

Michael Klein

From: Ross Johnson <[REDACTED]>
Sent: Friday, July 30, 2021 1:09 PM
To: Michael Klein; housingelements@hcd.ca.gov
Subject: Calabasas Draft Housing Element Not in Compliance With State Law

Dear HCD and the Calabasas,

Thank you for allowing the public to comment on Calabasas's draft housing element, which is currently not compliant with state law. YIMBY Law's concerns are outlined below.

CALABASAS DOES NOT PROVIDE ENOUGH SITE CAPACITY FOR MODERATE INCOME HOUSING.

Calabasas has not provided sufficient site capacity to accommodate the state mandated minimum amount of very low income housing.

“[T]he share of a city or county of the regional housing need shall include that share of the housing need of persons **at all income levels**”. “[A]ctions should be taken by local and regional governments to ensure that future housing production meets, **at a minimum**, the regional housing need” (emphasis added). Cal. Gov't Code § 65584(a)(1) - (2). The statute language makes it clear that regional housing needs are a mandated minimum, rather than a suggestion.

The 6th Cycle RHNA Plan requires that Calabasas provide enough site capacity to accommodate 70 moderate income housing units. However, Calabasas's housing element provides capacity for only 17 moderate income housing units. Thus Calabasas has not provided enough moderate income housing capacity.

To remedy this situation, the city should ensure that enough housing capacity is created to provide 15-30% capacity buffers at each level of income, including very low income, to avoid violating the No Net Loss requirement. *See* Cal. Gov't Code § 65863(c)(1). Otherwise, the County risks falling afoul of the No Net Loss requirement, making it vulnerable to mid-cycle rezoning, a costly process in terms of time, money, and political will.

CALABASAS DOES NOT MAKE MANDATORY FINDINGS THAT LOWER INCOME SITES WILL BE DEVELOPED

If a city assigns 50% or more of its lower-income RHNA to non vacant sites, the city must make “findings based on substantial evidence that the [existing] use [of the sites] is likely to be discontinued during the planning period.” (Gov. Code § 65583.2(g)(2).)

Calabasas was allocated 201 lower income units. Appendix C of the draft housing element notes that only 56 of the sites listed in the site inventory are on vacant sites, meaning more than 50% of the parcels in the site inventory are non vacant. Thus the city is required to make findings that the non vacant lower income sites listed in Appendix C are likely to be discontinued. Calabasas does not make these findings, meaning the draft housing element is not in compliance with state law.

Calabasas's 201 lower income housing units is relatively low. For comparison, La Canada Flintridge, a nearby town with roughly the same population and much higher median income, was allocated 386 lower income units. We ask that Calabasas make a good faith effort to follow the law, since the city has been given a lenient allocation for lower income housing.

I respectfully request that Calabasas's housing element not be certified until they remedy the concerns mentioned in the letter.

Kind regards,
Ross Johnson
YIMBY Law

*YIMBY Law is a 501(c)(3) non-profit corporation. YIMBY Law is not a law firm. I am not a lawyer. Nothing in this letter should be construed as legal advice. Instead, I am a California resident reporting my concerns after reviewing publicly available information.

Michael Klein

From: Mark Shear <[REDACTED]>
Sent: Sunday, August 1, 2021 1:38 PM
To: HousingElement
Subject: Calabasas Housing Element

To Whom It May Concern:

I served on the Parks, Recreation and Education Commission for a number of years. There is a parcel of approximately 1 acre at the corner of Las Virgenes and Los Hills Road that we were not able to connect with or develop in conjunction with Juan Batista park due to the creek that separate the two and the below road grades creating a problem for access.

This property could be sold for development with road access allowing for parking to be built below an apartment building podium. This might be worth looking at to include in the housing element. Otherwise, I think the housing element draft plan makes sense. Bravo on the work on this.

Please feel free to contact me if I can be of help,

Mark Shear

[REDACTED]
Calabasas

Michael Klein

From: J Vanwater <[REDACTED]>
Sent: Thursday, September 2, 2021 11:07 AM
To: Michael Klein
Cc: Jamie Francis
Subject: Re: Calabasas Apartment Complexes

To the planning commission I am Jamie Francis Wendell and I really want to encourage the city to know using section 8 as a recipient has been hard. You don't have a housing authority so the county payment standards are much lower than what landlords charge. Please be it known I wasn't even aware of a housing lottery as a county resident. During COVID the city still has to apply and implore their staff to make things easier on people who can't or don't have access to city hall and the city website or publications don't post updates. The housing element is essential to know people on fixed income can't qualify for a moderate affordable unit apartments in Calabasas renting for 2500.00 that is not feasible! Some of us on an income bracket need a low or very low income unit that will not cost beyond 1600.00 la county payment standard for 1 bedroom or 1400.00 for a studio. This is the necessity to put in your ordinance to follow SCAG and State mandates since many of your property developers need to know the laws as well and follow these guidelines! I can't easily move from one county city to another with my voucher without the jeopardy of losing it if a landlord backs out because they want the full amount or want more money in section 8 that the county will not payout. I've been in those situations. The price is set so affordable housing must have income contingencies so people who only earn 11,500 or less than 12,000 annually with social security and a section 8 voucher can qualify and won't get priced out a year after moving into a unit in Calabasas. I have been a county resident for over a decade with my anxiety and asthma and need of a quiet safe community. Thank you for your consideration of my situation as a county resident who wants to move into Calabasas.

Jamie Francis
[REDACTED]

Sent from my iPhone

On Aug 31, 2021, at 1:27 PM, J Vanwater <[REDACTED]> wrote:

Thanks Michael, I'll have to look at the housing element you sent to me but I can try to come to city hall but not sure if I can make it by 12 noon but I'll ask a friend since we will be in Woodland Hills and maybe go before his car inspection at Vista Ford on Ventura at 11am. I'll ask him to go west of the motion picture foundation where he is a member as a movie studio teacher to City hall if we can get there but if not I'll email you too. I can try to compile a letter or at least write it out in ink, but the discouraging thing is rents are too high for section 8 that the county will not pay out that my choices are limited to qualifying for low income moderate affordable units if not selected by random lottery.

Sent from my iPhone

Michael Klein

From: Joe Chilco <[REDACTED]>
Sent: Sunday, September 12, 2021 11:34 AM
To: info
Cc: Michael Klein
Subject: Planning Commission - 9/13/21 Public Hearing - Public Comments Housing Element Update EIR

Thank you for the opportunity to submit comments on the draft Environmental Impact Report (EIR) for the 2021-2029 Housing Element Update.

With regard to wildfire risk, the EIR analysis should address the following:

“Hazard” is based on the physical conditions that give a likelihood that an area will burn over a 30 to 50-year period without considering modifications such as fuel reduction efforts.

“Risk” is the potential damage a fire can do to the area under existing conditions.

Homes and structures are fuel.

The Fire Hazard Severity Zones identify fire hazard, not fire risk. It’s an important distinction. More buildings add to available fuel. Once the buildings are in place the increased risk will exist for as long as they exist. It has a long-term impact on increased fire risk that is not reduced to less than significant for all residents.

While new construction will be built to code, many existing homes on the west side of Calabasas were built before any of the benefits that might be derived from new building codes were in place. Some of those older homes burned in the Woolsey Fire. The cost of “fire hardening” older homes must be borne by the homeowner.

To address wildfire risk and to ignore reality with regard to the ineffectiveness and inadequacy of the City’s emergency evacuation plan is a deficiency. The Woolsey Fire emergency evacuation left many residents trapped due to the closure of the 101 freeways, their designated evacuation route.

Emergency evacuation can happen at any time. Public transit service is not robust or frequent in Calabasas. It’s not a viable solution for emergency evacuation and won’t reduce traffic volume on emergency evacuation routes from future developments.

A privately owned vehicle is the more likely means of emergency evacuation for Calabasas residents.

While plans have been put in place in accordance with requirements, the problem of limited egress that relies on routes that are often impacted in wildfires remains unsolved. There is no opportunity to build new roads.

People are often the ignition source of urban wildfires. Increased population and traffic in areas reliant on limited egress routes will be a significant fire risk impact of the 2021-2029 Housing Element Update because there is no feasible mitigation.

The EIR should be revised to reflect this reality.

Thank you for your consideration of the above.

Joe Chilco
Calabasas resident
(address on file)

September 13, 2021

City of Calabasas
Planning Commission
100 Civic Center Way
Calabasas, CA. 91302

Dear Planning Commissioners:

Thank you for the opportunity to comment on our city's Housing Element.

I understand the need for housing in California, but I believe that our state legislation, with its cookie-cutter push for growth at any expense, has not caught up with the "real world" circumstances that some California cities must contend with.

City leaders, staff and most residents realize that all of Calabasas is in a Very High Fire Hazard Severity Zone. We may not have to contend with a Woolsey-type fire every year, but it's a matter of "when", not "if" another fire threatens our city. Development, whether new or infill, in certain parts of Calabasas must be realistically weighed against the eventual need for emergency evacuation.

The Malibu Canyon area has very limited ingress and egress. Some basic facts appear to be ignored in the DEIR's Wildfire Analysis. Historically, in the event of a fire, Las Virgenes Road becomes gridlocked. We've had the 101 shut down in both directions during fires. Mureau Road is not necessarily a viable, safe alternative in a fire. The number of residential units north of Mureau Road that rely on Las Virgenes Road is about 1,900. This doesn't include parts of Mountain View Estates that might try to evacuate via Las Virgenes. Using the City's average household size of 2.8, that means about 5,400 residents would have to evacuate Malibu Canyon. Being mindful of density is not a NIMBY issue; it comes down to being able to safely evacuate residents. Organizations, such as Housing and Community Development, which push for increased density regardless of underlying issues are not from this area. They show a clear lack of understanding of the safety issue we face. They will not be the ones loading our cars with kids, animals and belongings, trying to evacuate the area in the next fire.

The Malibu Canyon tract is not the only part of Calabasas that faces similar issues. Las Virgenes Road is a lifeline to thousands of residents, including those in Monte Nido and Malibu. With the exception of a relatively small stretch in Calabasas, Las Virgenes Road is a two-lane road. It's a designated Disaster Route which means first responder vehicles will need access to one of those lanes. This makes Las Virgenes Road less than ideal for evacuation purposes; however, it is the safest or only choice for many people.

It's important to note that buildings which are constructed to code still burn; they are ignition-resistant, not ignition-proof. Residents of new/redeveloped buildings will still need to evacuate. Building to code is not mitigation for egress problems. We are deluding ourselves if we think that adding hundreds of people to an area will not impact evacuation. Having it be a "less than significant impact" is an impossibility when an evacuation problem *already exists*. The DEIR does not acknowledge the evacuation problems that have occurred historically. We are sticking our heads in proverbial sand if we

choose to ignore the problem. I'm very concerned that the end result will be that our General Plan will be approved based on a faulty premise that everything is "A-okay". Future development decisions will be based on this faulty premise solely because it's listed in the General Plan.

All that being said, the following comments should not be interpreted as a ringing endorsement of the available choices. In my opinion, neither Alternative 2 nor Alternative 3 work. I believe there are other combinations of sites that could meet the housing goal.

The existing commercial site at the northwest corner of Las Virgenes Road and Thousand Oaks Boulevard (listed as part of Alternative 3) is currently being wasted; it's essentially a ghost mall. Despite the site being only a few years old, I believe it's ripe for redevelopment because it has remained mostly vacant since its completion. Redevelopment of that parcel would have minimal environmental damage. The impact to be concerned about is emergency evacuation, as noted above.

I am opposed to the inclusion of the commercial space at the southwest corner of Las Virgenes and Thousand Oaks in redevelopment plans (Village Market, Green Basil and Santa Fe restaurants, etc.). The DEIR describes the businesses there as "under-performing". I don't know what criteria have been used to determine that. While the strip mall is dated, these businesses appear to have managed to succeed for many years. Let's not mess with them; instead, they need to be supported.

One site that did not make it into either Alternative 2 or 3 is the Downtown Offices on Calabasas Road. These offices should be a priority because they make the most sense to convert. They're not located near open space or hillsides; they're on a 4-lane road close to the 101 (much easier evacuation) and lastly, it would take pressure off of the higher fire hazard areas such as those near Mulholland Highway or Las Virgenes Road.

Lastly, we have a glut of vacant commercial space in Calabasas. It makes no sense to require that additional commercial space be built. In the event existing commercial development is completely razed so it can be converted for residential use, I believe it should be rezoned to Multi-family Residential, not Mixed-Use. If only part of an existing commercial development is redeveloped for residential use (retaining part of the existing commercial development), only then should Mixed-Use zoning be used. Aside from this single example, I believe the City should explore a temporary, five-year moratorium on the Mixed-Use zone. The space used for the commercial component of Mixed-Use zoning would be better used for housing instead.

Thank you for considering my comments.

Best regards,
Frances Alet
Calabasas