

2.0 PROJECT DESCRIPTION

The proposed project involves an update to the Housing Element of the City of Malibu General Plan. The proposed Housing Element Update establishes programs, policies and actions to generally further the goal of meeting the existing and projected housing needs of all family income levels of the community, and specifically to provide evidence of the City's ability to accommodate the Regional Housing Needs Assessment (RHNA) allocation through the year 2014, as established by the Southern California Association of Governments (SCAG).

This project description focuses on the key policies and programs in the Housing Element that have the potential to result in physical environmental impacts, which are analyzed in Section 4.0, *Environmental Impact Analysis*, of this EIR. The proposed Housing Element can be accessed in its entirety at: www.malibucity.org/download/index.cfm/fuseaction/download/cid/17754/.

2.1 PROJECT APPLICANT

City of Malibu Planning Department
23825 Stuart Ranch Road
Malibu, California 90265
310-456-2489

2.2 PROJECT LOCATION

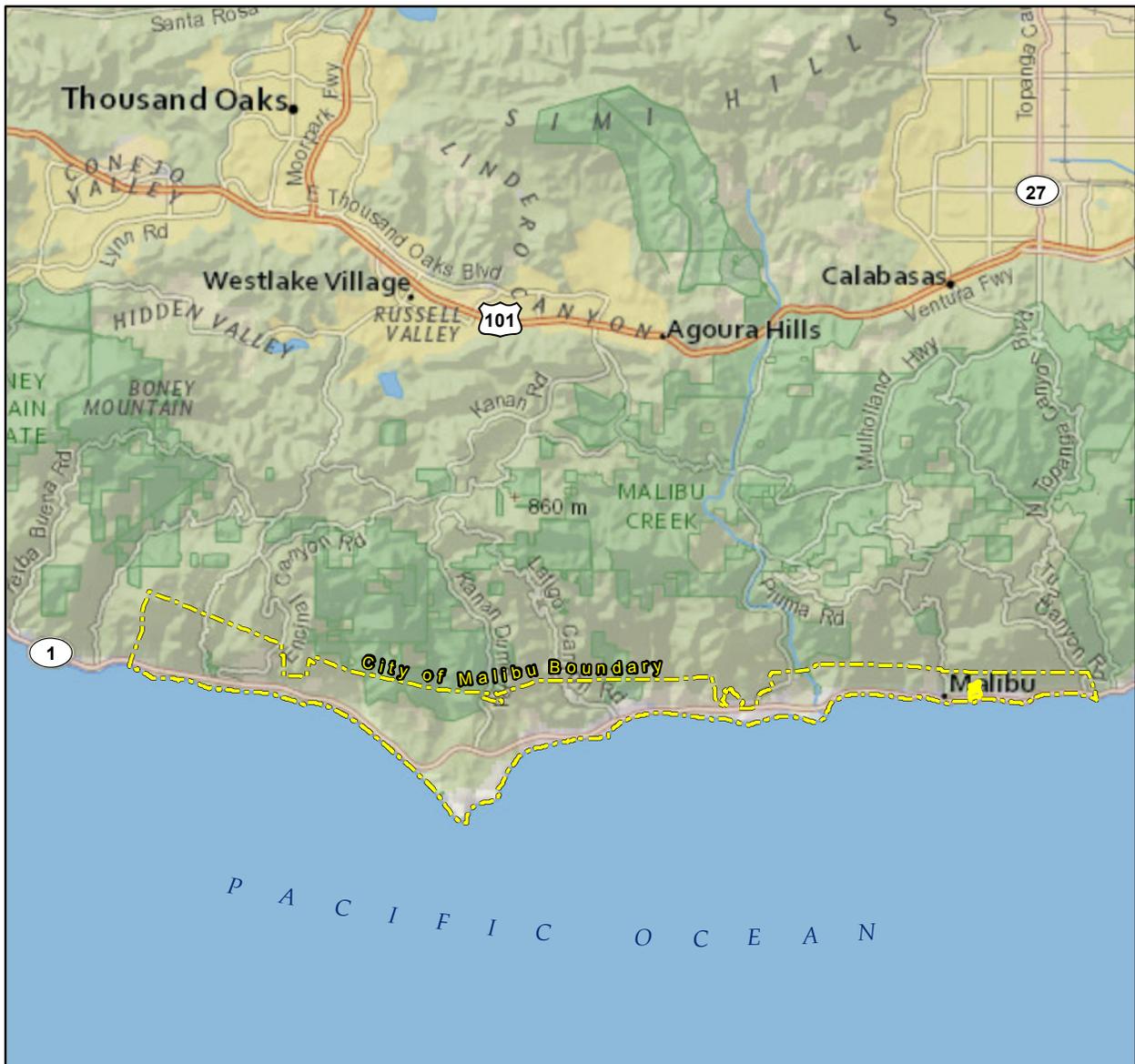
The proposed Housing Element Update would establish new housing goals, policies, and programs for the entire City of Malibu. Many of these goals, policies, and programs would apply citywide, although the proposed Housing Element implementation actions include amending the zoning regulations for three specific parcels that could accommodate the City's 2006-2014 RHNA allocation, as described further in Section 2.4, *Project Characteristics*. The following three parcels are proposed for rezoning to allow multi-family residential development at a density of 25 units/acre:

- 28517 Pacific Coast Highway [Assessors Parcel Number (APN) 4467-013-022 and -023]
- 28401 Pacific Coast Highway (APN 4467-012-005)
- 3700 La Paz Lane (APN 4458-022-023 and -024)

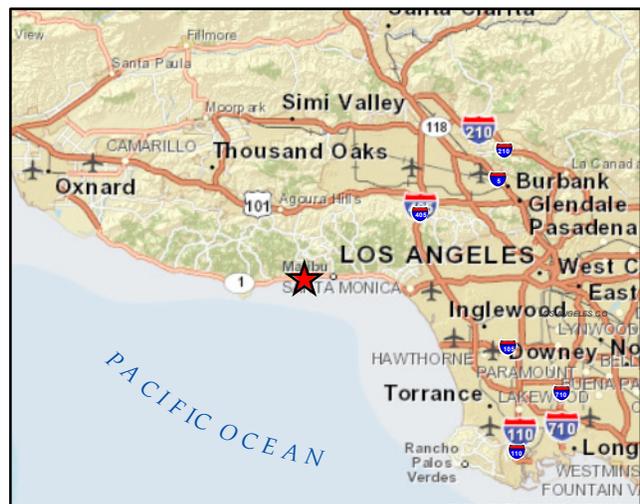
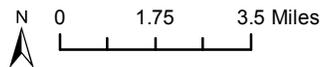
Four additional parcels have been identified for analysis as alternatives to the three parcels, as described in 6.0, *Alternatives*.

Figure 2-1 shows the location of Malibu within the greater Los Angeles region. Figures 2-2 and 2-3 show the locations of the three candidate project sites where amended zoning regulations are proposed.





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Regional Location

Figure 2-1

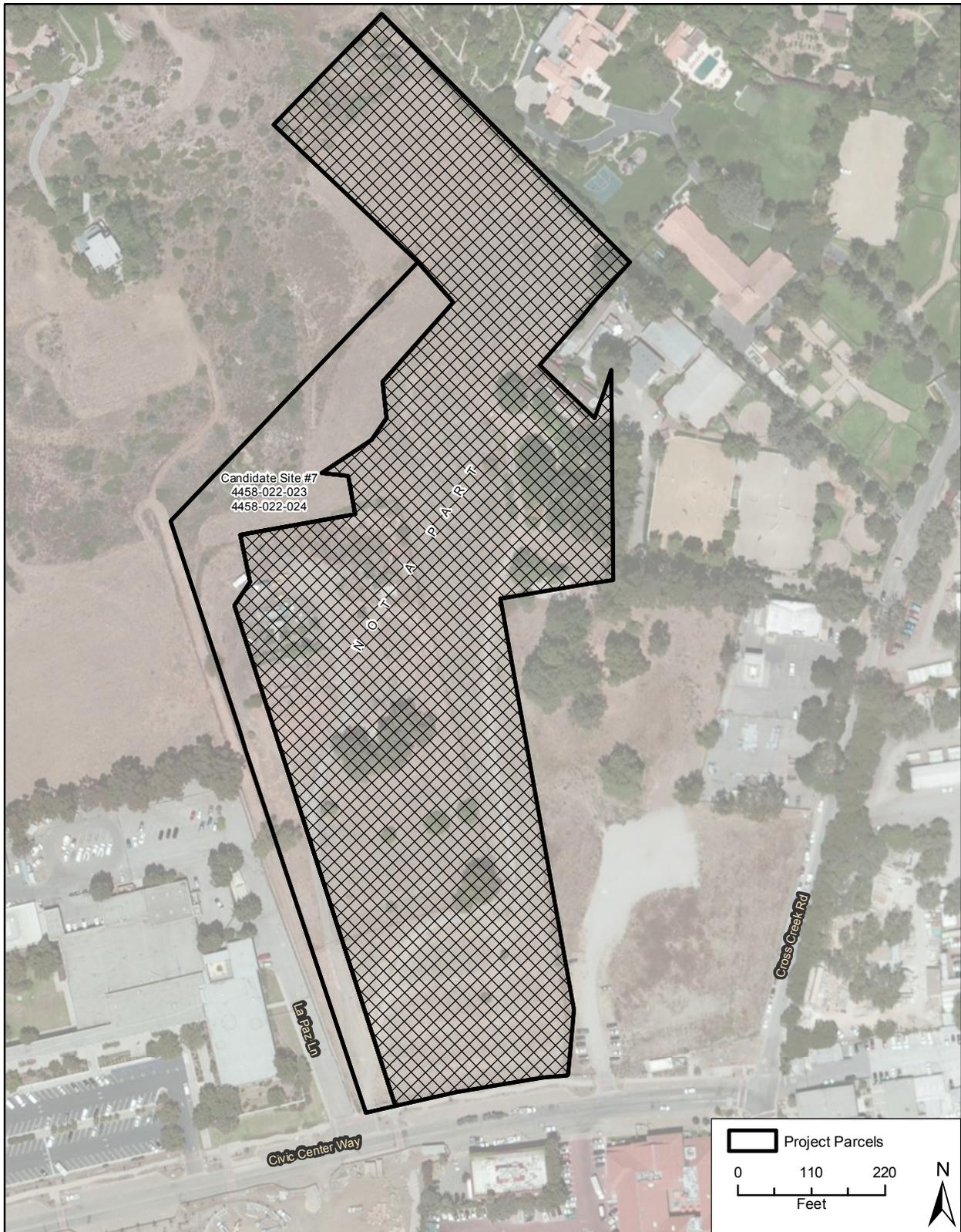


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Candidate Sites #1 and #2
Locations

Figure 2-2
City of Malibu





Imagery provided by ESRI and its licensors © 2012.
Additional data provided by SSUGRO, 2006.

Candidate Site #7
Location

Figure 2-3
City of Malibu



2.3 BACKGROUND

The City of Malibu's current Housing Element was adopted on February 12, 2001. The element set forth an action plan covering the planning period from 1998 to 2005. The Housing Element identifies strategies and programs that focus on conserving and improving existing affordable housing, providing adequate housing sites, assisting in the development of affordable housing, removing governmental and other constraints to housing development, and promoting equal housing opportunities.

The Housing Element Law, enacted in 1969, mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community through the preparation of a Housing Element. The law requires local governments to adopt land use plans and regulatory systems that provide opportunities for, and do not unduly constrain, housing development. The law requires update of the Housing Element every eight years to reflect the most recent trends in demographics and employment. Pursuant to these requirements, the City of Malibu is required to update the Housing Element of the City of Malibu General Plan. The Housing Element Update would establish new policies, goals and programs for the City and amend development regulations for three parcels to accommodate the City's required housing needs allocation as determined by SCAG in the RHNA.

The RHNA is mandated by state law as part of the periodic process of updating local housing elements of the General Plan. SCAG is responsible for preparing the RHNA, which quantifies the need for housing within each jurisdiction during specified planning periods. The current RHNA projection period covers an 8 ½ year period from January 1, 2006 to June 30, 2014.

SCAG estimates the future population within each jurisdiction based upon State Department of Finance projections and knowledge of circumstances particular to the region. The population change is then converted into housing units necessary to accommodate projected population increases. This estimate includes a vacancy rate that reflects a "healthy" housing market, and replacement of existing units that may have been demolished.

The estimate of housing needs is then divided into four groups based on income: very-low, low, moderate, and above moderate income based on the income characteristics of the community. Table 2-1 below shows the current RHNA allocation required for the City of Malibu by household income group.

Table 2-1
RHNA Allocation for the City of Malibu 2006-2014

Household Income Groups	RHNA Allocation
Very-Low Income Households	115
Low Income Households	73
Moderate Income Households	79
Above Moderate Income Households	175
Total	441



Under the RHNA allocation, the City is required to provide the capacity to accommodate the development of at least 441 residential units using various land use planning strategies. The City, however, is not required to physically construct 441 units as a result of the RHNA allocation.

Housing element law also requires that the Department of Housing and Community Development (HCD) review local housing elements for compliance with State law and report written findings to the local government. The City submitted the initial Draft Housing Element update to HCD on December 6, 2011. HCD subsequently provided comments on the Draft Housing Element to the City on February 12, 2012. In May 2012, the City submitted a revised draft Housing Element to HCD in response to the December 6, 2011 comment letter. This EIR analyzes the programs and policies contained in the May 2012 revised draft Housing Element that have the potential to result in physical environmental effects.

2.4 PROPOSED HOUSING ELEMENT PROGRAMS

Chapter V of the Housing Element Update includes a number of programs intended to facilitate the provision of adequate housing for the existing and projected needs of all economic segments of the community. The discussion of programs below is limited to new programs and policies of the Housing Element Update that have the potential to result in physical environmental effects. Some of the programs would result in site-specific changes to land use regulations while other programs would apply citywide and are not related to specific sites or projects.

2.4.1 Site-Specific Programs

As described in Section 2.3 above, the City does not currently have land use regulations in place that could accommodate development commensurate with the RHNA allocation in the very-low- and low-income categories. Under state law,¹ a minimum density of 20 units/acre is considered necessary to facilitate development of lower-income housing in small jurisdictions such as Malibu. The only zoning district in Malibu that allows residential development at a density of 20 units/acre is the Multi-Family Beachfront (MFBF) district, and there are not sufficient sites in this district to accommodate the RHNA allocation (see Housing Element Appendix B, Table B-4). The Multi-Family (MF) zoning designation currently allows a maximum of 6 units/acre. Therefore, the Housing Element includes a program to create a new “Affordable Housing Overlay” (AHO) General Plan, Local Coastal Program (LCP) and zoning designation (see Housing Element Chapter V, Program 2.2.B). The AHO designation would allow multi-family residential development at a density of 25 units/acre when affordable housing units are included in the project. The AHO designation would allow 25 units/acre because that density is necessary to accommodate the RHNA allocation given the size of the Candidate Sites. Program 2.2.B also calls for the AHO to be applied to three parcels to accommodate the City’s required housing needs allocation as determined by SCAG in the RHNA.

Three sites are proposed for rezoning to allow multi-family residential development at a density of 25 units/acre. Candidate Site #1 encompasses 3.66 developable acres, is zoned Multi-Family

¹ California Government Code Sec. 65583.2



and would be subject to the Affordable Housing Overlay (AHO). Candidate Site #1 would accommodate up to 91 multi-family residential units. Candidate Site #2 encompasses approximately 2.59 developable acres, is zoned MF and would be subject to the AHO. Candidate Site #2 would accommodate up to 64 multi-family residential units. Candidate Site #7 encompasses 2.3 acres and is proposed to be re-zoned to Planned Development (PD) and would be subject to the AHO. The PD zone with AHO would permit multi-family residential development at a density of 25 units per acre. Candidate Site #7 would accommodate up to 57 units. The three candidate sites and the proposed zoning changes are summarized in Table 2-2. As shown therein, the three proposed candidate sites combined could accommodate up to 212 units, which exceeds the City’s 188-unit RHNA allocation.

**Table 2-2
Proposed Candidate Site Zoning Changes**

Site Number	APN	Gross Lot Size (Acres)	Developable Lot Size (Acres)	Existing Zoning	Current Development Potential	Proposed Zoning	Proposed Development Potential
1	4467-013-022 and -023	5.8	3.66	Multi-Family Residential (6 units/acre)	22 MF units	MF/AHO	91 MF units
2	4467-012-005	3.25	2.59	Multi-Family Residential (6 units/acre)	16 MF units	MF/AHO	64 MF units
7	4458-022-023 and -024	2.3	2.3	Community Commercial/ Commercial Visitor-Serving	Deed restricted to the City of Malibu for municipal uses	PD/AHO	57 MF units
TOTAL							212 MF units

Note: Site #7 would theoretically permit commercial development as a result of the proposed PD designation. However, this EIR assumes only residential development would occur on this site given that it is being rezoned to meet the goals of the proposed Housing Element. Future commercial development on this site would require subsequent environmental review.
Note: Gross lot size represents total legal lot size. Due to existing wetland constraints and setback requirements, the developable lot size is less than gross lot size.

Additional candidate sites were considered by the City Council as part of the Housing Element update process. Sites #3, #4, #5 and #6 are discussed in analysis of alternatives to the proposed project in Section 6.0 of this EIR.

2.4.2 Citywide Programs

The Housing Element Update includes a number of programs and policies intended to encourage and facilitate the provision of adequate housing for the existing and projected needs of all economic segments of the community, as well as housing for persons with special needs. These proposed programs are summarized below. There are no specific sites or projects proposed in connection with these programs at this time.



- *Expand the Supply of Second Units* – Encourage and facilitate the production of additional second units through activities such as providing prototype plans and information to homeowners, allowing limited amnesty for conversion of second units, and working with local service providers to reduce fees on second units. (Program 2.2.A)
- *Multi-Family Development Standards* – Revise development standards to facilitate affordable multi-family housing development. These amendments could include revisions to limitations on total development square footage, grading quantities, impermeable coverage, building envelope, minimum unit size, or subterranean parking. (Program 2.2.B)
- *Density Bonus*. Adopt density bonus regulations in conformance with *Government Code* Section 65915. (Program 2.4)
- *Residential Care Facilities*. Permit small licensed residential care facilities (maximum of 6 residents) by-right in all residential zones, and larger care facilities (more than 6 residents) and similar innovative alternative living projects in the Civic Center area subject to a conditional use permit (CUP) where such projects would be compatible with the surrounding uses. (Program 3.2.A)
- *Reasonable Accommodation*. Establish administrative procedures for reviewing and approving requests for modifications to zoning and land use regulations that are necessary to accommodate the needs of persons with disabilities. (Program 3.2.B)
- *Permanent Emergency Shelters*. Establish a definition and regulations to allow permanent emergency shelters as a permitted use by-right in the Commercial General and Institutional zoning districts consistent with Senate Bill 2. (Program 3.2.C)
- *Transitional and Supportive Housing*. Clarify that transitional and supportive housing are residential uses that are subject only to the same regulations and procedures as other residential uses of the same type in the same zone. (Program 3.2.E)
- *Single Room Occupancy (SRO) Housing*. Identify appropriate locations and development standards to encourage and facilitate the production of SRO units, which can help to address the needs of seniors, college students, service workers and domestic employees with extremely-low incomes. (Program 3.2.F)
- *Reduced Parking Requirements for Affordable Housing*. In order to enhance the feasibility of affordable housing development, allow reduced parking standards for qualifying affordable units pursuant to *Government Code* Sec. 65915. (Program 3.2.G)
- *Farmworker Housing*. Allow farmworker housing in conformance with the *Employee Housing Act* (*Health and Safety Code* Sec. 17021.5 and 17021.6). (Program 3.2.H)



2.5 PROJECT OBJECTIVES

The primary objectives of the Housing Element Update are to:

- *Update the City of Malibu Housing Element to comply with State Housing Law.*
- *Provide for a mix of housing types for all income levels.*
- *Amend the development regulations for a sufficient number of parcels within the City to accommodate the RHNA allocation requirements for low and very-low income households.*
- *Adopt regulations to encourage construction of additional second units and the conversion of existing secondary units within the City.*
- *Remove regulatory barriers to the development of multi-family residential projects and housing for persons with special needs in conformance with state law.*

2.6 REQUIRED APPROVALS

The proposed Housing Element Update would need to be adopted by the Malibu City Council. In conjunction with this approval, the City Council would need to approve amendments to the M.M.C. and LCP, as described above. The proposed amendments to the City's Local Coastal Program would also require approval from the California Coastal Commission.



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