.*)
- Following issuance of the final RHNA by SCAG, HCD indicated that cities would have to plan for sufficient future housing capacity to meet the RHNA plus an additional “buffer” of approx. 20% to 30%, applied to each housing affordability level. (*Doing the math: $(273 \times 1.2) \times 10 = 3,280$ total new units.*)



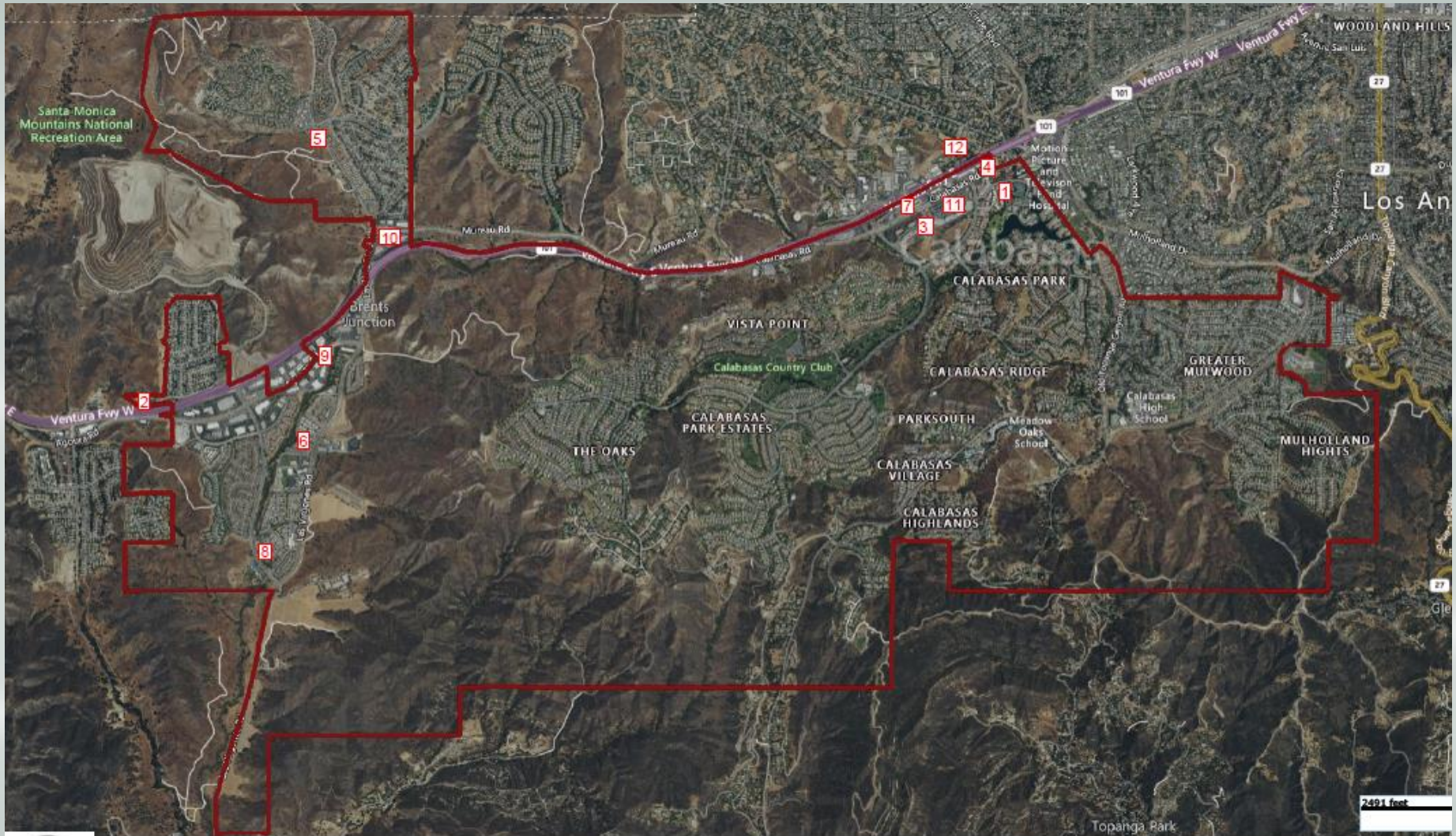
Our Approach to Future Housing Sites

Two key guiding principles were followed based on input and direction obtained from the general citizenry during public workshops, and from both the Planning Commission and the City Council.

1. Reduce the necessary total future housing capacity (estimated to be +/- 3,000 units) by concentrating the affordable housing on a fewer number of sites with higher densities.
2. Place the new housing sites on infill properties, on redevelopment sites, and on properties within the planned annexation territory of Craftsman's Corner.



Identified Future Housing Sites



2021-2029 Housing Element

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HCD Requirements to Accomplish Affordable Housing

- 20 units/acre is *minimum* density threshold for sites to be credited towards lower income RHNA.
- Development standards must not impede housing development at the prescribed densities.
- Development on following sites must be permitted “by right” for projects that include 20% lower income units
 - ✓ Sites reused from current Housing Element
 - ✓ Sites part of a rezone program to address lower income RHNA shortfall
- More stringent requirements to justify suitable Housing Element sites
 - ✓ Non-vacant sites - substantial evidence existing use(s) to be discontinued
 - ✓ Site < .5 acre or > 10 acres – prior track record of providing affordable housing on similar sized sites, or other evidence site is feasible for lower income units



Affordable Housing Overlay

Why is the AHO necessary?

The AHO is needed to reduce the overall number of new housing unit capacity for which the City must plan. The AHO will provide housing developers with incentives to include higher percentages of affordable units within their projects.

In this way, the proposed AHO reduces the requisite overall housing production capacity from roughly 3,000 units to less than 1,200 units.



Affordable Housing Overlay

What is it, and how will it work?

The AHO is a secondary set of housing development parameters and standards designed to encourage the inclusion of a greater percentage of affordable housing units within a new housing project on certain designated multi-family and commercial mixed-use properties.

When a new project will include at least 25% affordable units, the maximum standards for overall density, floor area ratio, and building height are substantially greater, and the minimum standard for private open spaces is substantially reduced.



Affordable Housing Overlay

What is it, and how will it work?



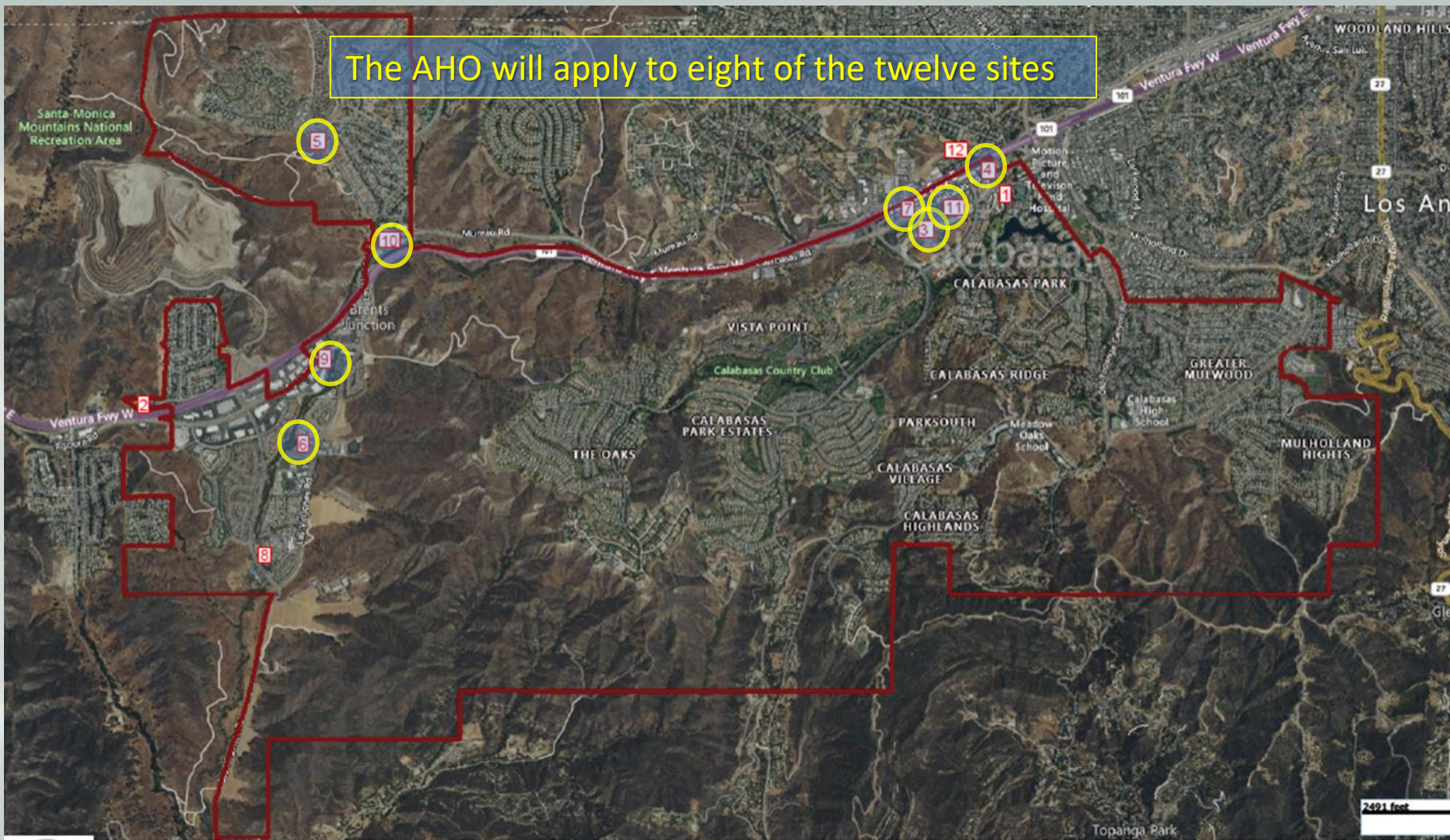
**Table 3 - 8
MULTI-FAMILY AND MIXED-USE AFFORDABLE HOUSING PROJECTS
SITE DEVELOPMENT LIMITS**

	Zoning District(s)	Affordability Level	Min. % Affordable Units	Min. - Max. Allowable Density	Minimum Open Space		Max. Allowable F.A.R.	Max. Allowable Height
					Common	Private		
Inclusionary Housing	RM	Very Low, or	5%	20 - 24 d.u./ac.	400 s.f. per unit%	75 s.f. per BR, up to 225 s.f.	1.10	35'
	RM	Low, or	10%					
	RM	Moderate	15%					
	CMU	Very Low, or	5%	20 - 24 d.u./ac.	400 s.f. per unit%	75 s.f. per BR, up to 225 s.f.	1.10	35'
	CMU	Low, or	10%					
	CMU	Moderate	15%					
Affordable Housing Overlay (AHO)	RM - AHO (Rental)	Very Low	6.25%	20 - 40 d.u./ac	75 s.f. (combined average) per unit	1.4	50'	
		and Low	18.75%					
	RM - AHO (Owner)	Moderate	25%	20 - 40 d.u./ac	75 s.f. (combined average) per unit	1.4	50'	
	RM - AHO (Senior)	Very Low	50%	20 - 50 d.u/ac	75 s.f. (combined average) per unit	1.4	50'	
		and Low	50%					
	CMU - AHO (Rental)	Very Low	6.25%	20 - 40 d.u./ac	75 s.f. (combined average) per unit	1.5	50'	
		and Low	18.75%					
CMU - AHO (Owner)	Moderate	25%	20 - 40 d.u./ac	75 s.f. (combined average) per unit	1.5	50'		
CMU - AHO (Senior)	Very Low	50%	20 - 50 d.u/ac	75 s.f. (combined average) per unit	1.5	50'		
	and Low	50%						

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Where will the Affordable Housing Overlay apply?



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Affordable Housing Overlay

Ordinance No. 2021-395

Ordinance No. 2021 – 395 will accomplish the following;

- Establish the Affordable Housing Overlay zoning district as a new overlay zone within Chapter 17.18 of the Land Use and Development Code;
- Define and set the parameters for qualifying affordable housing projects;
- Establish the development standards applicable to qualifying affordable housing projects on properties within the AHO;
- Reconcile numerous other sections of the Land Use and Development code to ensure consistency with the new AHO and to otherwise maintain internal consistencies;
- Correct several minor errors that were discovered during this process.



Other Key Housing Programs

(Unaltered Carryovers from 2014 – 2021 Housing Element)

- Residential Rehabilitation Program
- Rental Assistance Program
- Rental Registration Program
- Inclusionary Housing Program
- Condominium Conversion Ordinance
- Mobile Home Park Preservation Program
- Green Building
- Commercial Affordable Housing Impact Fee Program
- Senior Housing Opportunities



Other Key Housing Programs

(New, Modified, or Expanded for the 2021 – 2029 Housing Element)

- Home Repair/ADU Assistance Program (*E*)
- Residential Sites Inventory (*M*)
- Affordable Housing Overlay (*N*)
- Annexation of Craftsman’s Corner (*M*)
- Density Bonus Ordinance (*M*)
- Adaptive Reuse of Office Space (*N*)
- Preservation and monitoring of Assisted Housing Program (*E*)
- Promotion of Accessory Dwelling Units (*M*)
- Affordable Housing Development Assistance (*M*)
- Zoning Text Amendments for Special Needs Housing (*N*)
- Fair Housing / Affirmatively Furthering Fair Housing (*M*)
- Housing Opportunities for Persons Living With Disabilities (*M*)

(N) = New *(M) = Modified* *(E) = Expanded*



State HCD Review of the Draft 2021 – 2029 Housing Element

- Local 6th RHNA cycle housing elements must go through review by the California Department of Housing and Community Development (HCD)
- The Calabasas draft 2021 – 2029 Housing Element was sent to HCD on July 9th; HCD completed its review and sent comments on September 3rd.



KEY COMMENTS FROM STATE HCD

- **Add evidence supporting residential development on non-vacant sites**
 - ✓ *Provide trend data on development on non-vacant sites (including parking lots)*
 - ✓ *Add information on property owner interest in developing Housing Element sites*

- **Support City's assumption of residential on Mixed Use sites**
 - ✓ *Provide trend data on residential development in Mixed Use zones*
 - ✓ *Add information that Mixed Use Zones require between 25-50% residential*

- **Provide additional information on development feasibility on following sites:**
 - ✓ *Site 6 – Will existing church remain?*
 - ✓ *Site 8 – Will development on Avalon be subject to voter referendum?*
 - ✓ *Site 11 – How is The Commons site expected to develop with existing commercial uses to remain and do environmental constraints inhibit production?*



KEY COMMENTS FROM STATE HCD

Greater commitment to following programs to show beneficial impact

▪ **Promote Accessory Dwelling Units**

- ✓ *Initiate education & marketing program for homeowners on benefits of ADUs and availability of City funds for development. Develop ADU Design Workbook and pre-approvable construction plans. Establish ADU tracking system to track use and affordability.*

▪ **Craftsman Corner Annexation**

- ✓ *Commitment to rezone additional sites (as necessary) if not annexed within 3 years*

▪ **Add program to assist in development of extremely low income (ELI) housing**

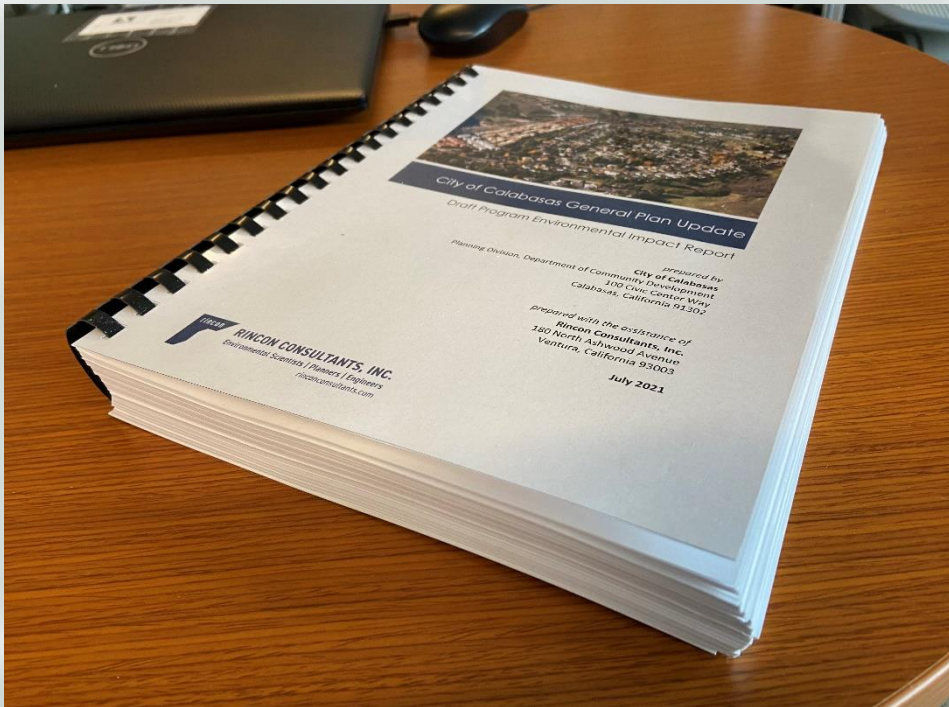
- ✓ *Provide priority processing, flexible development standards, incentives*

▪ **Affirmatively Furthering Fair Housing (AFFH)**

- ✓ *Add specific program actions to enhance housing mobility, provide new housing choices and affordability in high opportunity areas, provide for community preservation and revitalization and protection against replacement*



Draft Environmental Impact Report



- A Draft Environmental Impact Report was prepared to analyze and evaluate the proposed General Plan amendments for potential environmental impacts.
- The Draft EIR was circulated for agency and public review from July 30 through September 13th.
- The Final EIR includes comments from agencies and the public, as well as responses to the comments.



Program EIR

- The EIR addresses environmental impacts associated with proposed updates to:
 - Housing Element
 - Land Use Element and Land Use Map
 - Safety Element
 - Circulation Element
- The EIR was prepared by Rincon Consultants with information from Fehr & Peers (vehicle miles traveled [VMT] and emergency evacuation analysis) and TSS Consultants (wildfire assessment).
- During the public scoping period (February 8 to March 9, 2021), the City held a scoping meeting and solicited comments to identify issues of potential concern. Issues raised by the community included potential impacts to wildlife and biological resources, emergency evacuation, and public safety in wildfire hazard zones.
- The EIR analysis assumes a higher range of development potential than the draft Housing Element update. This is to fully analyze potential impacts if development occurs at a rate higher than presented in the draft 2021 – 2029 Housing Element. Generally, the EIR assumes a “worst case scenario” buildout.



Program EIR

Key Findings

- The analysis concluded that the updates to the General Plan would result in a less than significant impact for all environmental issues
- Mitigation measures are necessary to keep the following issue areas at less than significant:
 - Biological Resources (special status species, sensitive natural communities, wetlands, wildlife movement corridors)
 - Cultural Resources (archaeological, historic, and Tribal cultural resources)
 - Geology and Soils (paleontological resources)
 - Noise (temporary construction noise)
- The Mitigation measures are found in Section 4 of the Final EIR



Program EIR

Emergency Evacuation and Wildfire Analysis

- The emergency evacuation analysis concluded that additional traffic volumes associated with the General Plan Update would not have a significant impact on the transportation system that would result in inadequate emergency access.
- All proposed housing sites are located within one mile of an emergency evacuation route and would be built to provide multiple ingress/egress for emergency response vehicles.
- As noted in the wildfire analysis, none of the proposed sites are located in areas associated with adjacent high slopes or other topographic features that would exacerbate existing wildfire risk.
- Existing and proposed General Plan policies, California Fire Code, and California Building Code regulations would reduce risk of future development and residents to impacts from wildfire. All new utility wires would be underground and not pose a wildfire risk.
- Proposed housing sites are not located in areas exposed to downslopes or downstream flooding or landslides following a wildfire.



Program EIR

Project Alternatives

- The EIR provided an analysis of three alternatives to the Housing Element Update:
- **Alternative 1 (No Project)** would assume no changes are made to the General Plan
 - Overall, impacts would be the same or less than the proposed project except slightly greater greenhouse gas emissions.
- **Alternative 2** would increase density at Avalon Apartments site but remove the church site (net increase of 377 residential units).
 - Overall, impacts would be the same as proposed program, except slightly greater impacts to air quality, noise, public services and recreation, and utilities and service systems; and slightly reduced impacts to biological resources, cultural resources, and wildfire.
- **Alternative 3** would replace Rancho Pet Kennels, church site, and Avalon Apartments with three new sites (net increase of 82 to 254 residential units).
 - Overall, impacts would be the same as proposed program, except slightly greater impacts to air quality, cultural resources, greenhouse gas emissions, noise, public services and recreation, and utilities and service systems; and slightly reduced impacts to biological resources.
- Although No Project is considered under CEQA to be environmentally superior, it would conflict with State law to meet RHNA goals.



Final EIR

- **Public comments received:**
 - Gabrieleno Band of Mission Indians – Kizh Nation (8/13/21)
 - Santa Ynez Band of Chumash Indians (8/24/21)
 - California Department of Transportation (Caltrans) (9/1/21)
 - Los Angeles County Fire Department (9/7/21)
 - Los Angeles County Sanitation District (9/9/21)
 - Regional Council of Carpenters (9/13/21)
 - Joe Chilco (9/13/21)
 - Frances Alet (9/13/21)
 - CDFW (9/13/21)
 - SCAG (9/13/21)
- **Final EIR made public on September 21, 2021, includes the DEIR plus:**
 - Errata / Revisions to the DEIR
 - Comments and Responses to Comments
 - Mitigation Monitoring and Reporting Program



City Council Action

Adopt Resolution No. 2021 – 1750:

- Certifies the Final Environmental Impact Report; and
- Approves the 2021-2029 Housing Element update and associated updates to the Land Use Element.

Introduce and waive further reading of Ordinance No. 2021-395:

- Amends Title 17 of the CMC by adding new Sections 17.18.060 and 17.22.025, creating and “Affordable Housing Overlay Zone” and associated development standards for qualifying housing projects;
- Amends other sections within Title 17 of the CMC as necessary to be consistent with the added new sections; and
- Updates the official zoning map.

