

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

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January 24, 2022

Kindon Meik, City Manager
City of Calabasas
100 Civic Center Way
Calabasas, CA 91302

Dear Kindon Meik:

RE: City of Calabasas 6th Cycle (2021-2029) Adopted Housing Element

Thank you for submitting the City of Calabasas (City) housing element adopted October 13, 2021 and received for review on October 26, 2021. Pursuant to Government Code section 65585, subdivision (h), the California Department of Housing and Community Development (HCD) is reporting the results of its review. The element also considered comments from Abundant Housing LA pursuant to Government Code section 65585, subdivision (c).

The adopted element addresses many statutory requirements described in HCD's September 7, 2021 review; however, revisions will be necessary to comply with State Housing Element Law (Article 10.6 of the Gov. Code). The revisions needed are as follows:

1. *Affirmatively further[ing] fair housing in accordance with Chapter 15 commencing with Section 8899.50) of Division 1 of Title 2...shall include an assessment of fair housing in the jurisdiction. (Gov. Code, § 65583, subd. (c)(10)(A).)*

Addressed in Pgs.
V-50 to V-53 of
Revised Housing
Element

Addressed in
Pgs. B-48 to B-51

Goals, Priorities, Metrics and Milestones: The element added Table B-6 Calabasas Fair Housing Issues and Meaningful Actions (pp. B-48 to B-50); however goals and actions must create meaningful impact to overcome contributing factors to fair housing issues. Actions have milestones but must also have metrics and address housing mobility enhancement, new housing choices, place-based strategies for community preservation and revitalization, and displacement protection. In addition, program actions need to be revised to be consistent with Table B-6.

2. *An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a*

designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites. (Gov. Code, § 65583, subd. (a)(3).)

The element continues to rely on Site 8 as part of regional housing needs allocation (RHNA) to accommodate an addition 72 units on the 30-acre site. However, it remains unclear how these units would be accommodated in addition to the existing 600 units already on the site and what approvals would be necessary to ensure a 72-unit project could occur. While the element includes information that six 12-unit structures could be accommodated as part of Site 8, it is unclear whether adding these structures would conform with existing development standards including parking requirements. For example, in order to accommodate the new units, the element should clarify whether additional parking would be required beyond that which is already on the site or whether a project be required to seek a parking exception. Absent a program to facilitate the approval of additional housing development on this site, given the recent community opposition to a project on this site along with the existing entitlement process (see below), the element must still demonstrate the feasibility of additional residential development within the planning period.

Addressed in
Pgs. V-18, 19,
and 24

3. *An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures... (Gov. Code, § 65583, subd. (a)(5).)*

Local Processing and Permit Procedures: The element includes additional information regarding the City's processes for all multifamily development (pp. G-48 to G-50), but still must analyze the permit or the process as a potential constraint. For example, the revised element provides information on Community Forums but should evaluate impact on development. A full analysis should assess the impact of the many community meetings and approval hearings on approval certainty, supply, affordability, timing, and other relevant factors and discuss the City's recent track record of multifamily development. This is especially important given the impact this process may have on the site inventory and accommodating the RHNA. The element should add or modify programs to mitigate or remove identified constraints. In addition, see public comment letter from Anthony Dedousis at Abundant Housing LA.

Addressed in
Pgs. V-47, 48,
and 59

Addressed in
Pgs. G-48 to
G-51

4. *Local governments shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the element shall describe this effort. (Gov. Code, § 65583, subd. (c)(8).)*

Addressed in
Pgs. V-2, 4, and 6

Addressed in
Pgs. B-2 to B-3

Addressed in Pg.
F-1

The revised element includes a general statement to reach all economic segments and special needs populations in the community during its public participation process (p. V-4), however, this statement is insufficient to address public participation requirements. The element must demonstrate outreach to economic segments of the community. For example, through conversations with the City's consultant HCD understands that translation services were provided, and senior groups were directly contacted for the survey. The element should incorporate this information and any other strategies used to reach all economic segments during the development and adoption of the housing element.

The element will meet statutory requirements of State Housing Element Law once it has been revised and re-adopted to comply with the above requirements.

As a reminder, the City's 6th cycle housing element was due October 15, 2021. As of today, the City has not completed the housing element process for the 6th cycle. The City's 5th cycle housing element no longer satisfies statutory requirements. HCD encourages the City to revise the element as described in this letter, re-adopt, and submit to HCD to regain housing element compliance. For more information on housing element adoption requirements, please visit HCD's website at: http://www.hcd.ca.gov/community-development/housing-element/housing-element-memos/docs/sb375_final100413.pdf.

For your information, pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), if a local government fails to adopt a compliant housing element within 120 days of the statutory deadline (October 15, 2021), then any rezoning to accommodate the RHNA, including for lower-income households, shall be completed no later than one year from the statutory deadline. Otherwise, the local government's housing element will no longer comply with State Housing Element Law, and HCD may revoke its finding of substantial compliance pursuant to Government Code section 65585, subdivision (i).

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City meets housing element requirements for these and other funding sources.

Kindon Meik, City Manager
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HCD appreciates the cooperation, dedication, and responsiveness the City's housing element team provided throughout the review. If you have any questions or need additional technical assistance, please contact Divya Sen, of our staff, at Divya.Sen@hcd.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul McDougall". The signature is stylized and somewhat abstract, with the first name being more legible than the last.

Paul McDougall
Senior Program Manager