City Council Meeting
01-17-24
Item 1.A.

Study Session Report

To: Mayor Uhring and the Honorable Members of the City Council

Prepared by: Joyce Parker-Bozylinski, Contract Planner

Reviewed by: Richard Mollica, Planning Director

Approved by: Steve McClary, City Manager

Date prepared: January 8, 2023 Meeting date: January 17, 2024

Subject: Study Session on Revised 2021-2029 Draft Housing Element

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RECOMMENDED ACTION: 1) Receive staff's presentation, 2) Receive public comments, and 3) Provide comments to staff on the revised Draft Housing Element, as appropriate.

FISCAL IMPACT: There is no fiscal impact from the recommended action. Funding for the consultant preparing the Housing Element is included in the Adopted Budget for Fiscal Year 2023-2024 in Account No. 100-0000-2530-07 (Designated Housing Element) and Account No. 101-2001-5100 (Planning – Professional Services).

STRATEGIC PRIORITY: This item supports the Housing Element 6th Cycle RHNA & 2021 Housing Element Update priority identified in the Adopted FY 2023-24 Strategic Priority Project List.

DISCUSSION: State law requires that Housing Elements be updated every eight years. The City's statutory deadline to adopt the 2021-2029 (6th cycle) Housing Element and have HCD find the Housing Element in compliance with Housing Element law was October 15, 2021. The City submitted a draft Housing Element to California Housing and Community Development (HCD) on August 24, 2021. On October 22, 2021, the HCD issued a letter finding that the draft element addressed many statutory requirements but revisions would be necessary to comply with State Housing Element Law. On January 10, 2022, a revised Housing Element, responding to HCD's comments, was adopted by the City Council and resubmitted to HCD. On March 22, 2022, HCD again issued a letter finding that the Revised Draft 2021-2029 Housing Element Update, while addressing many statutory requirements, still required further revisions to comply with State Housing Element Law.

In February 2023 the City's Housing Element consultant, who prepared the previous drafts, terminated his agreement with the City. In March 2023, the City requested the assistance of Rincon Consultants to address HCD comments. The work has now been completed and changes were needed. A summary of the revisions is provided in Attachment 1. The Revised Draft Housing Element is included in Attachment 3. Revisions are shown as underline for new text and ~~strike through~~ for deleted text and highlighted in yellow.

Section 7.5 – Housing Plan

The programs listed in the Housing Plan are programs the City is committing to accomplish within the 6th cycle Housing Element. A number of code amendments are needed to ensure the Malibu Municipal Code (MMC) and Local Coastal Program (LCP) Local Implementation Plan (LIP) are consistent with State law. Attachment 2 provides a list of the required MMC and LIP amendments as provided in the Housing Plan. Since the Housing Element is past the statutory deadline, the needed code amendments will be processed concurrently with the adoption of the Housing Element. In addition to the code amendments, other programs related to Affirmatively Furthering Fair Housing (AFFH) are also required. The requirements of AFFH are discussed below.

Affirmatively Furthering Fair Housing (Appendix F)

One of the reasons for the revisions to the draft Housing Element was a provision in State law that provided that any Housing Element due to be revised on or after January 1, 2021, must comply with Government Code §8899.50 which requires local agencies to affirmatively further fair housing.

Under California law, AFFH 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." California law requires Housing Elements to include an assessment of fair housing that addresses the following components:

- A summary of fair housing issues and assessment of the jurisdiction's fair housing enforcement and outreach capacity
- An analysis of segregation patterns and disparities in access to opportunities
- An assessment of contributing factors
- An identification of fair housing goals and actions.

Appendix F provides the required AFFH assessment. The findings of the assessment contributed to the development of programs contained within the Housing Plan.

Residential Land Inventory (Appendix B)

Appendix B (Residential Land Inventory) provides a land inventory to demonstrate that the City has adequate land with appropriate zoning and development standards to meet the City's Regional Housing Needs Allocation (RHNA). The RHNA quantifies the anticipated need for housing within the City for the 6th Housing Element cycle extending from July 2021 to October 2029 (the RHNA projection period is longer than the Housing Element planning period). The City must identify adequate land with appropriate zoning and development standards to accommodate its assigned share of the region's housing needs (the list of sites is called the Site Inventory). Malibu is obligated to demonstrate a total available capacity of 79 units. The units must accommodate households of differing income levels based on the Area Median Income (AMI). The units are distributed among four income categories, as shown in Table B-1 below.

Table B-1
Sites Inventory Summary

Housing Sites	Income Category				
	Very Low	Low	Moderate	Above	Total
RHNA 2021-2029	28	19	17	15	79

Source: SCAG, 2021
The RHNA does not project the need for extremely low-income units, but pursuant to State law (AB 2634), the City must project its extremely low-income housing needs based on Census income distribution or assume 50 percent of the very low-income units required by the RHNA as extremely low-income units. The City's RHNA allocation of 28 very low-income units was distributed evenly as 14 extremely low and 14 very-low income units. However, for purposes of identifying adequate sites for the RHNA allocation, State law does not mandate separate accounting for the extremely low-income category.

Table B-3 (Sites Inventory) in Appendix B summarizes the City's residential site capacity compared to the RHNA allocation for this planning period. Appendix B was updated with a revised inventory and related parcel information. The Sites Inventory was limited to sites that could support a realistic development capacity while still achieving the RHNA. The Affordable Housing Overlay (AHO) sites were reduced to exclude the La Paz site in the Civic Center. On October 5, 2023, the City issued a Request for Proposals for community outreach and engagement of the public regarding potential projects or uses on City-owned vacant lots including the La Paz site. The La Paz parcel was removed from the Site Inventory until that process is complete. Parcels listed as sites available to meet RHNA must be available for housing during the entire 6th cycle (2021-2029). Additionally, the capacity assumptions of the remaining two AHO sites on Pacific Coast Highway, which are included in the Sites Inventory, were revised to further consider the environmentally sensitive areas.

Table B-3 shows that there is adequate capacity to accommodate housing needs in all income categories.

Table B-3
Sites Inventory Summary

Housing Sites	Income Category		
	Lower	Moderate	Above
Potential new multi-family units (Table B-4)	66	45	32
Planned and Approved Units (Table B-2)	0	0	91
Potential new ADUs	16	1	11
Total Inventory	82	46	134
RHNA 2021-2029	47	17	15
Buffer provided above remaining RHNA	113%	181%	
Adequate Capacity	Yes	Yes	Yes

Source: City of Malibu, 2023

A projected number of Accessory Dwelling Units (ADUs) that may be constructed during the planning period can be credited toward the City's RHNA requirements. The projected number of ADUs has been updated since the previous Draft Housing Element. ADUs are an important component in meeting the City's lower-income RHNA. The Housing Plan (Section 7.5) includes several programs to promote and facilitate the development of ADUs. Most of these programs were in the previous Draft Housing Element (see page 7.5-11) and are shown in yellow highlight because they were moved and rewritten.

City records indicate that during the period 2018-2022, twenty-four (24) ADUs were permitted. These numbers represent the number of ADUs that received a permit as reported to HCD on the City's Annual Progress Report (APR). The City's 2023 APR is due to HCD on April 1, 2024. As noted in Appendix B, based on the existing trend and SCAG's analysis, the Housing Element assumes that 28 ADUs will be produced through the remainder of the planning period from 2024 through October 2029.

Public Notification

The revised Draft Housing Element was posted online on January 8, 2024, notices of the Council study session and availability of the revised Draft Housing Element were sent to 840 individuals and public agencies, and notices were published in a newspaper of general circulation within the City. In addition, posts were made on the City's social media platforms and the City's website.

Next Steps

No formal action or approval of the Housing Element is necessary at this time. The revised Draft Housing Element must be submitted for review by HCD before readoption.

State law requires a 7-day public review process before resubmitting the revised draft to HCD. The public review period ends on January 24, 2024. At the end of the public review period, Rincon Consultants will then revise the document, as needed, and the City will resubmit the revised Draft Housing Element to HCD. If additional comments are received from HCD, any required revisions to the Housing Element will be made and the draft will be re-submitted. Once HCD indicates the Housing Element is in compliance, public hearings will be held by the Planning Commission and City Council to consider the readoption of the Housing Element. Once the Council adopts the revised Housing Element it will be submitted to HCD for certification.

A copy of the revised Draft Housing Element along with background materials and a copy of the March 22, 2022, HCD letter are available for review on the City's Housing Element web page at: malibucity.org/HousingElement.

SUMMARY: No formal action is required at this time. Staff recommends the following:

1. Receive staff presentation
2. Receive public comments
3. Provide comments to staff on the revised Draft Housing Element as appropriate.

ATTACHMENTS:

1. Summary of Revisions
2. MMC-LIP Amendments
3. Draft 2021-2029 Housing Element

Attachment 1 - Summary of Revisions to the Housing Element

City of Malibu Housing Element

Summary of Revisions to the Housing Element

- Chapter 7.2, Housing Needs Assessment, was updated with expanded analysis related to ELI households, residents with developmental disabilities, female-headed households, large households, and farmworkers. These changes were made to address HCD comments that the Housing Element must identify and address specific housing issues for these populations.
- Chapter 7.4, Constraints, was amended to include a discussion of the City's compliance with recent state laws regarding transitional and supportive housing, and emergency shelters, including definitions, zoning, appropriateness of potential parcel sizes and locations, parking requirements, and allowable shelter capacity (AB 2339). This section was also revised with additional analysis on the City's ability to achieve maximum densities, off-site improvements, parking, permit findings, and land use controls, as well as constraints to group homes, in response to and HCD comments that requested analysis of these specific constraints.
- The Sites Inventory was limited to sites that could be supported with realistic development capacity while still achieving the RHNA. Appendix B, Residential Land Inventory, was updated with the revised inventory and related parcel information. The number of ADUs was revised to take into account the number of actual ADUs permitted from 2021 to 2023, with a revised projected number of ADUs between 2024 and 2029. The planned and approved project list was updated. The Affordable Housing Overlay sites were reduced to exclude the La Paz site and the capacity assumptions considered the environmentally sensitive areas on those parcels.
- Appendix E, Resources and Opportunities, was updated with additional analysis related to infrastructure capacity in response to HCD comments.
- Chapter 7.5, Housing Plan, was updated to include the following programs:
    - Program 2.2 (Monitoring of No Net Loss)
    - Program 2.3 (Replacement Housing)
    - Program 2.4 (Support the Development of Variety of Housing Types)
    - Program 3.2 (Density Bonus)

  The revisions to the Housing Plan were made to address findings identified in the revised analysis on housing needs and constraints, and the assessment of fair housing. Housing programs were also revised to include specific actions, timelines, and objectives. These changes were made in accordance with HCD guidance on program development.
- Appendix A, Evaluation of the Previous Housing Element, was updated with new information and revised pursuant to HCD direction to provide a cumulative assessment of all accomplishments, the effectiveness of addressing special needs, and an evaluation of continued appropriateness into the 6th housing cycle.
- Appendix C, Public Participation Summary, was updated per HCD comment to provide specifics on outreach conducted, the feedback received, and how the feedback was incorporated into the draft Housing Element.

- Appendix F, Affirmatively Furthering Fair Housing (AFFH), was added as a new appendix to provide a thorough assessment of fair housing, analysis of the sites inventory, identification and prioritization of contributing factors to fair housing issues, and meaningful actions to address contributing factors. This section was added pursuant to AB 686, which requires all state and local public agencies to facilitate deliberate action to explicitly address, combat, and relieve disparities resulting from past patterns of segregation to foster more inclusive communities. The analysis was prepared in accordance with HCD's 2021 guidance memo on AFFH.

Attachment 2
Malibu Municipal Code (MMC) and Local Implementation Plan (LIP) Amendments
2021-2029 Draft Housing Element

- Pursuant to AB 1397 (Adequate Sites) passed in 2017, the City will amend the LIP and MMC to require the replacement of existing residential units on nonvacant RHNA sites as a condition of project approval for development. Specifically, sites that currently have residential uses, or within the past five years have had residential uses that have been vacated or demolished, that are or were subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of low or very low income, subject to any other form of rent or price control, or occupied by low- or very low-income households are subject to this requirement.

- Amend the LIP and MMC to allow transitional and supportive housing as a regular residential use to be similarly permitted as other uses of the same housing type in the same zone.

- Amend the LIP and MMC to allow licensed residential care facilities for seven or more persons in residential zones with a CUP for persons of any age, allow operation by for-profit agencies as well as non-profit agencies, and ensure that the CUP findings are based on objective standards that do not constrain the development of large residential care facilities and provide certainty to applicants through the permitting process.

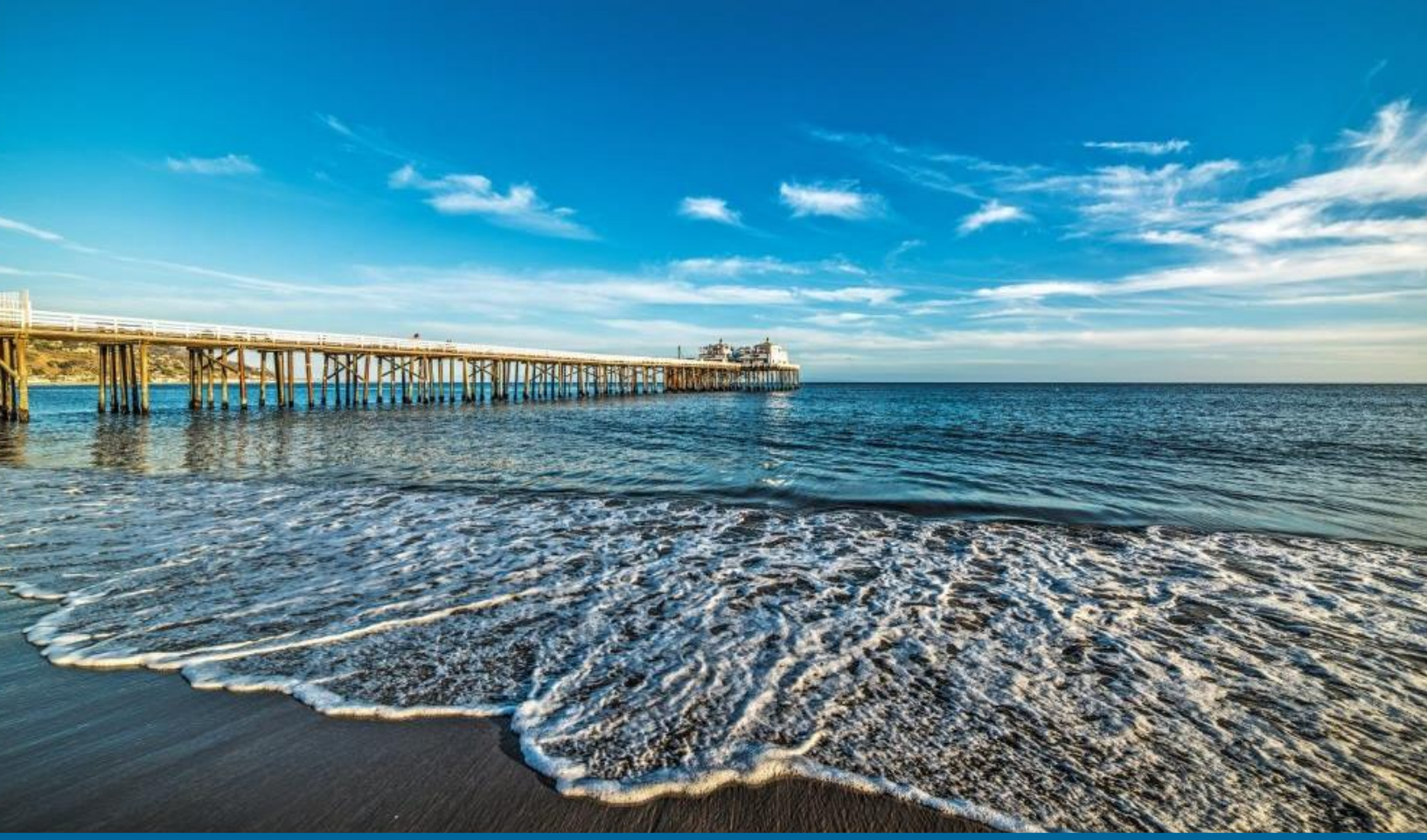
- Revise the definition of emergency shelters, and remove the individual capacity limit and requirement of proximity to a transit stop for emergency shelters to meet the requirements of AB 2339. LIP and MMC parking regulations for Homeless and Emergency Shelters and Navigation Centers to comply with Government Code section 65583, subdivision (a)(4)(A).

- Amend the LIP and MMC to comply with Government Code section 65661 which requires a Low Barrier Navigation center to be a use by-right in areas zoned for mixed-use and nonresidential zones permitting multifamily uses, provided specific requirements of the law are met.

- Amend the MMC and LIP to remove the provision of review of a request for reasonable accommodation on the basis that may have a material effect on surrounding properties and ensure that requests for reasonable accommodation are reviewed only on the basis of objective findings, limited to review by the Planning Director. Additionally, clarify in the MMC and LIP that review and approval of reasonable accommodation requests are not contingent upon the findings of other discretionary decisions.

- Amend City density bonus regulations consistent with state law (Government Code §65915 et seq.).

- Amend the development standards of the Affordable Housing Overlay Zone as described in the MMC and LIP to include a maximum density independent of the state density bonus.

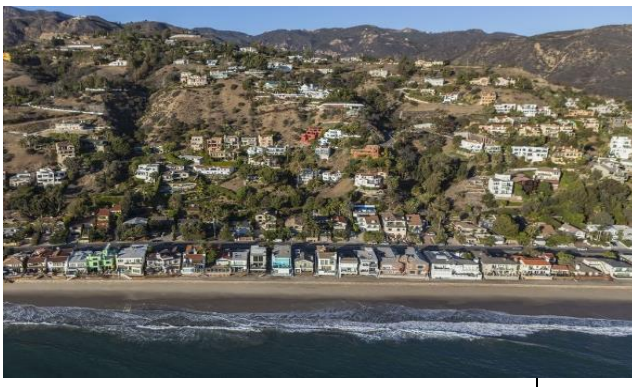


CITY OF MALIBU

2021-2029 Housing Element







~~City Council Resolution No. 22-67~~

January 2024 Public Review Draft ~~January 10,2022~~

Revisions made to this Housing Element subsequent to City Council adoption on January 10, 2022 are shown as underline for new text and ~~strike through~~ for deleted text and highlighted in yellow.

Attachment 3

Contents

7.0 Housing Element 7-1
7.1 Introduction 7-1
7.1.1 Purpose of the Housing Element 7-1
7.1.2 Organization of the Housing Element 7-2
7.1.3 Public Participation 7-3
7.1.4 Consistency with Other Elements of the General Plan 7-3
7.1.5 Data Sources and Methods 7-4
7.2 Housing Needs Assessment 7.2-1
7.2.1 Population Characteristics 7.2-1
7.2.1(a) Population Growth Trends 7.2-1
7.2.1(b) Age 7.2-2
7.2.2 Household Characteristics 7.2-3
7.2.2(a) Household Composition and Size 7.2-3
7.2.2(b) Housing Tenure and Vacancy 7.2-3
7.2.2(c) Overcrowding 7.2-4
7.2.2(d) Overpayment 7.2-5
7.2.3 Employment 7.2-8
7.2.4 Housing Stock Characteristics 7.2-10
7.2.4(a) Housing Type and Vacancy 7.2-10
7.2.4(b) Housing Age and Conditions 7.2-11
7.2.4(c) Housing Cost 7.2-12
7.2.5 Special Needs 7.2-15
7.2.5(a) Persons with Disabilities 7.2-15
7.2.5(b) Elderly 7.2-18
7.2.5(c) Large Households 7.2-19
7.2.5(d) Female-Headed Households 7.2-20
7.2.5(e) Farmworkers 7.2-21
7.2.5(f) Homeless Persons 7.2-21
7.2.6 Assisted Housing at Risk of Conversion 7.2-24
7.2.7 Housing Constructed, Demolished or Converted within the Coastal Zone 7.2-24
7.2.8 Future Housing Needs 7.2-25
7.2.8(a) Overview of the Regional Housing Needs Assessment (RHNA) 7.2-25
7.2.8(b) 2021-2029 Housing Needs 7.2-26
7.2.9 Financial and Administrative Resources 7.2-27
7.2.9(a) State and Federal Resources 7.2-27
7.2.9(b) Local Resources 7.2-27
7.3 Resources and Opportunities 7.3-1
7.3.1 Land Resources 7.3-1
7.3.1(a) Inventory of Sites for Housing Development 7.3-1
7.3.1(b) Infrastructure Capacity 7.3-1

7.3.1(c) Environmental Constraints 7.3-2
7.3.2 Financial and Administrative Resources 7.3-2
7.3.3 Energy Conservation Opportunities 7.3-3
7.4 Constraints 7.4-1
7.4.1 Governmental Constraints 7.4-1
7.4.1(a) Land Use Plans and Regulations 7.4-1
7.4.1(b) Development Processing Procedures 7.4-19
7.4.1(c) Development Fees and Improvement Requirements 7.4-24
7.4.2 Non-Governmental Constraints 7.4-28
7.4.2(a) Environmental Constraints 7.4-28
7.4.2(b) Infrastructure Constraints 7.4-28
7.4.2(c) Land and Construction Costs 7.4-31
7.4.2(d) Cost and Availability of Financing 7.4-31
7.4.2(e) Developer timing 7.4-31
7.4.2(f) Ability to Develop at Density Potential 7.4-32
7.5 Housing Plan 7.5-1
7.5.1 Goals, Objectives, Policies, and Implementation Programs 7.5-1
7.5.2 Quantified Objectives 7.5-20

List of Tables

Table 7.2-1 Population Trends 2000-2020 Malibu vs. SCAG Region 7.2-2
Table 7.2-2 Population by Age and Gender Malibu 7.2-2
Table 7.2-3 Household Size - Malibu 7.2-3
Table 7.2-4 Household Tenure 7.2-4
Table 7.2-5 Overcrowding by Tenure – Malibu vs. SCAG Region 7.2-4
Table 7.2-6 Overpayment by Income Category and Tenure – Malibu 7.2-6
Table 7.2-7 Extremely-Low-Income Households by Race and Tenure – Malibu 7.2-7
Table 7.2-8 Employment by Occupation – Malibu vs. SCAG Region 7.2-9
Table 7.2-9 Employment by Industry – Malibu 7.2-9
Table 7.2-10 Housing by Type – Malibu vs. SCAG Region 7.2-10
Table 7.2-11 Vacant Housing by Type – Malibu vs. SCAG Region 7.2-11
Table 7.2-12 Age of Housing Stock – Malibu vs. SCAG Region 7.2-11
Table 7.2-13 Income Categories and Affordable Housing Costs – Los Angeles County 7.2-13
Table 7.2-14 Median Sales Price for Existing Homes – Malibu vs. SCAG Region 7.2-14
Table 7.2-15 Percentage of Income Spent on Rent – Malibu 7.2-14
Table 7.2-16 Disabilities by Type – Malibu 7.2-15
Table 7.2-17 Disabilities by Type for Seniors 65+ – Malibu vs. SCAG Region 7.2-16
Table 7.2-18 Disabilities by Employment Status – Malibu 7.2-16
Table 7.2-19 Elderly Households by Tenure – Malibu 7.2-19
Table 7.2-20 Female Headed Households – Malibu 7.2-21
Table 7.2-21 Malibu Coastal Zone Housing Units – 1982-2020 ....7.2-25

Table 7.2-22 Regional Housing Needs - Malibu 7.2-26
Table 7.3-1 Sites Inventory Summary 7.3-1
Table 7.4-1 Residential Land Use Categories – Malibu General Plan 7.4-1
Table 7.4-2 Residential Development Standards 7.4-4
Table 7.4-3 Permitted Residential Development by Zoning District 7.4-5
Table 7.4-4 Residential Parking Requirements 7.4-14
Table 7.4-5 Permit Processing Steps 7.4-23
Table 7.4-6 Planning and Development Fees 7.4-25
Table 7.4-7 Planning and Development Fee Example Single-Family Development 7.4-26
Table 7.4-8 Planning and Development Fee Example Multi-Family Development 7.4-26
Table 7.5-1 Quantified Objectives 2021-2029 ..... 7.5-20

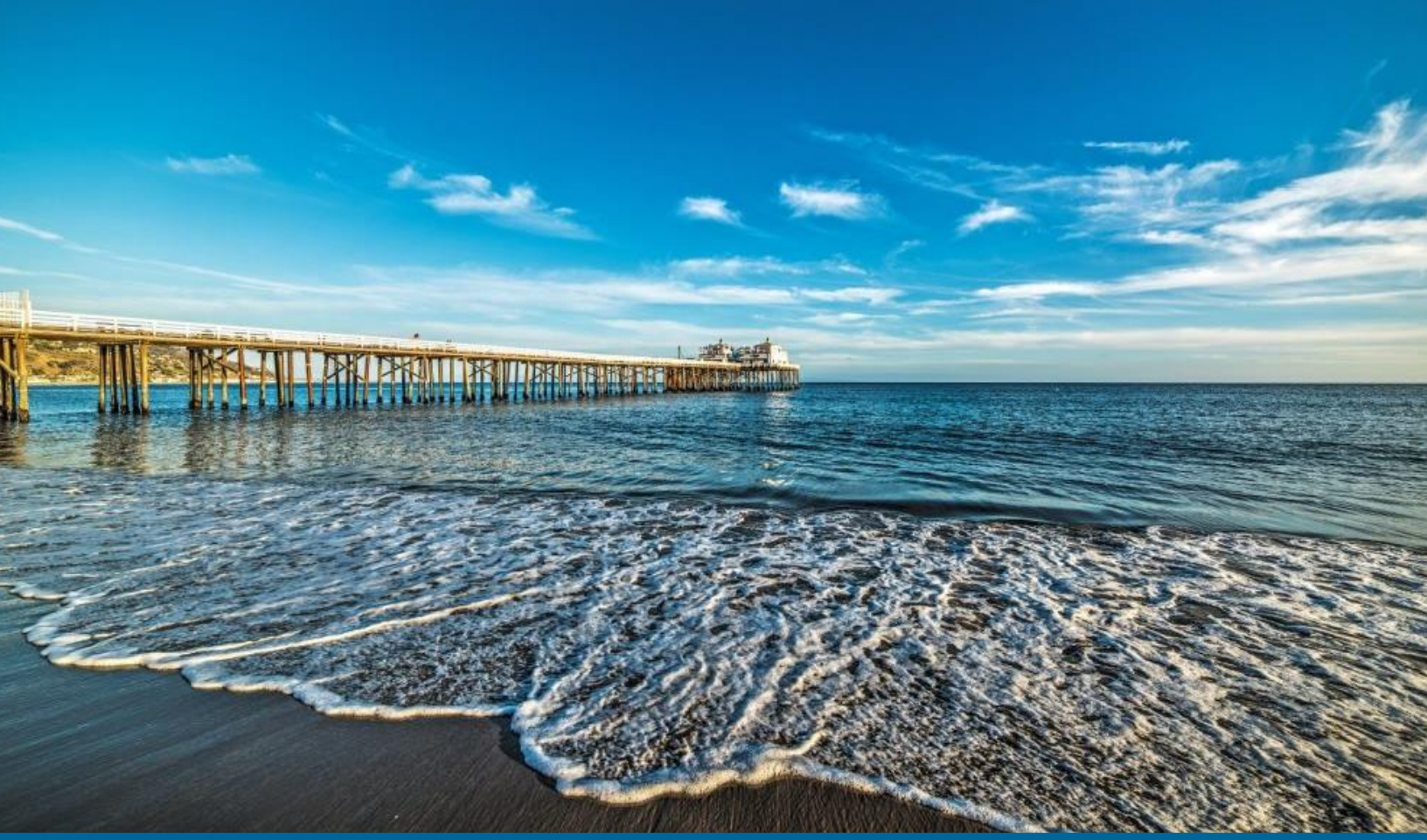
List of Figures

Figure 7.4-1 Commercial General and Institutional Zones 7.4-15

Appendices

Appendix A Evaluation of the Previous Housing Element
Appendix B Residential Land Inventory
Appendix C Public Participation Summary
Appendix D List of Acronyms
Appendix E Contributing Factors to Fair Housing Issues
Appendix F Affirmatively Furthering Fair Housing (AFFH)

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7.1 Introduction







7.0 Housing Element

7.1 Introduction

State law requires the preparation of a Housing Element ("Element") as part of a jurisdiction's General Plan (*California Government Code* §65302(c)). The Element is to consist of an identification and analysis of existing and projected housing needs, and a statement of goals, policies, quantified objectives and scheduled programs for the preservation, improvement and development of housing in the City of Malibu ("City"). The Element shall also identify adequate sites for housing and to make adequate provision for the existing and projected needs of all economic segments of the community (§65583).

Guidelines adopted by the California Department of Housing and Community Development ("HCD") are also to be considered in the preparation of the Element (§65585). Periodic review of the Element is required to evaluate: (1) the appropriateness of its goals, objectives and policies in contributing to the attainment of the state housing goal; (2) the effectiveness in attaining the community's housing goals and objectives; and (3) the progress of the City in implementation of the Element (§65588).

7.1.1 Purpose of the Housing Element

State law recognizes the vital role that local governments play in the supply and affordability of housing. Each local government in California is required to adopt a comprehensive, long-term General Plan for the physical development of the city or county. The Housing Element is one of the seven mandated elements of the General Plan. Housing Element law, first enacted in 1969, mandates that local governments plan to meet the existing and projected housing needs of all economic segments of the community. The law recognizes that, in order for the private market to adequately address housing needs, local governments must adopt land use plans and regulatory systems that provide opportunities for, and do not unduly constrain, housing development. As a result, housing policy in California rests largely upon the effective implementation of local General Plans and, in particular, local Housing Elements. Housing Element law also requires that HCD review local housing elements for compliance with State law and to report its written findings to the local government.

As mandated by State law, the planning period for this Housing Element extends from 2021 to 2029. This Element identifies strategies and programs that focus on: 1) providing diversity in housing opportunities; and 2) maintenance and preservation of the City's housing stock.

The Housing Element consists of the following major components:

- Identification and analysis of existing and projected housing needs, resources, and constraints
- A statement of goals, policies, quantified objectives, and scheduled programs for preservation, improvement, and development of housing
- Identification of adequate sites for housing

- Assessment of the City's fair housing issues
- Adequate provision for existing and projected needs of all economic segments of the community

The Housing Element assists Malibu in determining how to address existing and future housing needs and plan for future growth. Housing policies and actions contained in the Housing Element do not commit the City to construct new housing units, but they do identify ways in which Malibu will encourage development of housing intended to meet the housing needs of current and future residents during the Housing Element update planning period.

7.1.2 Organization of the Housing Element

Per California Government Code Sections 65580-65589, the Housing Element is comprised of the following components:

- **Section 7.1 – Introduction.:** This section provides a brief overview of the purpose and background for the Housing Element and a summary of the document.
- **Section 7.2 – Housing Needs Assessment.** This section reviews the existing and projected housing needs of the community. It provides a profile of socio-demographic information, such as population characteristics, household information, housing stock, tenure, and housing affordability. The assessment also considers local special housing needs, such as seniors, farmworkers, persons at risk of or experiencing homelessness, large households, and female-headed households.
- **Section 7.3 – Resources and Opportunities.** This section provides resources and an inventory of adequate sites that are suitably zoned and available within the planning period to meet the jurisdiction's fair share of regional housing needs across all income levels.
- **Section 7.4 – Governmental and Nongovernmental Constraints:** This section identifies and analyzes impediments to housing production across all income levels.
- **–Section 7.5 – Housing Plan.** This section provides a statement of the community's goals, quantified objectives, and policies to maintain, preserve, improve, and develop housing. It also provides a schedule of actions the City will take during the planning period to achieve its goals, objectives, and policies. The Housing Plan includes quantified objectives for new construction, rehabilitation, and conserved units.
- **Appendix A – Review of the previous Housing Element.** This section reviews the goals, policies, and programs of the 5th cycle Housing Element and compares projected outcomes with actual achieved results.
- **Appendix B – Residential Land Inventory.** This section is a detailed inventory of sites suitable for the development of housing to meet the RHNA.

- **Appendix C – Public Participation Summary.** This section provides a summary of the City's public outreach conducted during the preparation and adoption of this Housing Element and a description of how the input from that outreach informed the development of the Hosuing Element.
- **Appendix D – List of Acronyms.** This is a list of acronyms used in the Housing Element.
- **Appendix E – Contributing Factors to Fair Housing.** This section provides a summary of the regional Analysis of Impediments to Fair Housing for Los Angeles County.
- **Appendix F – Fair Housing Assessment.** This section provides an analysis of contributing factors that may limit fair housing choice and access to opportunities in Malibu.
- ~~An analysis of the City's demographic and housing characteristics and trends (Section 7.2);~~
- ~~An evaluation of land, financial, and administrative resources available to address the City's housing goals (Section 7.3);~~
- ~~A review of potential constraints, both governmental and non-governmental, to meeting the City's housing needs (Section 7.4);~~
- ~~A Housing Plan for the 2021-2029 planning period, including housing goals, policies, and programs (Section 7.5);~~
- ~~A review of the City's accomplishments and progress in implementing the previous Housing Element (Appendix A);~~
- ~~A detailed inventory of sites suitable for the development of housing (Appendix B);~~
- ~~A summary of the City's public participation during the preparation and adoption of this Housing Element (Appendix C); and~~
- ~~A list of acronyms (Appendix D).~~

~~7.1.2~~7.1.3 Public Participation

Section 65583(c)(5) of the *California Government Code* states that "[t]he local government 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 program shall describe this effort." Public participation played an important role in the formulation and refinement of the City's housing goals and policies, and in the development of a ~~Land Use Plan~~Site Inventory that ~~determines the extent and density of future residential development in the community~~meets the City's RHNA.

Residents and other stakeholders had many opportunities to review and provide comments on the Housing Element and related implementation actions. Please refer to Appendix C for additional information regarding the City's efforts to encourage public involvement and how comments and concerns have been addressed.

~~7.1.3~~7.1.4 Consistency with Other Elements of the General Plan

The City's General Plan sets forth broad policy guidance in the areas of land use, housing, transportation, conservation, open space and recreation, noise, and public safety. The various General Plan elements provide a consistent set of policies and programs intended to preserve and enhance the quality of life, while accommodating growth and change in a proactive manner. For example, residential development capacities established in the Land Use Element, and constraints to development identified in the Conservation, Public Safety, and Noise Elements, are reflected in the Housing Element. This Housing Element builds upon the other General Plan elements and is consistent with the policies and proposals set forth by the General Plan. As the General Plan is occasionally amended, the City will review the Housing Element for internal consistency~~,~~ and make any necessary revisions.

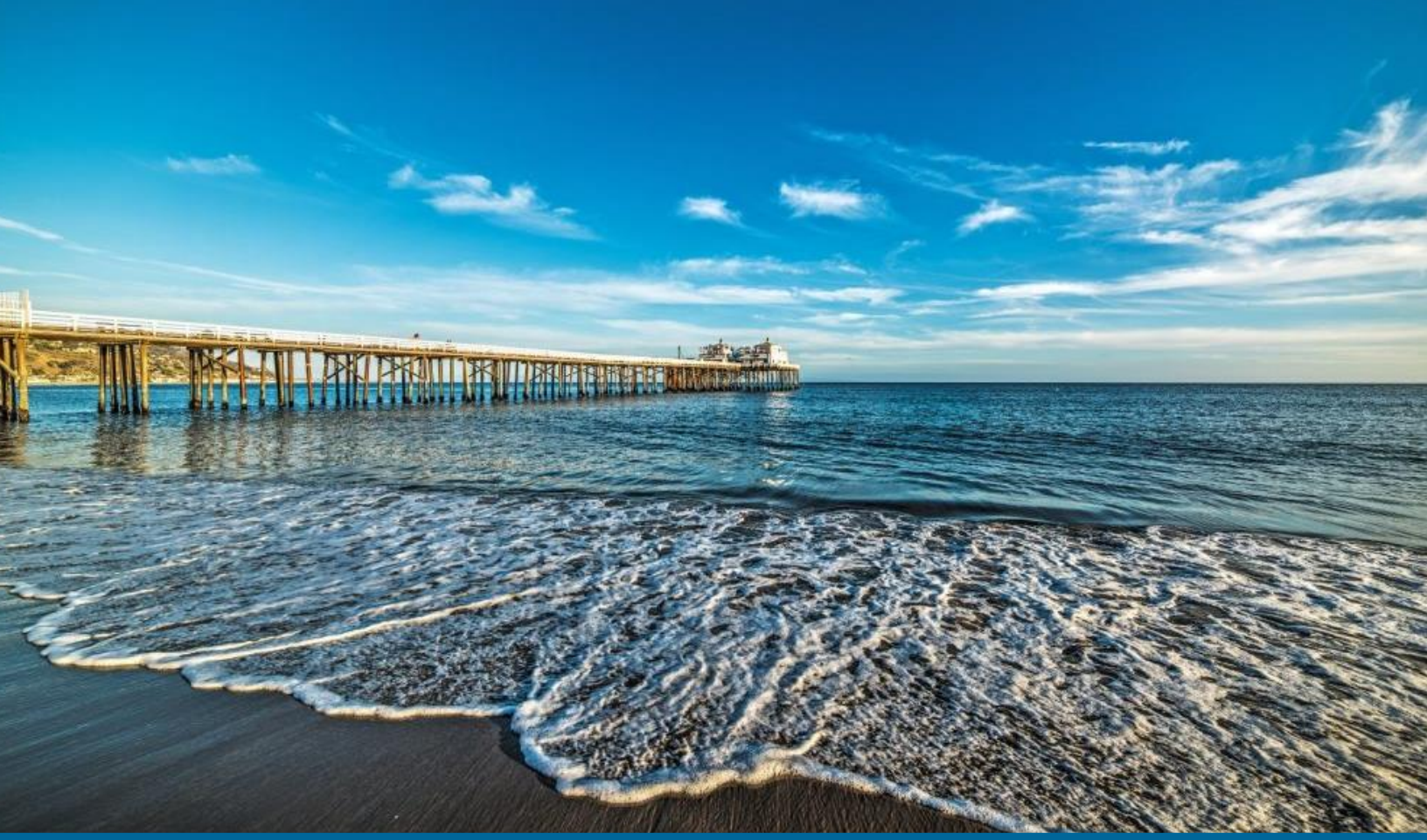
Senate Bill (SB) 1087 of 2005[1] requires cities to provide a copy of their Housing Element to local water and sewer providers, and also requires that these agencies provide priority to affordable housing developers. SB 1087 further prohibits local water and sewer providers from denying services to affordable housing developers, unless they find that the capacity is unavailable to all applicants. The Housing Element will be provided to these agencies immediately upon adoption.

7.1.5 Data Sources and Methods

Data from a variety of sources is used to complete the Housing Element. The most cited source is the U.S. Census, which provides consistent demographic characteristics. The American Community Survey, a feature of the U.S. Census, provides five-year estimates on population and demographic characteristics. Other data sources include the following:

- California Department of Housing and Community Development (HCD)
- California Housing Finance Agency
- California Tax Credit Allocation Committee
- Comprehensive Housing Affordability Strategy (CHAS)
- California Department of Finance (DOF)
- Home Mortgage Disclosure Act (HMDA) lending data
- Regional Homeless Point-in-Time Count
- State Employment Development Department (EDD) data on wage and labor statistics
- United States Department of Housing and Urban Development (HUD)

[1] SB 1087 (Florez) [Stats. 2005, ch. 727].



7.2 Housing Needs Assessment







7.2 Housing Needs Assessment

The City of Malibu ("City") lies within an approximately 21-mile strip of coastline at the western edge of Los Angeles County ("County"). Malibu is primarily a residential community consisting of beachfront residential lots and large estate lots in the hillsides and canyons overlooking the ocean. Some multi-family development and neighborhood/visitor-serving commercial development is located in the flatter portions of the City along Highway 1 (Pacific Coast Highway). The City has a scenic rural character that it seeks to preserve. Development within the City is constrained by numerous land features including steep slopes, environmentally sensitive habitat areas (ESHAs), geologic instability, flood hazards, and extreme wildfire hazards. The entire City lies within the Coastal Zone as defined by the California Coastal Act of 1976[1]. Because of these constraints, a large portion of the City remains undeveloped and rural in character. Growth is also severely limited by the lack of a centralized sewer system.

Since its incorporation in 1991, the City has declined in population from approximately 11,700 to 11,537 residents in 2021, according to recent California Department of Finance estimates. The City is approximately 19.9 square miles in area and is bounded by unincorporated County areas to the west and north, the City of Los Angeles (Pacific Palisades) to the east and the Pacific Ocean to the south. Further to the east is the City of Santa Monica. The Santa Monica Mountains National Recreation Area lies just to the north.

This ~~chapter~~ section examines general population and household characteristics and trends, such as age, employment, household composition and size, household income, and special needs. Characteristics of the existing housing stock (e.g., number of units and type, tenure, age and condition, costs) are also addressed. Finally, the City's projected housing needs based on the 2021-2029 Regional Housing Needs Assessment (RHNA) are discussed.

The Housing Needs Assessment utilizes recent data from the U.S. Census, the California Department of Finance (DOF), the California Employment Development Department (EDD), the Southern California Association of Governments (SCAG), and other relevant sources.

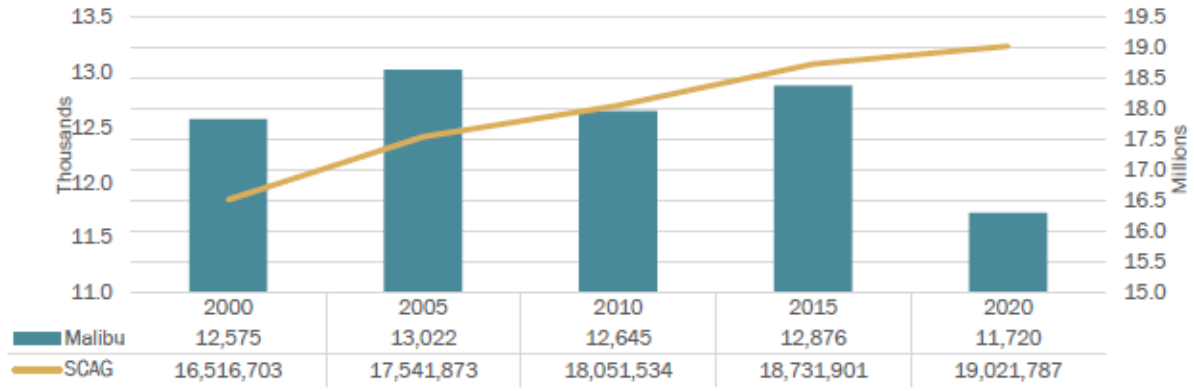
7.2.1 Population Characteristics

7.2.1(a) Population Growth Trends

In 1990, the unincorporated community of Malibu had a population of 11,643. The City of Malibu was incorporated on March 28, 1991. From 1990 to 2000, the population of the newly incorporated City grew by about 8% to 12,575. From 2000 to 2020 the City's population declined by about 855 persons (see Table 7.2-1). Malibu has a 2020 total population of 11,720 including 141 living in group quarters according to the California Department of Finance.

[1] *California Public Resources Code*, Division 20.

Table 7.2-1
Population Trends 2000-2020
Malibu vs. SCAG Region



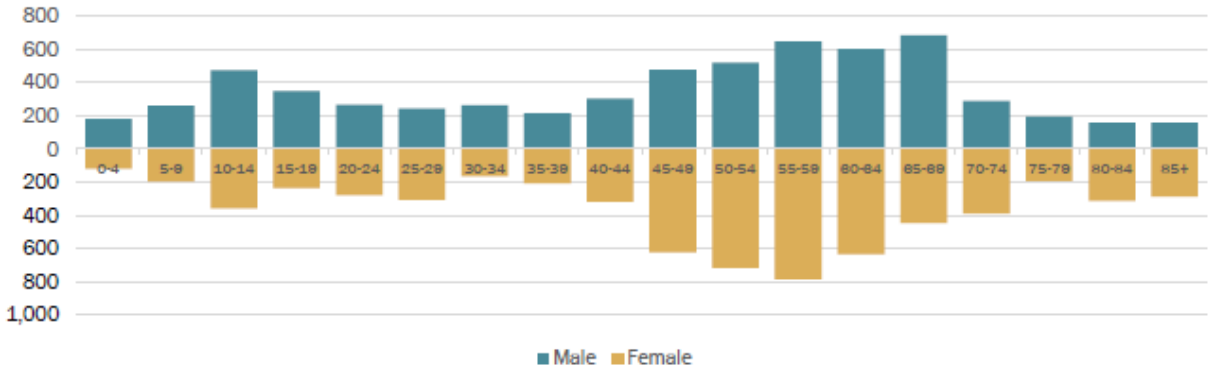
	2000	2005	2010	2015	2020
Malibu	12,575	13,022	12,645	12,876	11,720
SCAG	16,516,703	17,541,873	18,051,534	18,731,901	19,021,787

CA DOF E-5 Population and Housing Unit Estimates

7.2.1(b) Age

Housing needs are influenced by the age characteristics of the population. Different age groups require different accommodations based on lifestyle, family type, income level, and housing preference. Table 7.2-2 shows that the population of Malibu is 49% male and 51% female. The share of the population of Malibu under 18 years of age is 15.3%, which is lower than the regional share of 23.4%. Malibu's seniors (65 and above) make up 24.2% of the population, which is higher than the regional share of 13%.

Table 7.2-2
Population by Age and Gender
Malibu



American Community Survey 2014-2018 5-year estimates

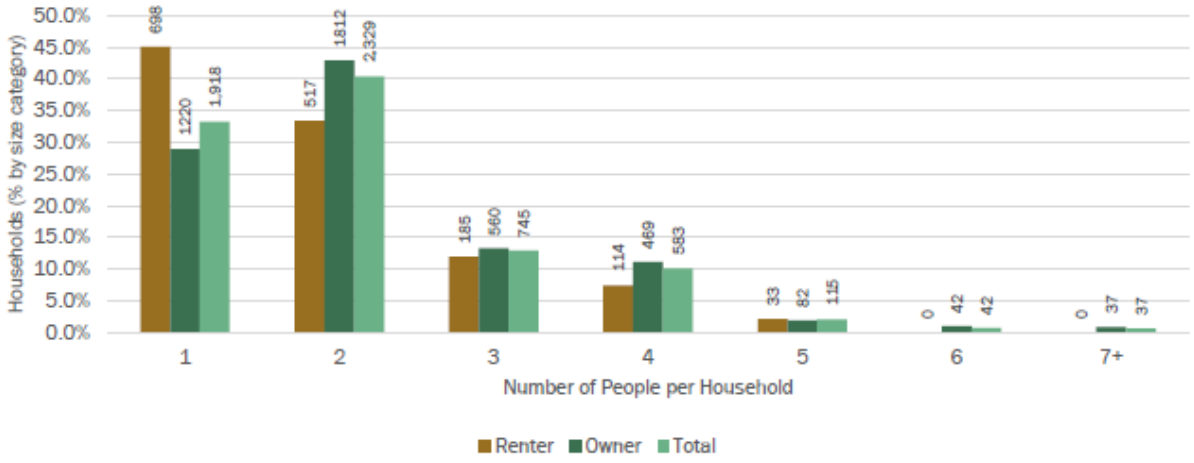
7.2.2 Household Characteristics

7.2.2(a) Household Composition and Size

Household characteristics are important indicators of the type and size of housing needed in a city. The Census defines a "household" as all persons occupying a housing unit, which may include single persons living alone, families related through marriage or blood, or unrelated persons sharing a single unit. Persons in group quarters such as dormitories, retirement or convalescent homes, or other group living situations are included in population totals, but are not considered households by the Census Bureau.

Table 7.2-3 illustrates the range of household sizes in Malibu for owners, renters, and overall. The most commonly occurring household size is of two people (40.4%) and the second-most commonly occurring household is of one person (33.2%). Malibu has a higher share of single-person households than the SCAG region overall (33.2% vs. 23.4%) and a lower share of 7+ person households than the SCAG region overall (0.6% vs. 3.1%).

Table 7.2-3
Household Size - Malibu

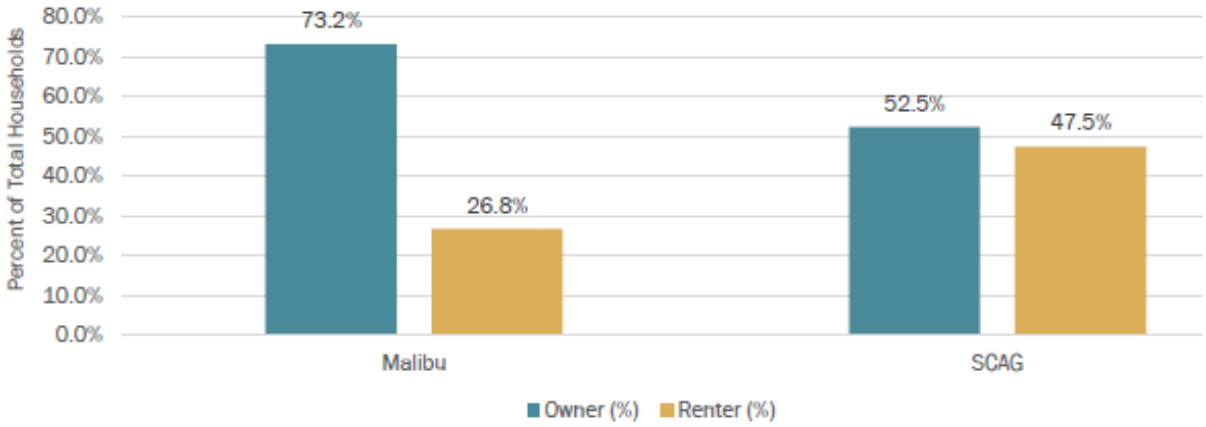


American Community Survey 2014-2018 5-year estimates.

7.2.2(b) Housing Tenure and Vacancy

Housing tenure (owner versus renter) is an important indicator of the housing market. Communities need an adequate supply of units available both for rent and for sale in order to accommodate a range of households with varying income, family size and composition, and lifestyle. As shown in Table 7.2-4, Malibu's housing stock consists of 5,769 total units, 4,222 of which are owner-occupied and 1,547 of which are renter-occupied. The share of renters in Malibu is lower than in the SCAG region overall.

Table 7.2-4
Household Tenure

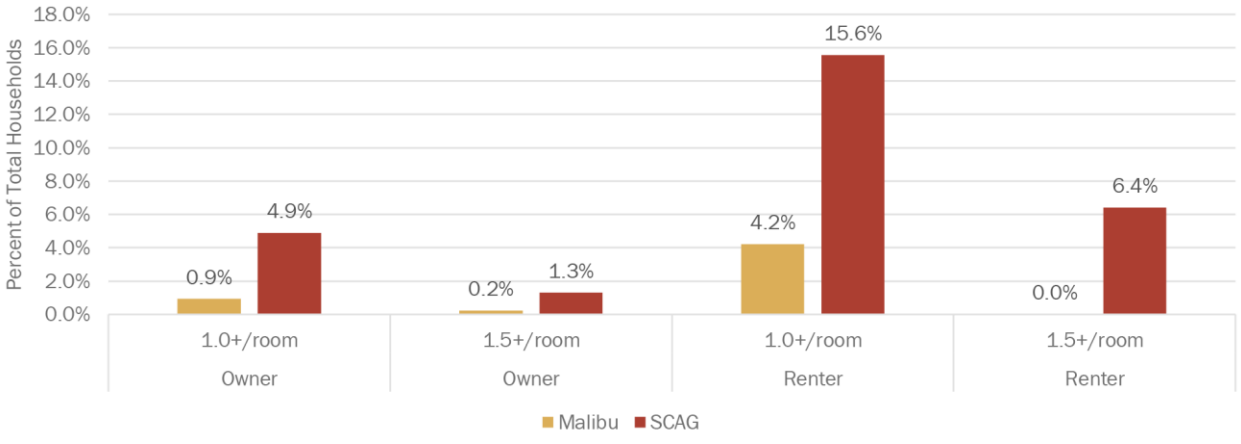


American Community Survey 2014-2018 5-year estimates.

7.2.2(c) Overcrowding

Overcrowding is often closely related to household income and the cost of housing. The U.S. Census Bureau considers a household to be overcrowded when there is more than one person per room, excluding bathrooms and kitchens, with severe overcrowding when there are more than 1.5 occupants per room. Table 7.2-5 summarizes overcrowding for the City of Malibu. In Malibu, 39 owner-occupied and 65 renter-occupied households had more than 1.0 occupants per room, which meets the ACS definition for overcrowding. 10 owner-occupied households and renter-occupied households had more than 1.5 occupants per room, which meets the ACS definition for severe overcrowding.

Table 7.2-5
Overcrowding by Tenure – Malibu vs. SCAG Region



American Community Survey 2014-2018 5-year estimates.

The high cost of housing in Malibu is the primary cause of overcrowding. Several programs in the Housing Plan (Section 7.5) that are designed to address housing affordability will also help to alleviate overcrowding. These programs include: Program 1.1 – Code Enforcement; Program 1.3 – Housing Rehabilitation Assistance; Program 1.4 – ~~Preserve~~ Preservation of Existing Mobile Home Parks; Program 1.5 – ~~Conserve~~ Monitor Affordable Housing ~~in the Coastal Zone~~At Risk of Conversion to Market Rate; Program 2.2~~-1~~ – Ensure Adequate ~~Capacity~~ Sites to Accommodate Regional Fair Share of Housing ~~Needs~~Growth; Program 2.3 ~~5~~4 – ~~Encourage Mixed-Use and Adaptive Reuse Development in Appropriate Locations~~Support the Development of Variety of Housing Types; Program ~~2.2A~~4.1 – ~~Second Units~~Support Development of Accessory Dwelling Units; Program ~~2~~3.3 ~~1~~ – Facilitate Affordable Housing Development and Housing Assistance Opportunities~~Streamline Development Review and Assist Affordable Housing Developments~~; and ~~Program~~ Program 5.2 – Fair Housing Community Outreach~~3.3 – Provide Financial Support and Referral Information to Persons in Need of Assistance~~.

7.2.2(d) Overpayment

According to State housing policy, overpaying occurs when housing costs exceed 30% of gross household income. Overpayment for lower-income homeowners can lead to deferred maintenance or repairs due to limited funds, which can lead to deterioration. For lower-income renters, severe cost burden can require families to double up resulting in overcrowding. As shown in Table 7.2-6, the majority of lower-income households, both owners and renters, in Malibu are paying over 50% of their gross incomes for housing.

Table 7.2-6
Overpayment by Income Category and Tenure – Malibu

Income by Cost Burden (Renters only)	Cost burden > 30%	Cost burden > 50%	Total
Household Income less-than or= 30% HAMFI	75	75	225
Household Income >30% to less-than or= 50% HAMFI	75	75	75
Household Income >50% to less-than or= 80% HAMFI	110	85	170
Household Income >80% to less-than or= 100% HAMFI	50		115
Household Income >100% HAMFI	135	30	960
Total	445	265	1,545
Income by Cost Burden (Owners only)	**Cost burden > 30%**	**Cost burden > 50%**	**Total**
Household Income less-than or= 30% HAMFI	220	195	320
Household Income >30% to less-than or= 50% HAMFI	215	100	240
Household Income >50% to less-than or= 80% HAMFI	110	90	180
Household Income >80% to less-than or= 100% HAMFI	145	115	185
Household Income >100% HAMFI	680	210	3,295
Total	1,370	710	4,220

The high cost of housing in Malibu is the primary cause of overpayment for lower-income households. Several programs in the Housing Plan designed to address housing affordability will also help to alleviate overpayment. These programs include Program 1.1 – Code Enforcement; Program 1.3 – Housing Rehabilitation Assistance; Program 1.4 – ~~Preserve~~ Preservation of Existing Mobile Home Parks; Program 1.5 – Monitor Affordable Housing At Risk of Conversion to Market Rate~~Conserve Affordable Housing in the Coastal Zone~~; Program 2.~~2~~ 1 – Adequate Sites to Accommodate Regional Fair Share of Housing Growth~~Ensure Adequate Capacity to Accommodate Housing Needs~~; Program ~~2.2A – Accessory Dwelling Units~~4.1 Support Development of Accessory Dwelling Units; Program ~~2.3~~3.1 – Facilitate Affordable Housing Development and Housing Assistance Opportunities~~Streamline Development Review and Assist Affordable Housing Development~~; and ~~Program 3.3~~Program 5.2 – Fair Housing Community Outreach~~Provide Financial Support and Referral Information to Persons in Need of Assistance~~.

Extremely-Low-Income Households

Extremely-low-income (ELI) is defined as household income less than 30% of area median income. Households with extremely low incomes have a variety of housing problems and needs.

According to ACS data reported by SCAG (Table 7.2-7) the race/ethnicity with the highest share of extremely-low-income households in Malibu is Asian and other, non-Hispanic (47% compared to 13% of the total population). In the SCAG region, the highest share of extremely-low-income households is Black, non-Hispanic (27.1% compared to 17.7% of total households).

As shown previously in Table 7.2-6, ELI households (both owners and renters) experience much higher rates of overpayment than households at higher income levels.

Table 7.2-7
Extremely-Low-Income Households by Race and Tenure – Malibu

	Total Households	Households below 30% HAMFI	Share below 30% HAMFI
White, non-Hispanic	5,070	590	11.6%
Black, non-Hispanic	50	0	0.0%
Asian and other, non-Hispanic	200	94	47.0%
Hispanic	264	40	15.2%
TOTAL	5,584	724	13.0%
Renter-occupied	1,645	325	19.8%
Owner-occupied	3,945	400	10.1%
TOTAL	5,590	725	13.0%

HUD CHAS, 2012-2016. HAMFI refers to Housing Urban Development Area Median Family Income.

A disproportionately high percentage of elderly households (family households with two or more persons aged 62 years old or older and non-family householders aged 62 years old or older) are ELI households. According to 2012-2016 ACS estimates, approximately 37% of ELI households (270 households) in Malibu are elderly but only 28% of the population are elderly. However, it is likely not all elderly ELI households in Malibu are experiencing housing problems or in need of financial assistance. Some ELI households are homeowners with paid or low mortgages and are retired; therefore, they do not have a high annual income as reflected in the HUD data.

Resources for Extremely-Low-Income Households

Many extremely low-income households seek rental housing and may face cost burden, overcrowding, or substandard housing conditions. Some extremely low-income households could have physical or mental disabilities and/or other special needs. ELI households may require specific housing solutions such as deeper income targeting for subsidies, housing with supportive services, single-room occupancy, or rent subsidies. As shown in Table 7.2-7, there are 725 ELI households in Malibu, of which 325 are renters. There are no subsidized low-income housing units in the city. Affordable housing opportunities for ELI households can be expanded for households through the Los

Angeles County Development Authority Section 8 Housing Choice Voucher (HCV) program. As of 2023, one household in Malibu receives an HCV from the Los Angeles County Development Authority and two households are on the waiting list. This meets the housing needs of less than one percent of the city's 325 households that are ELI renters. Housing Plan Program 3.1 describes actions the City will take to promote the use of HCVs.

Additional resources for ELI households include senior housing and transitional and supportive housing, which are residential uses subject only to those requirements and restrictions that apply to other residential uses of the same type in the same zone. Supportive housing is permitted in all residential zones, except for the Mobilehome Residential District, which is designated for mobile home parks. The City will also support the development of affordable housing (Housing Plan Program 3.1), provide financial assistance for housing repairs (Housing Plan Program 1.3), and support services for special housing needs populations such as seniors, persons with disabilities, and persons experiencing homelessness (Housing Plan Program 3.3).

Past Actions for Housing for Extremely-Low-Income Households

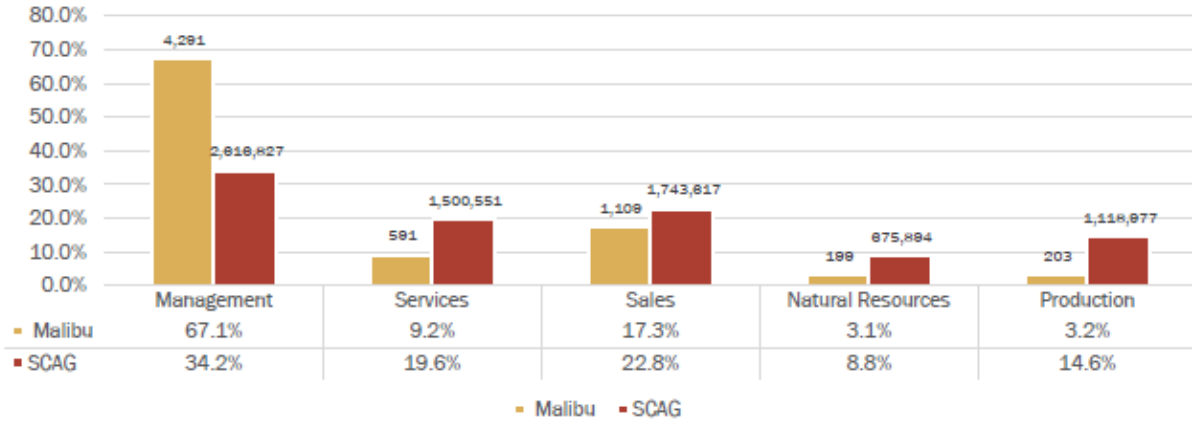
In 2016, the City issued a grant to the Malibu Task Force on Homelessness (MTFH) to bring professional services to Malibu's homeless population, and through this effort successfully moved 72 homeless residents into permanent housing. Although this program has assisted ELI residents who are experiencing homelessness, additional actions are needed to support ELI residents at risk of homelessness or who are experiencing housing problems.

7.2.3 Employment

Employment is an important factor affecting housing needs within a community. The jobs available in each employment sector and the wages for these jobs affect the type and size of housing residents can afford.

According to recent Census data (Table 7.2-8) Malibu has 6,393 workers living within its borders who work across 13 major industrial sectors. The most prevalent industry is Professional Services with 1,419 employees (22.2% of total) and the second most prevalent industry is Education & Social Services with 1,314 employees (20.6% of total).

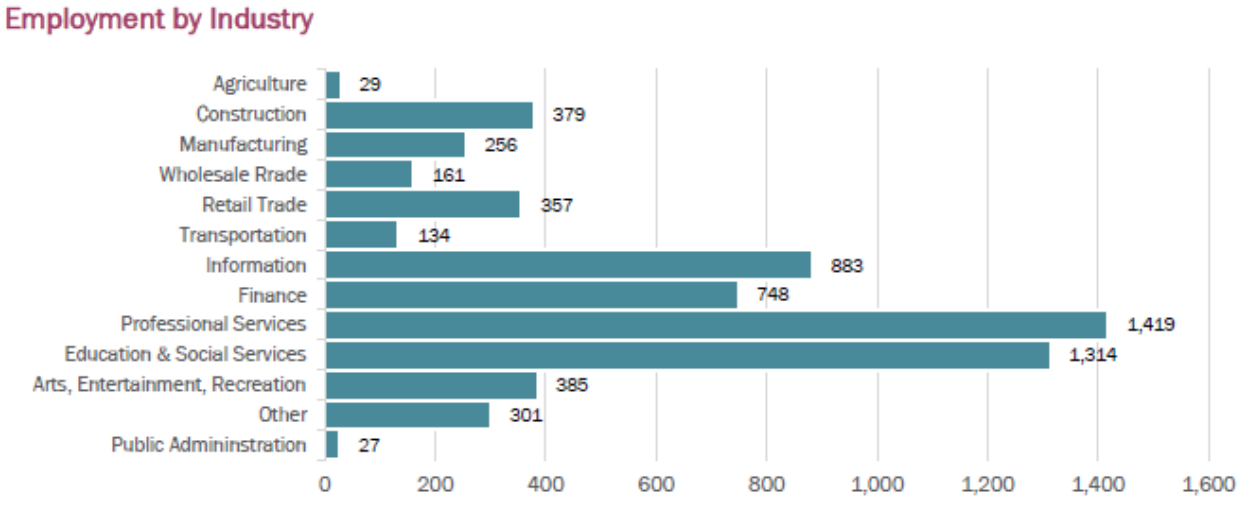
Table 7.2-8
Employment by Occupation – Malibu vs. SCAG Region



American Community Survey 2014-2018 5-year estimates using groupings of SOC codes.

Table 7.2-9 shows employment by industry for Malibu's workforce. The most prevalent occupational category in Malibu is Management, in which 4,291 (67.1% of total) employees work. The second-most prevalent type of work is in Sales, which employs 1,109 (17.3% of total) in Malibu. In high-cost areas like Malibu accessory dwelling units provide an important option for low-wage workers, such as caregivers and other household employees. Program ~~2.24.~~1 in the Housing Plan describes the City's strategy for expanding the availability of accessory dwelling units.

Table 7.2-9
Employment by Industry – Malibu



American Community Survey 2014-2018 5-year estimates using groupings of 2-digit NAICS codes.

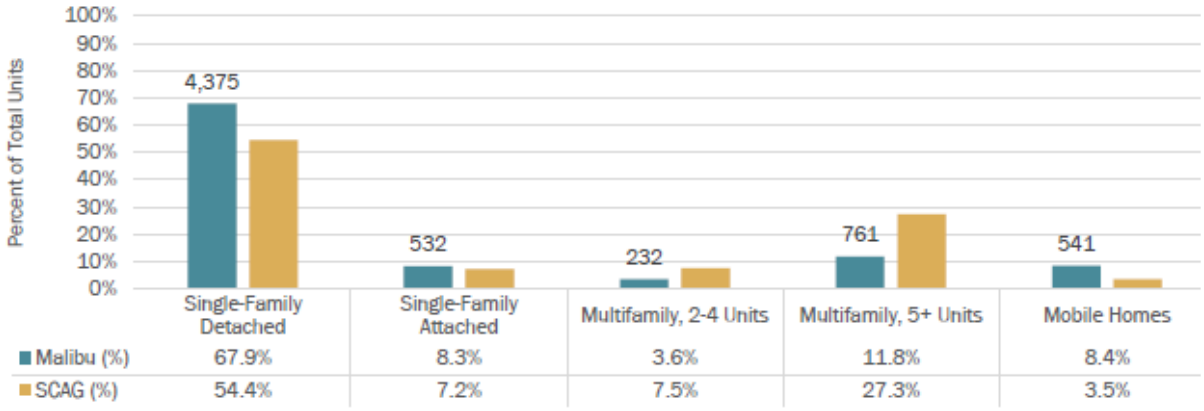
7.2.4 Housing Stock Characteristics

This section presents an evaluation of the community's housing stock and helps in identifying and prioritizing needs. The factors evaluated include the type of housing units, vacancy rates, age and condition, tenure, housing costs and affordability. A housing unit is defined as a house, apartment, mobile home, or group of rooms, occupied as separate living quarters or, if vacant, intended for occupancy as separate living quarters.

7.2.4(a) Housing Type and Vacancy

According to recent Census data, the housing stock in the City was comprised mostly of single-family detached homes, which made up about 68% of all units, while multi-family units comprised about 24% of the total. Mobile home units comprised about 8% of the total (Table 7.2-10).

Table 7.2-10
Housing by Type –
Malibu vs. SCAG Region

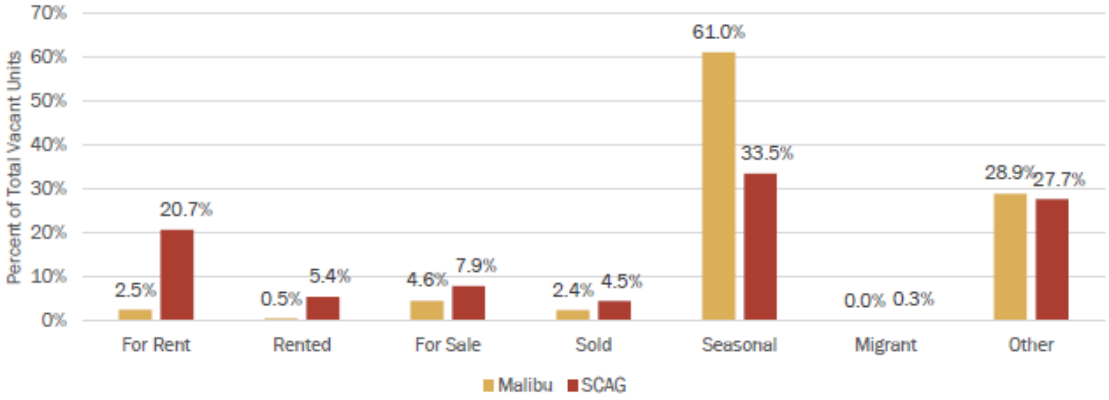


	Single-Family Detached	Single-Family Attached	Multifamily, 2-4 Units	Multifamily, 5+ Units	Mobile Homes
Malibu (%)	67.9%	8.3%	3.6%	11.8%	8.4%
SCAG (%)	54.4%	7.2%	7.5%	27.3%	3.5%

CA DOF E-5 Population and Housing Unit Estimates

Recent Census estimates (Table 7.2-11) reported a 24.1% total vacancy rate in Malibu, with the most prevalent type of vacancy being units held for seasonal use (i.e., second homes).

Table 7.2-11
Vacant Housing by Type –
Malibu vs. SCAG Region



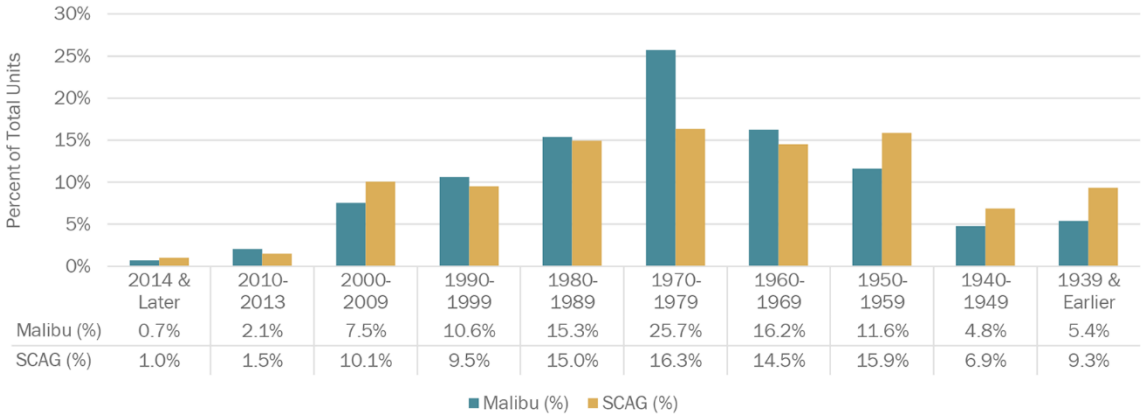
American Community Survey 2014-2018 5-year estimates.

7.2.4(b) Housing Age and Conditions

Housing age is often an important indicator of housing conditions. Housing units built prior to 1978, before stringent limits on the amount of lead in paint were imposed, may have interior or exterior building components coated with lead-based paint. Table 7.2-12 shows the age distribution of the housing stock in the City compared to the SCAG region as a whole.

This table shows that about 79% of the units in the City were constructed prior to 1990. These units are more than 30 years old and may have some need for rehabilitation, which is typical of most jurisdictions in Southern California.

Table 7.2-12
Age of Housing Stock – Malibu vs. SCAG Region



	2014 & Later	2010-2013	2000-2009	1990-1999	1980-1989	1970-1979	1960-1969	1950-1959	1940-1949	1939 & Earlier
Malibu (%)	0.7%	2.1%	7.5%	10.6%	15.3%	25.7%	16.2%	11.6%	4.8%	5.4%
SCAG (%)	1.0%	1.5%	10.1%	9.5%	15.0%	16.3%	14.5%	15.9%	6.9%	9.3%

American Community Survey 2014-2018 5-year estimates.

In general, the quality of housing is exceptional in the City. At a minimum, most dwelling units are well-maintained, especially with respect to the harsh environmental conditions to which they are subject. There are areas where older housing units exist, such as along Pacific Coast Highway in the eastern portion of the City. However, even these units are maintained due to high property values. The Building & Safety Division estimates that approximately 10 housing units are in need of rehabilitation and four housing units are beyond the point of repair citywide. This estimate does not include the estimated 500 housing units that were destroyed in the 2018 Woolsey fire.[2] Since the Woolsey fire, approximately 144 single-family homes and 12 multi-family housing units have been rebuilt. The City has issued permits for reconstruction of an additional 272 single-family homes and 6 multi-family housing units that have not yet been completed.[3] Concentrated areas of substandard housing in Malibu are in in the eastern part of the city, mainly east of Malibu Canyon Road and along the Pacific Coast Highway near Topanga Canyon.~~It is estimated that about 2% of the housing units within the City are in need of minor repair. The only homes in need of major structural repair or replacement are due to landslides or fire damage.~~

A goal of the City's Building & Safety Division as well as Code Enforcement staff is to proactively address housing concerns before they become serious problems. Staff has helped to reduce structural deterioration by identifying problems and informing residents of programs to assist with improvements. In addition, the City addresses issues related to lead-based paint and asbestos removal through adding standard conditions of approval to include Best Management Practices for all projects that include the demolition or remodeling of older structures.

7.2.4(c) Housing Cost

Housing Affordability Criteria

State law establishes five income categories for purposes of housing programs based on the County's area median income ("AMI"): extremely-low (30% or less of AMI), very-low (31-50% of AMI), low (51-80% of AMI), moderate (81-120% of AMI) and above-moderate (over 120% of AMI). Housing affordability is based on the relationship between household income and housing expenses. According to the U.S. Department of Housing and Urban Development ("HUD") and the California Department of Housing and Community Development ("HCD"), housing is considered "affordable" if the monthly payment is no more than 30% of a household's gross income. In some areas (such as Los Angeles County), these income limits may be increased to adjust for high housing costs.

Table 7.2-13 shows affordable rent levels and estimated affordable purchase prices for housing in Los Angeles County[4] by income category. Based on State standards, the maximum affordable monthly rent for extremely-low-income households is $886, while the maximum affordable rent for very-low-income households is $1,478. The maximum

[2] City of Malibu. 2020. City of Malibu Marks Annual Day of Preparedness and the Two-Year Anniversary of the Devastating Woolsey Fire with Community Emergency Preparedness Competition. https://www.malibucity.org/DocumentCenter/View/27058/11-09-2020_Woolsey2Year_PreparednessCompetition_PressRelease?bidId=

[3] City of Malibu. 2023. Rebuilt Statistics. https://malibupermits.ci.malibu.ca.us/WoolseyRebuildStats.aspx#

[4] Affordable rent and purchase prices are based on the county median income.

affordable rent for low-income households is $2,365, while the maximum for moderate-income households is $2,400.

Maximum purchase prices are more difficult to determine due to variations in mortgage interest rates and qualifying procedures, down payments, special tax assessments, homeowner association fees, property insurance rates, etc. With this caveat, the maximum home purchase prices by income category shown in Table 7.2-13 have been estimated based on current conditions.

Table 7.2-13
Income Categories and Affordable Housing Costs – Los Angeles County

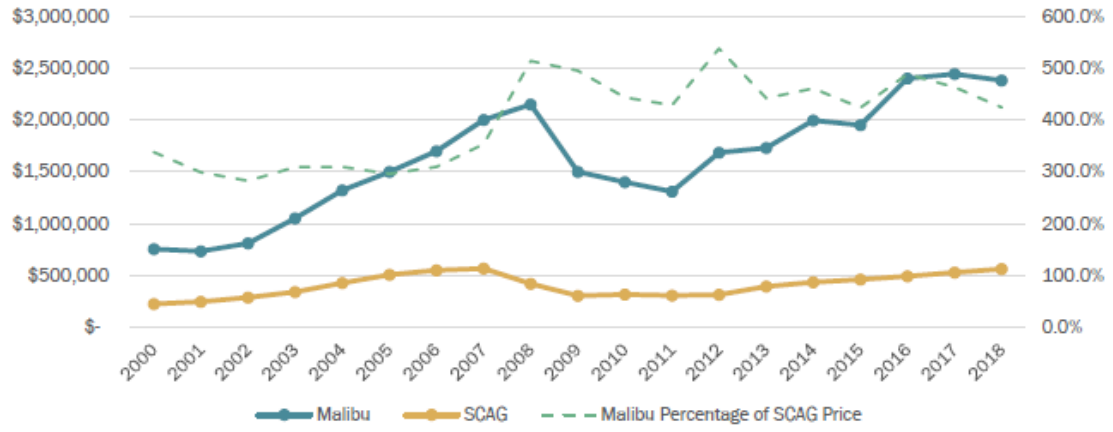
Income Category (% of median income)	Income Limits	Affordable Rent	Affordable Price (est.)
Extremely Low (<30%)	$35,450	$886	*
Very Low (31-50%)	$59,100	$1,478	*
Low (51-80%)	$94,600	$2,365	*
Moderate (81-120%)	$96,000	$2,400	$375,000
Above moderate (120%+)	>$96,000	>$2,400	>$375,000

Assumptions:
-Based on a family of 4 and 2021 income limits
-30% of gross income for rent or principal, interest, taxes & insurance plus utility allowance
-10% down payment, 3.75% interest, 1.25% taxes & insurance, $350 HOA dues
* For-sale affordable housing is typically at the moderate-income level
Source: Cal. HCD; JHD Planning LLC

For-Sale Housing

Between 2000 and 2018, median home sales prices in Malibu increased 215% while prices in the SCAG region increased 151%. 2018 median home sales prices in Malibu were $2,380,000 and the highest experienced since 2000 was $2,443,000 in 2017. Prices in Malibu have ranged from a low of 282.4% of the SCAG region median in 2002 and a high of 537.7% in 2012 (Table 7.2-14).

Table 7.2-14
Median Sales Price for Existing Homes – Malibu vs. SCAG Region

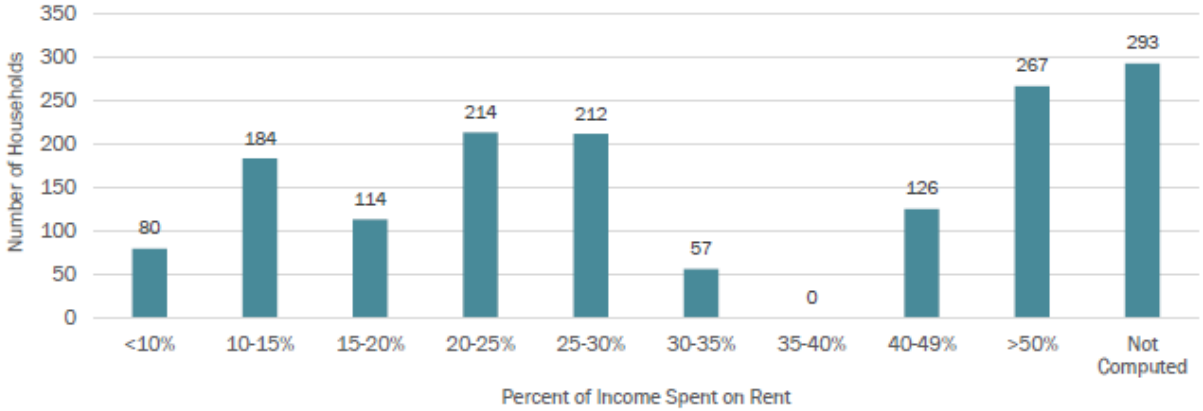


SCAG Local Profiles, Core Logic/Data Quick. SCAG median home sales price calculated as household-weighted average of county medians.

Rental Housing

Across Malibu's 1,547 renter households, 450 (29.1%) spend 30% or more of gross income on housing cost, compared to 55.3% in the SCAG region. Additionally, 267 renter households in Malibu (17.3%) spend 50% or more of gross income on housing cost, compared to 28.9% in the SCAG region (Table 7.2-15). Housing units in Malibu posted for rent[5] ranged from $1,895/month for a studio to $15,000/month for a single-family house.

Table 7.2-15
Percentage of Income Spent on Rent – Malibu



[5] Source: Rent.com, October 2021

7.2.5 Special Needs

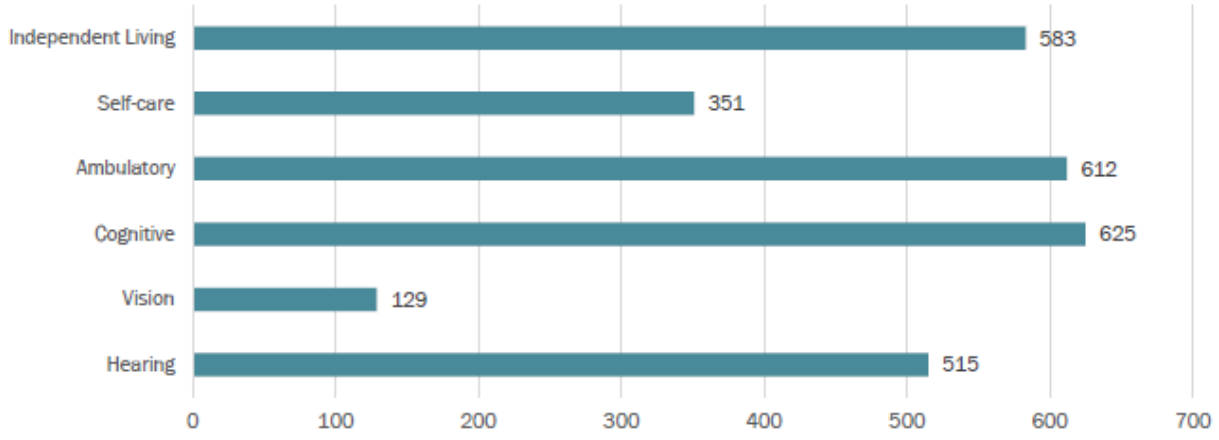
Certain groups have greater difficulty in finding decent, affordable housing due to special circumstances related to one's employment and income, family characteristics, age, disability, or other conditions. As a result, some of the City's residents may experience a higher prevalence of overpayment, overcrowding, or other housing problems.

State Housing Element law defines "special needs" groups to include persons with disabilities, the elderly, large households, female-headed households, homeless people, and farmworkers. This section contains a discussion of the housing needs facing each of these groups.

7.2.5(a) Persons with Disabilities

Recent Census data (Table 7.2-16) estimated that the most prevalent types of disabilities among Malibu residents included cognitive, ambulatory, and independent living disabilities. Housing opportunities for those with disabilities can be maximized through housing assistance programs, supportive housing, and by providing universal design features such as widened doorways, ramps, lowered countertops, single-level units and ground floor units.

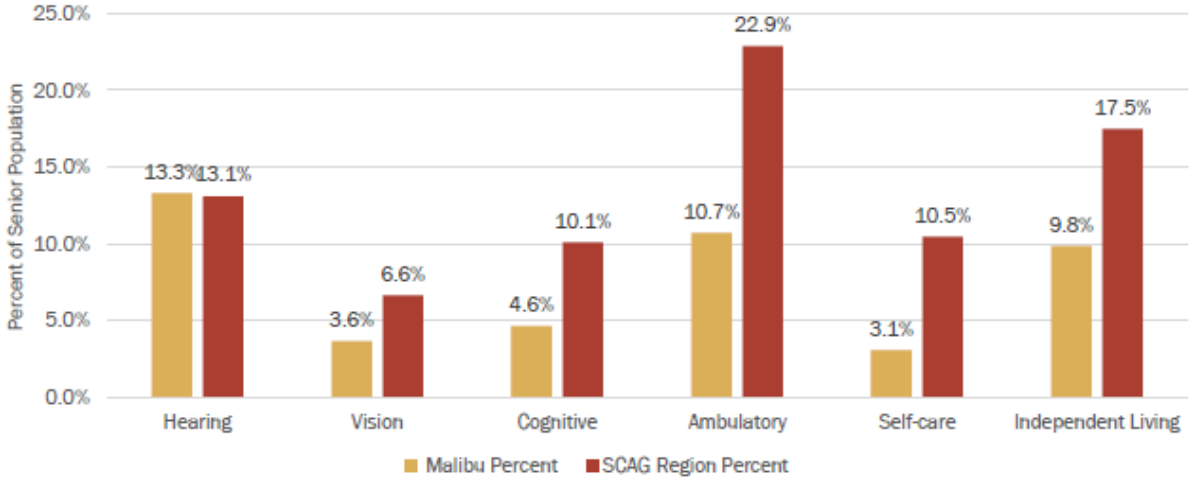
Table 7.2-16
Disabilities by Type – Malibu



American Community Survey 2014-2018 5-year estimates.

In Malibu, the most commonly occurring disability among seniors 65 and older was a hearing disability, experienced by 13.3% of Malibu's seniors and 13.1% of seniors in the SCAG region (Table 7.2-17).

Table 7.2-17
Disabilities by Type for Seniors 65+ – Malibu vs. SCAG Region



American Community Survey 2014-2018 5-year estimates.

As shown in Table 7.2-18, 40% of Malibu residents with a disability were employed. In addition to enforcing ~~to~~ Building Code accessibility requirements, the City's Municipal Code establishes procedures to allow reasonable accommodation for persons with disabilities pursuant to State law.

Table 7.2-18
Disabilities by Employment Status – Malibu

	With a Disability	Percent of Total	No Disability	Percent of Total
Employed	259	40%	4,866	68%
Unemployed	0	0%	278	4%
Not in Labor Force	382	60%	1,985	28%
TOTAL	641		7,129	

American Community Survey 2014-2018 5-year estimates.

Residential care facilities for six or fewer persons are permitted in the Rural Residential (RR) District, Single Family Density Residential (SF) District, Multiple Family Residential (MF) District, and Multifamily Beach Front (RBF) District, and residential care facilities for seven or more persons is permitted with a conditional use permit in the Commercial General (CG) District. There are two senior residential care facilities in Malibu. The City of Malibu does not have any City-initiated programs aimed at housing people with disabilities and defers to Los Angeles County programs. As stated in Housing Plan Program 2.~~5~~4.b, the

City will review and revise LIP and MMC to conditionally permit residential care facilities for seven or more persons in residential zones for persons of any age, allow operation by for-profit agencies as well as non-profit agencies, and ensure that the CUP findings are based on objective standards that do not constrain development of large residential care facilities and provide certainty to applicants through the permitting process.

Developmental Disabilities

As defined by federal law, "developmental disability" means a severe, chronic disability of an individual that:

- Is attributable to a mental or physical impairment or combination of mental and physical impairments;
- Is manifested before the individual attains age ~~22~~18;
- Is likely to continue indefinitely;
- Results in substantial functional limitations in three or more of the following areas of major life activity: a) self-care; b) receptive and expressive language; c) learning; d) mobility; e) self-direction; f) capacity for independent living; or g) economic self-sufficiency;
- Reflects the individual's need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.

The Census does not record developmental disabilities as a separate category of disability. According to the— California State Council on~~U.S. Administration on~~ Developmental Disabilities, an accepted estimate of the percentage of the population that can be defined as developmentally disabled is 1.58~~–%~~.[6] Many developmentally disabled persons can live and work independently within a conventional housing environment. More severely disabled individuals require a group living environment where supervision is provided. The most severely affected individuals may require an institutional environment where medical attention and physical therapy are provided. Because developmental disabilities exist before adulthood, the first issue in supportive housing for the developmentally disabled is the transition from the person's living situation as a child to an appropriate level of independence as an adult.

The California Department of Developmental Services (DDS) currently provides community-based services to persons with developmental disabilities and their families through a statewide system of 21 regional centers, four developmental centers, and two community-based facilities. The Westside Regional Center (WRC) located in Culver City (http://www.westsiderc.org/) provides services for people with developmental disabilities in Malibu. The WRC is a private, non-profit community agency that contracts with local businesses to offer a wide range of services to individuals with developmental disabilities and their families.

[6] California State Council on Developmental Disabilities. 2023. About. https://scdd.ca.gov/about/

There is no charge for diagnosis and assessment for eligibility. Once eligibility is determined, most services are free regardless of age or income. There is a requirement for parents to share the cost of 24-hour out-of-home placements for children under age 18. This share depends on the parents' ability to pay. There may also be a co-payment requirement for other selected services.

Regional centers are required by law to provide services in the most cost-effective way possible. They must use all other resources, including generic resources, before using any regional center funds. A generic resource is a service provided by an agency that has a legal responsibility to provide services to the general public and receives public funds for providing those services. Some generic agencies may include the local school district, county social services department, Medi-Cal, Social Security Administration, Department of Rehabilitation and others. Other resources may include natural supports. This is help that disabled persons may get from family, friends or others at little or no cost. According to the latest available WRC Performance Report[7], the Center served approximately 9,130 individuals during 2020. ~~According to SCAG, the number of persons living in Malibu with developmental disabilities is not available.~~Based on the California State Council on Developmental Disabilities' estimate that 1.58% of the population can be defined as having a developmental disability, 172 residents in Malibu are likely to have a developmental disability.[8]

Other community resources for persons with development disabilities include the Esperance Center in Malibu and Best Buddies International in the neighborhood of Westwood in the City of Los Angeles. The Esperance Center offers a variety of workshops, job assistance, and outings and activities for persons with developmental disabilities. It also operates a residential facility with six adults with developmental disabilities. Best Buddies International is a nonprofit organization working to create employment and development opportunities for persons with intellectual and developmental disabilities. The Best Buddies Living Program in Westwood is an independent inclusive living program near the University of California Los Angeles that provides housing and services to three residents that attend the university.

In addition to the services provided by the WRC, City housing programs that respond to the needs of this population include Program ~~1d~~ 2.~~5~~4.c, which directs the City to remove the individual capacity limit and revise parking regulations for emergency shelters, (~~Emergency Shelters and Transitional/Supportive Housing)~~ and Program 3.1.~~c~~ed, which promotes the use of HCVs throughout the city ~~3a (Section 8 Rental Assistance)~~.

7.2.5(b) Elderly

Federal housing data define a household type as 'elderly family' if it consists of two persons with either or both age 62 or over. Recent HUD data (Table 7.2-19), estimated that of Malibu's 2,198 such households, 12.3% earn less than 30% of the surrounding area income, (compared to 24.2% in the SCAG region), 22.2% earn less than 50% of the surrounding area income (compared to 30.9% in the SCAG region). Many elderly persons are dependent on fixed incomes or have disabilities. Elderly homeowners may be

[7] https://westsiderc.org/wp-content/uploads/2021/06/WRC-Performance-Contract-Year-End-Report-for-2020.pdf

[8] California State Council on Developmental Disabilities. 2023. About. https://scdd.ca.gov/about/

physically unable to maintain their homes or cope with living alone. The housing needs of this group can be addressed through smaller units, accessory dwelling units, shared living arrangements, congregate housing, and housing assistance programs. The city does not have any deed restricted or affordable housing units dedicated to seniors.

The Malibu Senior Center offers programs for citizens who are independent and can care of their own personal needs. The Center is not a day care facility and medical staff is not employed by the City nor are there any medical professionals onsite; however, Senior Center staff members are trained in CPR and first aid. Participants are welcome to bring an attendant or caregiver with them in order to enjoy all of the services and programs.

Programs for seniors and active adults are offered in the City's 1,200-square-foot Senior and Active Adult Center, located in Malibu City Hall. The Center offers a wide variety of recreational, fitness, cultural, and educational programming, social events, and excursions to give seniors and adults opportunities to maintain and improve physical and mental well-being, life skills, and active social lives.

Courses and lectures offered in partnership with outside agencies include AARP driver safety, health screenings, smart money planning, downsizing your house, computer skills, and Alzheimer's awareness. ~~The Emeritus College uses the Senior Center to provide enrichment classes, including modern poetry, autobiography, and art appreciation.~~ Dial-a-Ride and Meals on Wheels resources ~~services~~ are also available to seniors.

Table 7.2-19
Elderly Households by Tenure – Malibu

		Owner	Renter	Total	Percent of Total Elderly Households:
Income category, relative to surrounding area:	< 30% HAMFI	200	70	270	12.3%
	30-50% HAMFI	200	19	219	10.0%
	50-80% HAMFI	145	14	159	7.2%
	80-100% HAMFI	135	0	135	6.1%
	> 100% HAMFI	1,250	165	1,415	64.4%
	TOTAL	1,930	268	2,198	

HUD CHAS, 2012-2016. HAMFI refers to Housing Urban Development Area Median Family Income.

7.2.5(c) Large Households

Large households are defined as those with five or more members. As seen previously (Table 7.2-3) approximately 161 owner households (4%) and 33 renter households (2%) in Malibu have five or more members. This distribution indicates that the need for large units with four or more bedrooms is expected to be significantly less than for smaller units. The City responds to the needs of large households through participation in the County's ~~Section 8~~HCV program and other housing assistance programs ~~(see Housing Plan Program 3.3)~~. Malibu has 1,423 housing units with four or more bedrooms, 88% of which

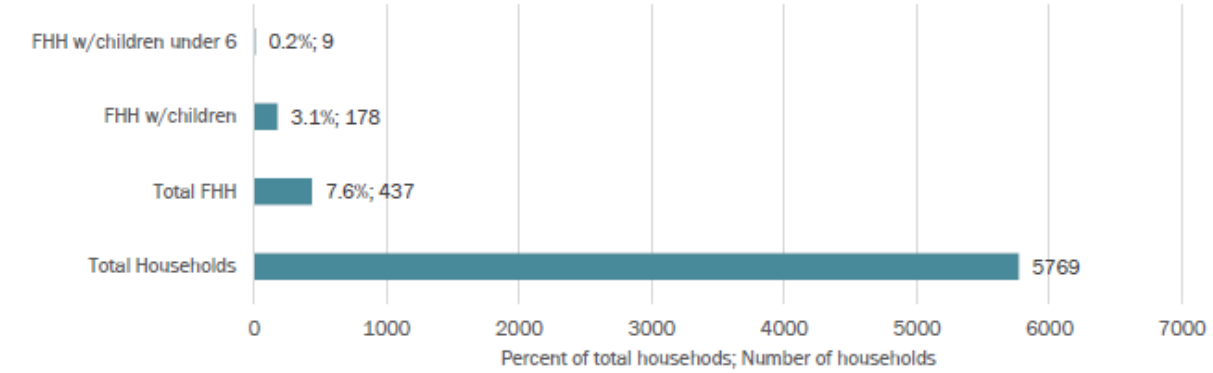
are owner-occupied (1,249 housing units) as opposed to renter-occupied (174 housing units). The inventory of large units can sufficiently house the City's large households. However, the mismatch between adequately sized housing units and affordability is a factor that contributes to housing cost burden and overcrowding. Several programs in the Housing Plan (Section 7.5) are designed to provide housing opportunities for large households and alleviate overcrowding. These programs include Program 2.5~~4~~ – Support the Development of Variety of Housing Types; Program 4.1 – Support Development of Accessory Dwelling Units; Program 3.1 – Facilitate Affordable Housing Development and Housing Assistance Opportunities; Program 3.3. Housing for Persons with Special Needs, and Program 5.2 – Fair Housing Community Outreach.

7.2.5(d) Female-Headed Households

Of Malibu's 5,769 total households, 7.6% are female-headed (437 households) ~~(~~compared to 14.3% in the SCAG region~~)~~, 3.1% are female-headed and with children (178 household) ~~(~~compared to 6.6% in the SCAG region~~)~~, and 0.2% are female-headed and with children under 6 (22 households)~~(~~compared to 1.0% in the SCAG region~~)~~ (Table 7.2-20). Female-headed households in Malibu are more likely to own than rent their home;~~,~~ 87% are homeowners (380 households) and 13% are renters (57 households). Approximately 19% of single-parent, female-headed families in Malibu earn an income below the poverty level (36 households), while no female-headed households without children present earn an income below the poverty level.

The City responds to the needs of female-headed households through the following Housing Plan programs: ~~Housing Plan Program 1.1 – Code Enforcement; Program 1.3 – H~~housing ~~Rehabilitation~~ rehabilitation education and financial ~~Assistance~~assistance to lower-income, elderly, and/or disabled households and homeowners; ~~Program 1.4 – P~~preservation of~~e Existing~~ existing ~~Mobile~~ mobile ~~Home~~ home ~~Parks~~parks; annual monitoring of the replacement ~~Program 1.5 – Conserv~~of~~e Affordable~~ affordable ~~Housing~~ housing in the Coastal Zone; ~~Program 2.2 – E~~ensur~~e~~ing ~~Adequate~~ adequate ~~Capacity~~ capacity to ~~Accommodate~~ accommodate ~~Housing~~ housing ~~Needs~~needs; providing incentives to ~~Program 2.3 – E~~encourage ~~Mixed~~mixed-~~Use~~ use~~and Adaptive Reuse Development~~; ~~Program 2.2A – S~~providing education on available resources for the development of accessory dwelling units~~econd Units; Program 2.7 – Streamline Development Review and Assist Affordable Housing Development~~; and ~~Program 3.3 – P~~provid~~e~~ing ~~Financial Support and Referral~~ referral ~~Information~~ information to ~~Persons~~ persons in ~~Need~~ need of ~~Assistance~~assistance. Lower-income female-headed households can access housing choice vouchers if they qualify. However, there are no subsidized housing units in the city which limits housing options for lower-income female-headed renter households.

Table 7.2-20
Female Headed Households – Malibu



American Community Survey 2014-2018 5-year estimates.

7.2.5(e) Farmworkers

Farmworkers are traditionally defined as persons whose primary income is from seasonal agricultural work. Agricultural activities in the City are limited to small-scale horticultural businesses on approximately 25 acres of land scattered throughout the City, with some of these small farms doubling as event centers and places for family activities. These horticultural activities are not a significant source of employment and do not generate a demand for permanent farm worker housing. Recent Census estimates published by SCAG estimated a total of 29 persons Malibu residents employed in the agricultural industry. According to the United States Department of Agriculture, there were 3,266 farmworkers in Los Angeles County in 2017, 1,044 of which were seasonal farmworkers. Farming in the region is mostly in and near Oxnard, Camarillo, Thousand Oaks, and other cities and Ventura County lands to the north and east of Malibu. It is unlikely that employees of agricultural operations in these areas would commute from Malibu due to the distance from employment and the relatively high cost of housing in Malibu. The needs of agricultural employees are addressed by City regulations allowing agricultural employee housing in residential and agricultural zones consistent with the Employee Housing Act ~~and other affordable housing options that are available to all lower-income households~~.

7.2.5(f) Homeless Persons

Throughout the country, homelessness has become an increasing problem. Factors contributing to the rise in homelessness include the general lack of housing affordable to lower-income persons, increases in the number of persons whose incomes fall below the poverty level, reductions in public assistance for the poor, and the de-institutionalization of the mentally ill.

The McKinney-Vento Homeless Assistance Act of 1986[9] defines a "homeless" person as an individual who lacks a fixed, regular, and adequate nighttime residence, or an individual whose primary nighttime residence is:

1. A supervised publicly or privately operated shelter designed to provide temporary living accommodations;
2. An institution that provides a temporary residence for individuals intended to be institutionalized; or
3. A public or private place not designed for, or ordinarily used as, regular sleeping accommodations for human beings.

Federal agencies, such as the U.S. Department of Housing and Urban Development (HUD), interprets the McKinney-Vento definition to include only those persons who are on the streets or in shelters and persons who face imminent eviction (within a week) from a private dwelling or institution and who have no subsequent residence or resources to obtain housing.[10]

People are also at risk of homelessness when they experience a sudden drop in income or a rise in housing costs, and/or they do not have the skills necessary to manage their limited resources. According to the National Coalition for the Homeless (NCH), most individuals at risk of homelessness are on a fixed income or are marginally employed and have few ties to family and friends.

The 2022 Greater Los Angeles Homeless Count (latest available data) found that there were 81 people experiencing homelessness in Malibu, all of whom were unsheltered; 45% were counted as residing on the street or in makeshift shelters, while 65% were counted as residing in vehicles. The count did not include people who may be residing at the homes of friends or relatives. ~~The 2020 homeless survey[11] conducted by the Los Angeles Homeless Services Authority (LAHSA) reported 239 unsheltered homeless persons in Malibu at the time of the survey~~. The needs of the homeless vary by subpopulation. Mentally ill persons require housing supported by mental health care and counseling. Alcohol and drug abusers require treatment facilities and medical and social support services. Victims of domestic violence need shelter and social services to assist in the transition to independent living. Runaway and recently emancipated youths require shelter, combined with counseling and social services, in order to reintegrate them with their families or enable them to live independently. According to The People Concern, a social service agency offering homeless services, Malibu's homeless population has a disproportionately high prevalence of mental health issues and substance use compared to the general population.

State law (Section 65583(1) (6)) requires municipalities to address the special needs of persons experiencing homelessness within their jurisdictional boundaries. "Homelessness" as defined by the U.S. Department of Housing and Urban Development (HUD), describes an individual (not imprisoned or otherwise detained) who:

- Lacks a fixed, regular, and adequate nighttime residence; and

9 42 U.S.C. §11301, et seq.

10 "Who is Homeless?" 2009. Published by the National Coalition for the Homeless, July 2009. p. 1.

~~11 https://www.lahsa.org/data?id=45-2020-homeless-count-by-community-city~~

- Has a primary nighttime residence that is:
  - A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);
  - An institution that provides a temporary residence for individuals intended to be institutionalized; or
  - A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

This definition does not include persons living in substandard housing (unless such housing has been officially condemned), persons living in overcrowded housing, persons discharged from mental health facilities (unless the person was homeless when entering and is considered to be homeless at discharge), or persons who may be at risk of homelessness (for example, living temporarily with family or friends).

Facilities such as emergency shelters, low barrier navigation centers, transitional housing and supportive housing address the needs of the homeless and those at risk of becoming homeless. The City's Zoning Ordinance permits transitional and supportive housing in the Rural Residential District (RR), Single Family Density Residential District (SF), Multiple Family Residential District (MF), and Multifamily Beach Front District (RBF) and currently permits emergency shelters in the Commercial General District and Institutional District.

As stated in Housing Plan Program 2.4.c, the City will amend the LIP and MMC to remove individual capacity limits for emergency shelters to meet the requirements of AB 2339, and to revise parking regulations for Homeless and Emergency Shelters and Navigation Centers to comply with Government Code section 65583. The City will also amend the LIP and MMC as needed to allow transitional and supportive housing as a regular residential use to be similarly permitted as other uses of the same housing type in the same zone, as specified in Housing Plan Program 2.4.a.

~~Facilities such as emergency shelters, low barrier navigation centers, transitional housing and supportive housing address the needs of the homeless and those at risk of becoming homeless. As discussed in Section 7.3 **Error! Reference source not found.**7.4 – Constraints and Program 3.12.5.c in Section 7.5 – Housing Plan, the Municipal Code will be updated to reflect recent changes in State law related to these types of facilities.~~

In 2016, the City issued a grant to the Malibu Task Force on Homelessness (MTFH), an independent organization of community volunteers, to help fund a pilot project to bring professional services to Malibu's homeless population. MTFH entered into an agreement with The People Concern to bring two full-time outreach workers to Malibu daily in order to locate, engage, and build relationships with homeless individuals. The City continues to partner with The People Concern and contracts two outreach workers to assist with the City's homelessness programs and services. Since the program began, 72 individuals in Malibu have been placed in permanent housing.

Persons experiencing homelessness in Malibu can access housing assistance through various shelters and programs, including the following:

- **The People Concern**, based in Santa Monica, provides fully integrated "wraparound" services to chronically homeless individuals, people dealing with severe mental or physical illness or substance addiction, victims of domestic violence, and challenged youth. The People Concern assists individuals in need in obtaining subsidized permanent housing and provides interim housing for persons transitioning out of homelessness.
- **Project Homeward Bound** works directly with homeless individuals who find themselves stranded in Malibu without sufficient funds to support themselves, providing them with funds to return to their family and friends in other states where they can get a fresh start.
- **St. Joseph Center** provides permanent supportive housing services to homeless residents throughout Los Angeles County and provides short-term rental assistance and supportive services to those in need.
- The City's **Outreach Team** and **Housing Navigator** work with landlords and shelter facilities throughout Los Angeles County to help people experiencing homelessness get off the streets and into housing.
- The City provides funding to the SHIELDS **Rapid Re-Housing for Adults and Veterans (RRAV)** program which connects individuals experiencing homelessness to permanent housing rental and provides move-in assistance, case management, and linkage and referral services.[12]

7.2.6 Assisted Housing at Risk of Conversion

State law requires that the Housing Element identify any residential projects in the City that are under an affordability restriction, along with those housing projects that are at risk of losing their low-income affordability restrictions within the ten-year period from ~~2013~~2021-203~~2~~1. According to the SCAG, the California Housing Partnership Corporation and City records, there are no assisted low-income units in the City, and therefore, no housing units at risk of losing their low-income affordability.

7.2.7 Housing Constructed, Demolished or Converted within the Coastal Zone

California Government Code §65588(d) requires that the Housing Element update take into account any low- or moderate-income housing provided or required in the Coastal Zone pursuant to §6590 (the Mello Act[13]). State law requires that jurisdictions monitor the following:

- The number of new housing units approved for construction within the Coastal Zone (after January 1, 1982);

[12] City of Malibu. 2023. Homelessness. https://www.malibucity.org/865/Homelessness

[13] The Mello Act requires, in part, the replacement of affordable units demolished or converted within the coastal zone.

- The number of low- or moderate-income units required to be provided in new developments either within the Coastal Zone or within three miles of the Coastal Zone;
- The number of existing housing units in properties with three or more units occupied by low- or moderate-income households that have been authorized for demolition or conversion since January 1, 1982; and
- The number of low- or moderate-income replacement units required within the Coastal Zone or within three miles of the Coastal Zone.

Table 7.2-21 provides City statistics for housing units in the Coastal Zone through 2020.

Table 7.2-21
Malibu Coastal Zone Housing Units – 1982-2020

	Units
Number of new units approved for construction in the Coastal Zone after January 1, 1982	503
Number of new units for low- and moderate-income households required to be provided either within the coastal zone or within three miles of it	0
Number of units occupied by low- and moderate-income households and authorized to be demolished or converted	0
Number of units for low- and moderate-income households required either within the coastal zone or within three miles of it in order to replace those demolished or converted	0

Source: City of Malibu, 2021

7.2.8 Future Housing Needs

7.2.8(a) Overview of the Regional Housing Needs Assessment (RHNA)

The RHNA is a key tool for local governments to plan for anticipated growth. The RHNA quantifies the anticipated need for housing within each jurisdiction for the period from June 30, 2021, to October 15, 2029. Local governments then determine how they will address this need through the process of updating the Housing Elements of their General Plans.

The current RHNA was adopted by SCAG in 2021. Future housing needs are determined by the forecasted growth of households in a community and also by "existing needs" due to overpayment and overcrowding. The housing need for new households is then adjusted to maintain a desirable level of vacancy to promote housing choice and mobility. An adjustment is also made to account for units expected to be lost due to demolition, natural disaster, or conversion to non-housing uses. The sum of these factors – household growth, existing need, vacancy need, and replacement need – determines the new housing need for a community. Total housing need is then distributed among four income categories on the basis of the County's income distribution, with adjustments to avoid an over-concentration of low-income households.

7.2.8(b) ~~2014-2021~~2021-2029 Housing Needs

The additional housing need assigned to Malibu for the 2021-2029 planning period is shown in Table 7.2-22.

Table 7.2-22
Regional Housing Needs - Malibu

Very Low[1]	Low	Moderate	Above Moderate	Total
28[2]	19	17	15	79

Source: SCAG 2021
Notes:
1. Includes the Extremely-Low-Income (ELI) category.
2. 14 units are assumed to be ELI pursuant to *Government Code* §65583.a.1

A discussion of the City's inventory of suitable sites to accommodate the City's housing need is provided in ~~Chapter III~~Section 7.4 ~~,~~, Resources and Opportunities, and Appendix B.

~~7.2.9~~

~~Housing Sites~~	~~Income Category~~		
	~~Lower~~	~~Moderate~~	~~Above~~
~~Potential new single family units (parcel listing on file with City Planning Dept.)~~	~~-~~	~~-~~	~~870~~
~~Potential new multi-family units (Table B-2)~~	~~159~~	~~49~~	~~-~~
~~Potential new ADUs~~	~~19~~	~~2~~	~~11~~
~~Total Inventory~~	~~178~~	~~51~~	~~986~~
~~RHNA 2021-2029~~	~~47~~	~~17~~	~~15~~
~~Adequate Capacity?~~	~~Yes~~	~~Yes~~	~~Yes~~

~~Source: City of Malibu, 2021~~

~~As summarized in Table 7-23, this analysis determined that there are sufficient vacant or underutilized sites with appropriate zoning to accommodate the City's housing need for this planning period.~~

~~Infrastructure Capacity~~

~~Wastewater – There is no municipal sewer service in the City of Malibu. All properties in the City are currently served by individual onsite wastewater treatment systems (OWTS); with the exception of those served by the Malibu Civic Center Water Treatment Facility (CCWTF)14, and five small package treatment plants within the City: Latigo Bay Shores, Point Dume, Trancas Canyon, Malibu Mesa, and Maison de Ville. Any new development~~

~~14 Phase One of CCWTF construction was completed in October 2018. No residential properties were connected to the facility during that phase; however, the Phase Two expansion will connect approximately 247 single-family homes, 191 condominiums, and 7 other properties.~~

~~that is not served by the six treatment plans will be required to install its own OWTS in order to serve its wastewater disposal needs.~~

~~Water - Domestic water for City residents is supplied by County Waterworks District No. 29 ("District 29") from the Metropolitan Water District of Southern California (MWD). The MWD obtains its water from the State Water Project and the Colorado River. District No. 29 receives the water through a contract with the West Basin Municipal Water District, a member agency of the Metropolitan Water District. The District's connection to Metropolitan Water District's system is located in Culver City. The water travels to the District through a 35-mile transmission main in Pacific Coast Highway. Many of the City's water mains and tanks have been identified by the City and by District 29 as severely undersized. However, for projects located in areas with limited to no service by District 29, property owners may install water tanks to serve the property's needs. With the inclusion of private water tanks, domestic water supply is not expected to limit development.~~

~~7.2.10~~7.2.9 Financial and Administrative Resources

~~7.2.10(a)~~7.2.9(a) State and Federal Resources

Community Development Block Grant Program (CDBG) – The City does not have any housing that qualifies for CDBG funding. The City receives approximately $6~~5~~0,000 a year in CDBG funding. Of this total, 15% is spent on administration and program services (e.g., Malibu Community Labor Exchange). ~~In recent years, the City has exchanged the remaining funds with other cities as Malibu does not have eligible projects.~~

Low-Income Housing Tax Credit Program – The Low-Income Housing Tax Credit Program was created by the Tax Reform Act of 1986 in order to provide an alternate method of funding low-and moderate-income housing. Each state receives a tax credit, based upon population, toward funding housing that meets program guidelines. The tax credits are then used to leverage private capital into new construction or acquisition and rehabilitation of affordable housing. Limitations on projects funded under the Tax Credit programs include minimum requirements that a certain percentage of units remain rent-restricted, based upon median income.

Mortgage Credit Certificates (MCC) – This program provides a federal tax credit for income-qualified homebuyers that is equivalent to 15% of the annual mortgage interest. Generally, the tax savings are calculated as income in order to help buyers qualify to purchase a home. Using an MCC, first-time homebuyers can save between $700 and $2,500 a year on their annual federal tax bill. The program is initiated by the homebuyer applying through a participating lender, who then submits an application to the Los Angeles County Development Authority (LACDA). The City is not involved in administering this process or approving loans.

~~7.2.10(b)~~7.2.9(b) Local Resources

The City does not have a housing department. The only local revenue source for affordable housing is through the City's approval of the Patriot Homes Overlay condominium project. The City Council resolution approving the project requires an in-lieu payment of $30,000 per unit, required at the time of the close of escrow, to be used

for programs consistent with the City's Housing Element. An Affordable Housing Trust Fund, which contains in-lieu funds generated through development agreements, was established in 2013 (Ordinance No. 375). As of October 2023, the Trust Fund has a balance of $194,140. According to the City's Affordable Housing Ordinance, the Trust Fund can be used for the following[15]:

- Assistance to housing development corporations;
- Equity participation loans;
- Grants;
- Pre-home ownership co-investment;
- Predevelopment loan funds;
- Participation leases;
- Other public-private partnership arrangements;
- The acquisition of property and property rights;
- Construction of affordable housing including costs associated with planning, administration, and design, as well as actual building or installation;
- Costs of rehabilitation and maintenance of existing affordable housing when needed to preserve units that are at risk of going to a market rate or at risk of deterioration;
- Other costs associated with the construction or financing of affordable housing;
- Reasonable administrative charges or related expenses; and
- Reasonable consultant and legal expenses related to the establishment and/or administration of the fund.

~~Energy Conservation Opportunities~~

~~State law (*Government Code* §65583(a)(8)) requires all new construction to comply with "energy budget" standards that establish maximum allowable energy use from depletable sources. These requirements apply to such design components as structural insulation, air infiltration and leakage control, setback features on thermostats, water heating system insulation (tanks and pipes) and swimming pool covers if a pool is equipped with a fossil fuel or electric heater. State law also requires that a tentative tract map provide for future passive or natural heating or cooling opportunities in the subdivision, including designing the lot sizes and configurations to permit orienting structures to take advantage of a southern exposure, shade or prevailing breezes.~~

[15] City of Malibu. 2023. Municipal Code, Affordable Housing. https://library.qcode.us/lib/malibu_ca/pub/local_coastal_program/item/local_implementation_plan-chapter_3-3_7

~~Southern California Edison (SCE) and the Southern California Gas Company offer energy conservation programs, including audits of home energy use to reduce electricity consumption, refrigerator rebates, appliance repair and weatherization assistance to qualified low-income households, buyer's guides for appliances and incentives by the Gas Company to switch from electric to gas appliances. Direct assistance to low-income households is provided by the Gas Company through the California Alternate Rates for Energy Program and by SCE through its Energy Management Assistance Program.~~

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new or altered landscape area, including public agency projects; and 2) projects for a single-family residential use proposing a new or altered landscape area of 2,500 square feet or more; in the case of a project associated with an existing single-family residence, the new or altered landscape area is subject to this Chapter when the landscape area is 5,000 square feet or more. The water conservation standards are intended to promote water conservation while allowing the maximum possible flexibility in designing healthy, attractive, and cost-effective water efficient landscapes.

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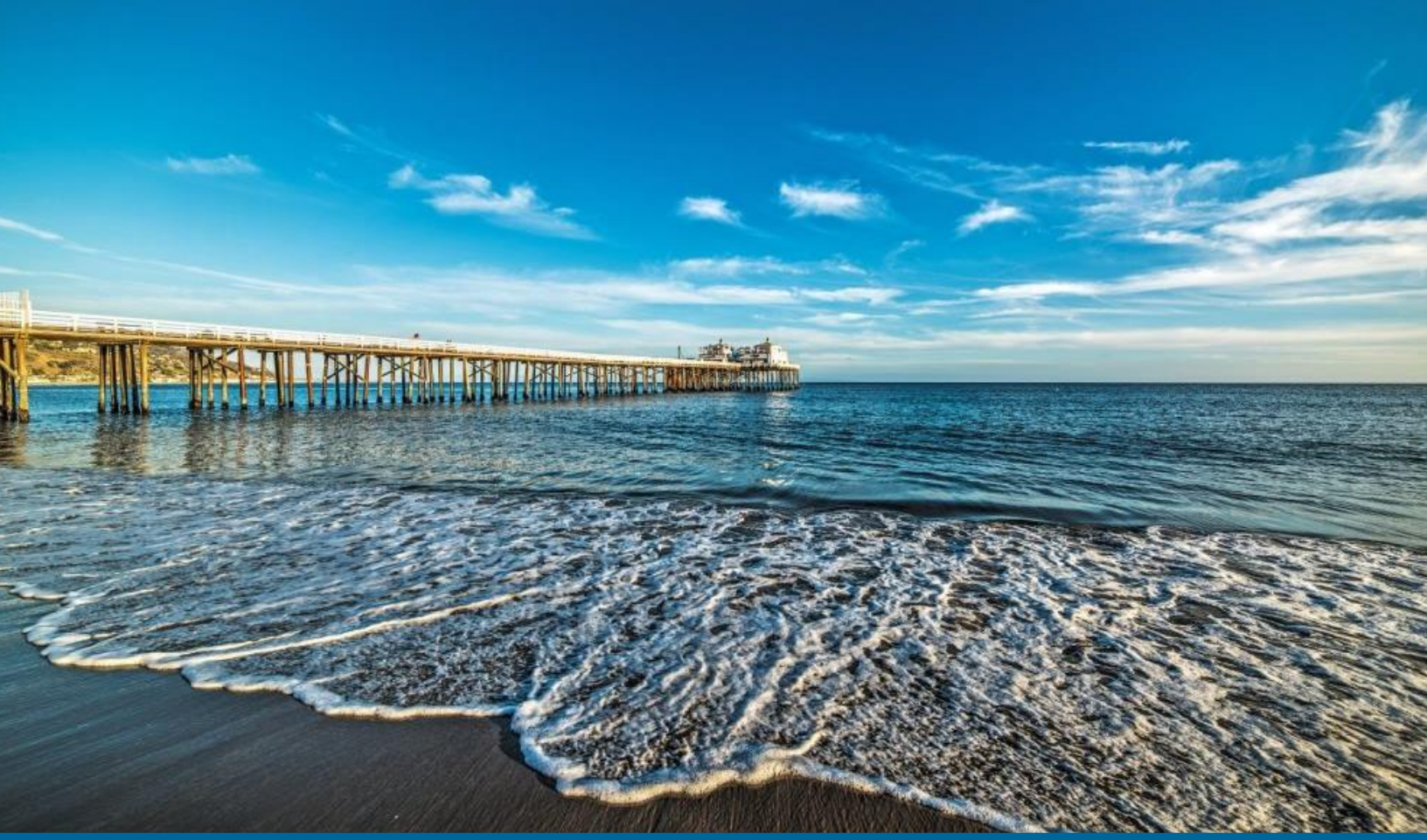
CPA energy service for residential customers in Malibu began in February 2019 and non-residential customers in May 2019. Customers in Malibu were automatically enrolled to receive 50% of their power supply from renewable sources. In June 2019, City Council approved opting all municipal electricity accounts to 100% renewable energy through CPA to lead by example for the community. In October 2019, City Council approved the selection of 100% Green Power as the default electricity choice for Clean Power Alliance customers in the City. Starting in October 2020, Malibu's Clean Power Alliance customers started to receive 100% renewable power generated by solar, wind and other renewable and carbon-free resources in California and the surrounding region.

Customers can also select two rate options: Clean Power, which provides 50% renewable and Lean Power, which provides 36% renewable content. No matter the rate option, Clean Power Alliance offers the shared benefits of local management and control, stable, competitive rates, and higher renewable energy content.

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7.3 Resources and Opportunities







7.3 Resources and Opportunities

7.3.1 Land Resources

7.3.1(a) Inventory of Sites for Housing Development

Government Code §65583(a)(3) requires Housing Elements to contain an "inventory of land suitable for residential development, including vacant sites and sites having potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites." A detailed analysis of potential development sites has been prepared (see Appendix B) and the results of this analysis are summarized in Table 7.3-1 below. This analysis also addresses the unaccommodated need from the previous planning period, as required by *Government Code* §65584.09 (AB 1233).

Table 7.3-1
Sites Inventory Summary

Housing Sites	Income Category		
	Lower	Moderate	Above
Potential new multi-family units (Table B-2)	66	45	32
Planned and Approved Units	0	0	91
Potential new ADUs	16	1	11
Total Inventory	82	46	134
RHNA 2021-2029	47	17	15
Adequate Capacity?	Yes	Yes	Yes

Source: City of Malibu, 2023

As summarized in Table 7.3-1, this analysis determined that there are sufficient vacant or underutilized sites with appropriate zoning to accommodate the City's housing need for this planning period.

7.3.1(b) Infrastructure Capacity

Wastewater - There is no municipal sewer service in the City of Malibu. All properties in the City are currently served by individual onsite wastewater treatment systems (OWTS); with the exception of those served by the Malibu Civic Center Water Treatment Facility (CCWTF)[1], and five small package treatment plants within the City: Latigo Bay Shores, Point Dume, Trancas Canyon, Malibu Mesa, and Maison de Ville. Any new development that is not served by the six treatment plans will be required to install its own OWTS in order to serve its wastewater disposal needs.

Water - Domestic water for City residents is supplied by County Waterworks District No. 29 ("District 29") from the Metropolitan Water District of Southern California (MWD). The MWD obtains its water from the State Water Project and the Colorado River. District No. 29

[1] Phase One of CCWTF construction was completed in October 2018. No residential properties were connected to the facility during that phase; however, the Phase Two expansion will connect approximately 247 single-family homes, 191 condominiums, and 7 other properties.

receives the water through a contract with the West Basin Municipal Water District, a member agency of the Metropolitan Water District. The District's connection to Metropolitan Water District's system is located in Culver City. The water travels to the District through a 35-mile transmission main in Pacific Coast Highway. Many of the City's water mains and tanks have been identified by the City and by District 29 as severely undersized. All sites identified in the Sites Inventory are in areas served by District 29. However, for projects located in areas with limited to no service by District 29, property owners may install water tanks to serve the property's needs. With the inclusion of private water tanks, domestic water supply is not expected to limit development.

Dry Utilities – Southern California Edison (SCE) supplies electricity in the city. The housing sites identified in the City's Affordable Housing Overlay will be connected to SCE's "Cuthbert" circuit which serves properties from approximately Latigo Cyn Rd to Bonsall Dr, and from Pacific Coast Highway to approximately one mile inland. Domestic natural gas service is provided by the Southern California Gas Company. Telephone, internet services, and cable television are serviced by contracted providers including Spectrum and Frontier. There is sufficient energy supply, utilities, and connection capability for the housing units projected in the Sites Inventory.

7.3.1(c) Environmental Constraints

While virtually all properties in Malibu face development challenges due to environmental constraints such as environmentally sensitive habitat areas (ESHAs), fire hazards, and geological hazards, these hazards do not preclude development on sites identified to accommodate the City's RHNA. Compliance with the California Building Code will generally mitigate the risk of seismic hazards to residential structures, the City requires strict adherence to the California Fire Code, as well as offers assistance with hazardous brush and tree clearance to mitigate the risk of wildfire. The capacities of two sites were significantly reduced to accommodate a 100-foot buffer to wetlands classified as ESHA. A full discussion of environmental constraints is available in Appendix B.

~~7.3.2 Financial and Administrative Resources~~

7.3.2

~~7.3.2(a) State and Federal Resources~~

Refer to Section 7.2 Housing Needs Assessment for a description of state, federal, and local resources for affordable housing development. ~~**Community Development Block Grant Program (CDBG) –** The City does not have any housing that qualifies for CDBG funding. The City receives approximately $50,000 a year in CDBG funding. Of this total, 15% is spent on administration and program services (e.g., Malibu Community Labor Exchange). In recent years, the City has exchanged the remaining funds with other cities as Malibu does not have eligible projects.~~

~~**Low-Income Housing Tax Credit Program** – The Low-Income Housing Tax Credit Program was created by the Tax Reform Act of 1986 in order to provide an alternate method of funding low-and moderate-income housing. Each state receives a tax credit, based upon population, toward funding housing that meets program guidelines. The tax credits~~

~~are then used to leverage private capital into new construction or acquisition and rehabilitation of affordable housing. Limitations on projects funded under the Tax Credit programs include minimum requirements that a certain percentage of units remain rent-restricted, based upon median income.~~

~~**Mortgage Credit Certificates (MCC)** – This program provides a federal tax credit for income-qualified homebuyers that is equivalent to 15% of the annual mortgage interest. Generally, the tax savings are calculated as income in order to help buyers qualify to purchase a home. Using an MCC, first-time homebuyers can save between $700 and $2,500 a year on their annual federal tax bill. The program is initiated by the homebuyer applying through a participating lender, who then submits an application to the Los Angeles County Development Authority (LACDA). The City is not involved in administering this process or approving loans.~~

~~7.3.2(b) Local Resources~~

~~The City does not have a housing department. The only local revenue source for affordable housing is through the City's approval of the Patriot Homes Overlay condominium project. The City Council resolution approving the project requires an in-lieu payment of $30,000 per unit, required at the time of the close of escrow, to be used for programs consistent with the City's Housing Element. An Affordable Housing Trust Fund, which contains in-lieu funds generated through development agreements, was established in 2013 (Ordinance No. 375).~~

7.3.3 Energy Conservation Opportunities

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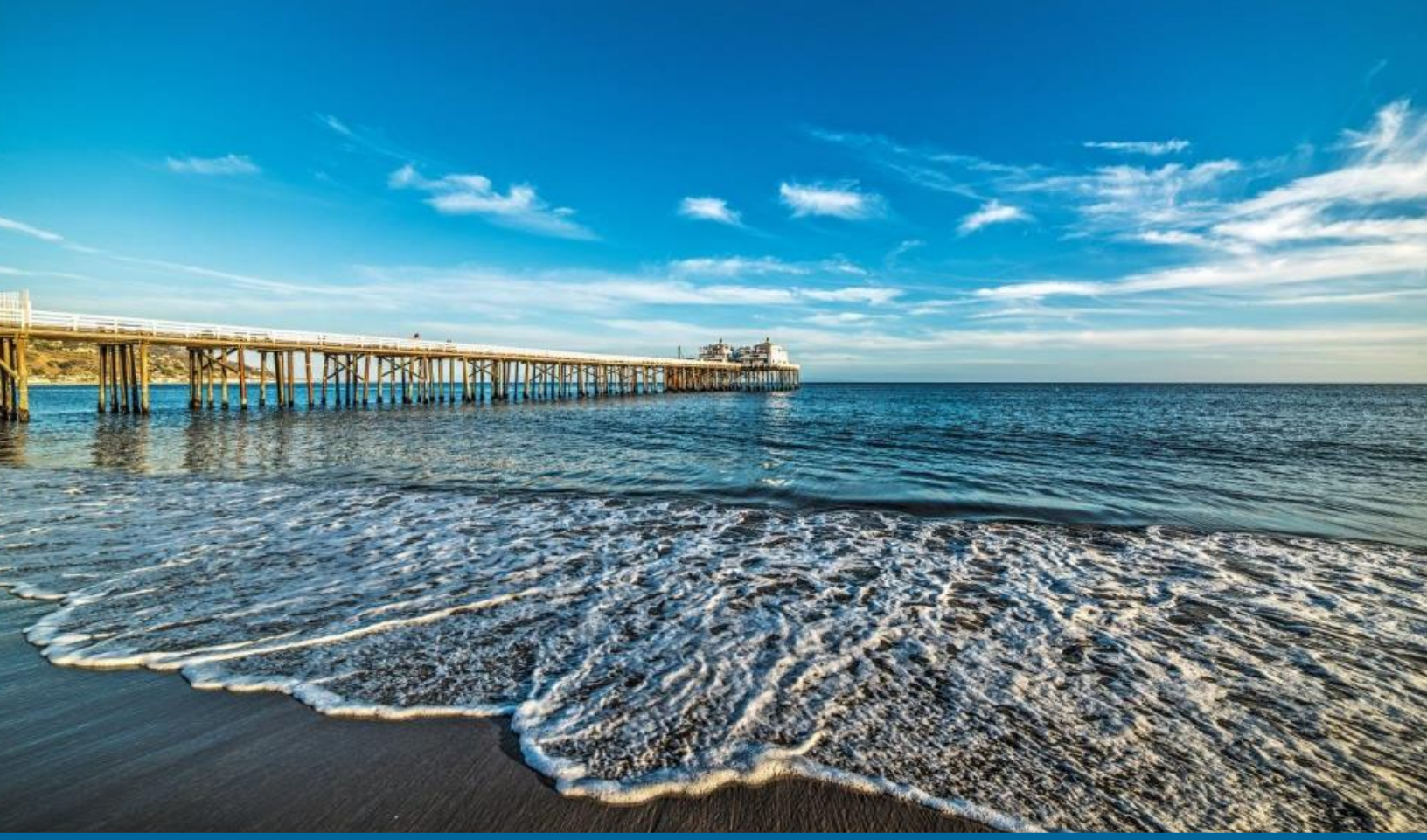
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7.4 Constraints







7.4 Constraints

7.4.1 Governmental Constraints

7.4.1(a) Land Use Plans and Regulations

General Plan

Each city and county in California must prepare a comprehensive, long-term General Plan to guide its future development. The Land Use Element of a City's General Plan establishes the basic land uses and density of development within the various areas of the city. Under state law, the General Plan elements must be internally consistent and the city's zoning ordinance, and Local Coastal Program, as applicable, must be consistent with the General Plan. Thus, the land use plan must provide suitable locations and densities in order to implement the policies of the Housing Element.

The City of Malibu's General Plan Land Use Element provides for five residential land use designations, as shown in Table 7.4-1.

Table 7.4-1
Residential Land Use Categories –
Malibu General Plan

Designation	Maximum Density[1]	Description
Rural Residential (RR) – Includes RR-40, RR-20, RR-10, RR-5, RR-2 & RR-1	1.0	Single-family homes on large parcels ranging from one to 20 acres or more.
Single Family Residential (SF) – Includes SF-L & SF-M	4.0	Single-family homes on lots ranging from approximately 10,000 SF to one acre.
Multi-Family (MF)	6.0	Duplexes, triplexes, two- or three-unit townhomes and low-rise apartments (primarily existing) on minimum 20,000 SF parcels.
Multi-Family Beach Front (MFBF)	23.1[2]	Single-family and multi-family residences on small beach front lots.
Mobile Home Residential (MHR)	-	Existing mobile home park.

Source: City of Malibu General Plan.
1. Density expressed in dwelling units per net acre of lot area (lot area excludes street rights of way but may include 1-to-1 slopes).
2. Not to exceed 4 units per lot
3. As determined by the PD process

While the City has a considerable amount of vacant land, only a small portion is suitable for development because of steep hillsides, unstable soils and subsurface conditions, extreme fire hazards, and environmentally sensitive habitat areas (ESHA). Since its incorporation in 1991, the City has focused its efforts on preserving its rural character, protecting environmental resources, and improving fire safety.

With highly constrained land, limited infrastructure, and high land costs, the City's approach to accommodating affordable housing is to identify unconstrained sites at appropriate densities and to successfully leverage State and federal subsidies for affordable housing. The encouragement of accessory dwelling units is also important, as

most of Malibu's development consists of single-family homes and associated accessory structures.

LCP Local Implementation Plan

The entire city is located in the Coastal Zone and is subject to the City's LCP Local Implementation Plan (LIP). The LIP includes development standards to protect environmentally sensitive habitat areas (ESHAs) (LIP Chapter 4), native trees (LIP Chapter 5), scenic, visual, and hillside resources (LIP Chapter 6), shoreline and bluff areas (LIP Chapter 10), archaeological/cultural resources (LIP Chapter 11), public access (LIP Chapter 12), and water quality (LIP Chapter 17). Projects that contain or are located near identified coastal resources may require modifications or reductions in density to protect the identified resource. While the LIP is a City document, it must be consistent with the California Coastal Act, and any modification is subject to certification by the Coastal Commission. For a discussion of potential constraints raised by the LIP, see Chapter IV: Residential Permit Processing/Coastal Development Permit and Non-Governmental Constraints/Environmental Constraints.

Zoning Designations and Development Standards

The City regulates the type, location, density, and scale of residential development through Title 17 of the MMC (Zoning Ordinance/Zoning Map). Additionally, because the City of Malibu lies entirely within the Coastal Zone, all ~~of the~~ zoning designations and development standards have been incorporated into the LIP. The LIP includes additional development standards ~~and coastal resource protection policies~~ that are intended to augment the MMC Zoning regulations and serve to implement the General Plan and are designed to protect and promote the health, safety, and general welfare of residents. The MMC and LI~~C~~P also help to preserve the character and integrity of existing neighborhoods. The MMC and LI~~C~~P set forth residential development standards for each zoning district.

Zoning districts that allow residential units as a permitted use are as follows:

RR	Rural Residential
SF	Single-Family Residential
MF	Multi-Family Residential
MFBF	Multi-Family Beachfront
MH	Mobile Home Park
PD	Planned Development
AHO	Affordable Housing Overlay
CG	Commercial General

A summary of the LCP/MMC development standards for the zoning districts permitting residential development is provided in Table 7.4-2.

Lot standards include requirements for minimum lot areas, which range from 1 acre in the RR zone to 5,000 square feet in the MFBF zone. Lots that are 5,000 square feet within the MFBF zone may only build a maximum of two dwelling units. The smaller lot sizes for multi-family beach front developments may be a constraint as developments may have to consolidate multiple lots to develop a multi-family residence with more than two units.

However, many MFBF lots are typically developed with single family homes due to environmental constraints, the lack of municipal sewer system, and market ~~as beach front single family homes are more in~~ demand. Additionally, the LIP standards and environmental concerns constrain the development of higher densities within beach front zones.

Setback standards are based on a percentage of lot depth and width which provides flexibility in standards for various lot sizes. Front setbacks are 20% of the lot depth for all zones or 65 feet, whichever is less. The required front yard setback for beachfront lots is 20 feet or the average of the two adjacent lots, whichever is less.

The maximum height limits range from 18 feet for the RR zone to 28 feet in the MFBF zone, and a maximum of two stories. Residential beach-front developments with flat roofs have a maximum height limit of 24 feet while developments with pitched roofs may have a maximum height limit of 28 feet. Generally, the height limit of 18 feet may constrain the development of residential developments specifically for developments in the MF zone as 18 feet may only accommodate one story. Height limits are generally intended to maintain visual consistency within an area and compatibility between adjacent buildings.

Development standards such as height may constrain development for multi-family residences however, these development standards are generally dictated by the state coastal zone regulations and are reasonably necessary to protect the public health, safety and welfare and maintain the quality of life. The density achieved is largely driven by the environmental conditions and the market demand for single family residences over multi-family residences in Malibu. Non-governmental constraints are further discussed in section 7.3.2 below. ~~, and are not considered to be constraints to the development of housing.~~

Table 7.4-2
Residential Development Standards

Development Standard	RR[1]	SF[7]	MF	MFBF	MH	AHO
Maximum density	1 du/acre	4 du/acre	6 du/acre[8]	23.1 du/acre[9]	NA	27du/acre
Minimum lot area	1 acre	SFL = 0.5 ac SFM = 0.25 ac	20,000 sf	5,000 sf	NA	NA
Minimum front yard	20% of lot depth[2]	20% of lot depth[2]	20% of lot depth[2]	20% of lot depth[2]	NA	NA
Minimum side yard	10% of lot width[3]	10% of lot width [3]	10% of lot width[3]	3 feet[3]	NA	NA
Minimum rear yard	15% of lot depth[4]	15% of lot depth [4]	15% of lot depth [4]	Stringline[4]	NA	NA
Maximum impermeable coverage	30%-45%[5]	30%-45%[5]	30%-45%[5]	30%-45%[5]	35%	45%
Maximum building height	18 feet[6]	18 feet [6]	18 feet[6]	28 feet[6]	18 feet	28 feet[6]

Source: City of Malibu Zoning Ordinance

1. Includes RR-20, RR-10, RR-5, RR-2, and RR-1 zones. Minimum lot area varies from 1 to 20 acres depending on designator.
2. Front yard setback is 20% of lot depth or 65 feet, whichever is less. Front yard setback for beachfront lots is 20 feet or the average of the two adjacent lots, whichever is less.
3. Aggregate side yard setbacks must be at least 25% of lot width, with no single side yard less than 10% of lot width or 5 feet, whichever is greater. Side yard setback for beachfront lots is 10 percent of lot width on each side with a 3 feet minimum and a 5 feet maximum.
4. Rear yard setback must be at least 15% of lot depth or 15 feet, whichever is greater. Rear yard setbacks for beachfront lots are determined by the stringline rule.
5. Not to exceed 25,000 sf.
6. Maximum height for new construction on beachfront lots is 24 feet for flat roof structures and 28 feet for pitched roof structures. For non-beachfront lots, heights of 24 feet for flat roof structures and 28 feet for pitched roof structures may be permitted by site plan review.
7. Includes SFL and SFM. Maximum of 2 units per acre for SFL and 4 units per acre for SF-M.
8. Maximum density is 6 units per acre.
9. Maximum density is 1 unit per 1,885 sf of lot area, not to exceed 4 units per lot. One additional unit may be permitted if affordable to a very-low-, low-, or moderate-income household.

In most residential areas of the City, densities range from about one unit per 20 acres (RR-20 zone) to six units per acre (MF zone). Higher densities (up to 23.1 units per acre, not to exceed four units per lot) occur along four small stretches of beachfront property, as well as on Affordable Housing Overlay (AHO) parcels, which ~~allow~~ require that affordable housing development projects have a minimum of 20 units per acre and a maximum of one dwelling unit per 1,613 square feet of lot area.

A summary of the residential development permitted by the LCP/ MMC is provided in Table 7.4-3. (*Note: The PD district is not included in the table because allowable uses and development standards are established through the PD permit process*.)

Table 7.4-3
Permitted Residential Development by Zoning District

Housing Type Permitted	Zoning District								
	RR	SF	MF	MFBF	MH	CC	CV	CG	I
Residential uses									
Single-family detached	P	P	P	P					
Multi-family			CUP[1]	CUP[1]		P[2]			
Manufactured housing	P	P	P	P					
Mobile home	P[4]	P[4]	P[4]	MCUP[4]	P				
Accessory dwelling units	A	A	A	A					
Special needs housing									
Emergency shelters								P	P
Transitional/supportive housing[3]	P	P	P	P	P				
Agricultural employee housing[5]	A	A	CUP						
Residential care facility (6 or fewer persons)	P	P	P	P					
Residential care facility (7 or more persons)								CUP	
Residential care facilities for the elderly						CUP	CUP	CUP	CUP
Single room occupancy								P	

Source: Malibu LCP
P = Permitted CUP = Conditional Use Permit A = Permitted only as an accessory use to an otherwise permitted use.
Notes.
1. Multi-family development associated with an affordable housing development project is permitted by right.
2. Multi-family development is only permitted in the CC zone if it is associated with an affordable housing development project within the Affordable Housing Overlay.
3. Permitted subject to the same standards and procedures as apply to other residential uses of the same type in the same zone.
4. Permitted only during construction of permanent housing.
5. Permitted with a CUP in the Commercial-Recreational Zone as well if animal related only.

Zoning for Lower-Income Housing

As shown in Table 7.4-3, the LCP and MMC provide for a variety of housing types including single-family homes, multi-family (both rental and condominiums), manufactured housing and second units. Low-income housing can be accommodated in all residential districts. Accessory dwelling units, which are a tool in facilitating affordable housing, are permitted by-right in all residential districts in accordance with State law.

Density, Units per Parcel, Floor Area and Lot Coverage Limitations. Pursuant to Assembly Bill 2348,[1] the "default density" for small Los Angeles County jurisdictions, including the City, is 20 dwelling units per acre[2]. The default density refers to the density at which low-income housing development is presumed to be feasible, although State law allows jurisdictions to propose alternative densities that are sufficient to facilitate affordable housing based on local experience and circumstances. The MFBF zone allows development of more than 20 units per acre. While the MFBF zone limits development to four units per parcel, this is not a constraint to development since there are no vacant

[1] AB 2348 (Mullin) [Stats. 2004, ch. 724]
[2] Memo of June 9, 2005 from California Department of Housing and Community Development on AB 2348 of 2004. *Also available at* http://www.hcd.ca.gov/hpd/hrc/plan/he/ab2348stat04ch724.pdf

parcels large enough to accommodate more than four units at the maximum allowable density.

In 2013 the City amended the General Plan, LCP and MMC to establish an Affordable Housing Overlay (AHO) zone (Municipal Code Sec. 17.42.020(L)) allowing multi-family development at a minimum density of 20 units/acre and a maximum of 27 units/acre (which includes any density bonus) by-right when affordable housing is provided. This amendment also included revisions to development standards to facilitate such development, such as maximum building square footage and lot coverage. Maximum building height in the AHO is 28 feet. The development standards for the AHO zone should be revised to be independent of the density bonus. Program 3.1.e directs the City to amend the MMC and LIP to include a maximum density independent of the state density bonus.

Special Needs Housing

Persons with special needs may include those in residential care facilities, persons with disabilities, the elderly, farm workers, or persons needing emergency shelter, transitional living arrangements, or single room occupancy units. Many of these groups also fall under the category of extremely-low-income households. The City's provisions for these housing types are discussed below.

Extremely Low-Income Households

Many of the persons and households discussed in this section under the topic of special needs fall within the *extremely-low-income* category, which is defined as 30% or less of area median income, or up to $37~~5~~,8~~4~~50 per year for a four-person household in Los Angeles County (2023~~1~~). [3]

A variety of City policies and programs described in the Housing Plan address the needs of extremely-low-income households, including persons with disabilities. However, it must be recognized that the development of new housing for the lowest income groups typically requires large public subsidies in addition to appropriate zoning and development standards.

Residential Care Facilities and Housing for Persons with Disabilities

Residential facilities refer to any family home, group care facility, or similar facility that provides non-medical care to persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual.[4] *Health and Safety Code* §§1267.8 and 1566.3 require local governments to treat licensed group homes and residential facilities with six or fewer residents no differently than other by-right single-family housing uses. "Six or fewer persons" does not include the licensee, the licensee's family, or persons employed as facility staff. The City shall not require a conditional use permit, zoning variance, or other zoning clearance of a residential facility

[3] HCD 2023 State Income Limits

[4] California Health & Safety Code §1502.

which serves six or fewer persons which is not required of a family dwelling of the same type in the same zone.[5]

Residential care facilities serving six or fewer persons are permitted by-right in all residential districts in conformance with State law. The MMC and the ~~LCP~~ LIP allow ~~large family day care facilities in the CG zone subject to a conditional use permit, although the City is not aware of any large care facilities in Malibu. The City has no requirements for minimum distance between residential care facilities.~~ residential care facilities serving seven or more persons in the CG zone with a CUP. Additionally, residential care facilities for the elderly (limited to operation by a non-profit only) are permitted in the CC, CV, CG, and I zones with a CUP. The requirements for large residential care facilities constrain development of housing for persons with disabilities. Through Housing Plan Program 2.4.b, the City will revise the MMC and LIP to allow licensed residential care facilities for seven or more persons in residential zones with a CUP for persons of any age, allow operation by for-profit agencies as well as non-profit agencies, and ensure that the CUP findings are based on objective standards that do not overly constrain development of large residential care facilities, and provide certainty to applicants through the permitting process.[6]

The City's building codes require that new residential construction comply with the federal American with Disabilities Act (ADA). ADA provisions include requirements for a minimum percentage of units in new developments to be fully accessible to the physically disabled.

Compliance with building codes and the ADA may increase the cost of housing production and can also impact the viability of rehabilitation of older properties required to be brought up to current code standards. However, these regulations provide minimum standards that must be complied with in order to ensure the development of safe and accessible housing.

Definition of "Family". The Municipal Code defines *Family* as "one or more individuals occupying a dwelling unit and living as a single household." *Household* means a family living together in a single dwelling unit, with ~~a~~ common access to, and common use of, all living and eating areas and all areas and facilities for the preparation and storage of food within the dwelling unit. These definitions are consistent with fair housing law.

Reasonable accommodation for persons with disabilities. In order to facilitate the processing of requests to reduce architectural obstacles for persons with disabilities, a Reasonable Accommodation Ordinance and associated amendments to the LCP and MMC have been adopted in compliance with State law (Municipal Code Chapter 17.63).

Reasonable accommodation requests are reviewed by the Planning Director or designee, if no approval is sought other than the request for reasonable accommodation. The Director may, in his or her discretion, refer applications that may have a material effect on surrounding properties (e.g., location of improvements in the front yard, would violate a specific condition of approval, improvements are permanent)

[5] California Health & Safety Code §1566.3(c).
[6] HCD 2022. Group Home Technical Advisory. https://www.hcd.ca.gov/sites/default/files/docs/planning-and-community/group-home-technical-advisory-2022.pdf

directly to the planning commission for a decision. Applications for reasonable accommodation submitted for concurrent review with a CDP application shall be reviewed by the authority reviewing the CDP application. The review and approval of reasonable accommodation requests are contingent upon the findings of other discretionary decisions.

Required findings for approval of a reasonable accommodation request are as follows:

1. The housing, which is the subject of the request, will be occupied by a person with a disability as defined in Section 17.63.020~~(C)~~I of this chapter.
2. The approved reasonable accommodation is necessary to make housing available to a person with a disability as defined in Section 17.63.020~~(C)~~I of this chapter.
3. The approved reasonable accommodation would not impose an undue financial or administrative burden on the city.
4. The approved reasonable accommodation would not require a fundamental alteration in the nature of a city program or law, including, but not limited to land use and zoning.
5. The approved reasonable accommodation would not adversely impact coastal resources.
6. The project that is the subject of the approved reasonable accommodation conforms to the applicable provisions of the LCP and the applicable provisions of this section, with the exception of the provision(s) for which the reasonable accommodation is granted.

The required findings for reasonable accommodation are objective and not considered a constraint. However, the ability for the director, in their discretion, to refer applications that may have a material effect on surrounding properties is subjective and is a constraint. The City will implement Housing Plan Program 3.3.d to remove the provision of review of a request for reasonable accommodation on the basis that may have a material effect on surrounding properties and ensure that requests for reasonable accommodation are reviewed only on the basis of objective findings, limited to review by the Planning Director. Additionally, the City will clarify in the MMC and LIP that review and approval of reasonable accommodation requests are not contingent upon the findings of other discretionary decisions.

Farmworker and Employee Housing

As discussed in Chapter 7.2 Housing Needs Assessment, the City of Malibu does not have major agricultural ~~areas~~ operations nor has it identified a need for permanent on-site farm worker housing. Under California Health and Safety Code 17021.5, any employee housing providing accommodation for six or fewer employees must be considered a single-family structure within a residential land use designation. California Health and Safety Code Sections 17021.5 and 17021.6 generally require agricultural employee housing to be permitted without a CUP in single-family zones for six or fewer persons and in agricultural

zones with no more than 12 units or 36 beds. ~~However, the Employee Housing Act[7] requires that farmworker housing for 6 or fewer employees be treated as a single-family structure and permitted in the same manner as other dwellings of the same type in the same zone, and employee housing with up to 12 units or 36 beds to be permitted in the same manner as other agricultural uses in the same zones.~~ The MMC Section 17.40.140 Agriculture employee housing and the LIP allow farmworker housing in conformance with California Health and Safety Code Sections 17021.5 and 17021.6~~the Employee Housing Act~~. Agricultural Employee housing is permitted in the CR and RR zones in accessory to commercial agricultural uses and shall provide no more than 36 beds in a group quarter or 12 units on an individual parcel. Permits for agriculture employee housing are obtained from the State Department of Housing and Community Development pursuant to the Employee Housing Act. Program 2.4.e directs the City to amend the LIP and MMC to comply with the state Employee Housing Act, which stipulates that any employee housing for six or fewer persons should be treated as a single-family use.

Emergency Shelters, Transitional/Supportive Housing and Low Barrier Navigation Centers

Emergency shelters. Emergency shelters are facilities that provide a safe alternative to the streets, either through a shelter facility or through the use of motel vouchers. Emergency shelter is short-term, usually for 180 days or less. Transitional/supportive housing is longer-term housing, typically up to two years or more. Transitional housing typically requires that residents participate in a structured program to work toward established goals so that they can move on to permanent housing. Residents are often provided with supportive services to assist them in meeting goals.

Senate Bill (SB) 2 of 2007[8] strengthened the planning requirements for emergency shelters and transitional/supportive housing. Unless adequate capacity is available to serve the existing emergency shelter need, SB 2 requires that shelters be allowed "by-right" (i.e., without a conditional use permit or other discretionary approval) in at least one zoning district. In accordance with SB 2, in the LCP and MMC (Sec. 17.40.120) allow permanent emergency shelters by-right in the Commercial General (CG) and Institutional (I) zoning districts subject to appropriate development standards. The CG zoning district encompasses approximately 26 acres and the Institutional district encompasses approximately 208 acres (see Figure IV-1). Parcels in these districts range in size from 0.1 acre to 14 acres. The majority of CG parcels are located within the Civic Center area, in the middle of the city. Several of the parcels along Malibu Creek are vacant and tucked away from surrounding commercial and residential development. The Institutionally-zoned parcels are scattered throughout the city and although the majority of them contain existing development (fire stations, schools and churches), the parcel in the Civic Center that contains the court house is currently underdeveloped and could accommodate a shelter. There are no conditions adverse to human habitation in these areas.

~~[7] California Health & Safety Code §17021.5 and §17021.6.~~
[8] Senate Bill 2 (Cedillo) [Stats. 2007, ch. 633 Section 1-3]

Development standards for emergency shelters are as follows:

1. Location. Emergency shelters shall be permitted only where adequate water supply and sewage disposal capabilities are available onsite as determined by the City Department of Environmental Sustainability, and shelters shall be located no further than two thousand (2,000) feet from a public transit stop.

2. Size Limit. The maximum number of individuals permitted to be served (eating, showering or sleeping) nightly shall not exceed the total number of beds provided within the shelter or one person per one hundred twenty-five (125) square feet of floor area, whichever is less. In no case shall occupancy exceed twenty-five (25) individuals at any one time. Total square footage of a new facility shall comply with the maximum square footage limit set forth for the underlying zoning district.

3. Facility Requirements.

    a. Each occupant shall be provided a minimum of fifty (50) square feet of personal living space, not including space for common areas.

    b. Bathing facilities shall be provided in quantity and location as required by the California Plumbing Code (Title 24 Part 5), and shall comply with the accessibility requirements of the California Building Code (Title 24 Part 2).

    c. Shelters must provide a storage area for refuse and recyclables that is enclosed by a six-foot high landscape screen, solid wall, or fence, which is accessible to collection vehicles on one side. The storage area must be large enough to accommodate the number of bins that are required to provide the facility with sufficient service so as to avoid the overflow of material outside of the bins provided.

    d. The shelter may provide one or more of the following specific facilities and services onsite, including, but not limited to:

        i. Commercial kitchen facilities designed and operated in compliance with the California Retail Food Code;

        ii. Dining area;

        iii. Laundry room;

        iv. Recreation room;

        v. Support services (e.g. training, counseling, etc.); and

        vi. Child care facilities.

4. Management. At a minimum, a shelter shall have an onsite management office, with at least one employee present at all times during which the shelter is in operation and is occupied by at least one resident.

5. Proximity to Other Shelters. No emergency shelter shall be located within three hundred (300) feet of another emergency shelter. The three hundred (300) foot separation shall be measured from the nearest points of the property lines on which the shelters are located.

6. Length of Stay. Individual occupancy in an emergency shelter is limited to six months in any twelve (12) month period (Section 50801 of the Health and Safety Code).

7. Onsite Waiting and Intake Areas. A minimum of five percent of the total square footage of a shelter shall be designated for indoor onsite waiting and intake areas. In addition, an exterior waiting area shall be provided, the minimum size of which is equal to or larger than the minimum interior waiting and intake area.

    a. Staging for drop-off, intake and pick-up should take place inside a building, at a rear or side entrance, or inner courtyard.

    b. Shelter plans shall show the size and location of any proposed waiting or occupant intake areas, interior and exterior.

8. Off-Street Parking. Parking shall be provided, in accordance with Section 17.48.030 of this title.

AB 139 (2019) revised State law regarding parking standards for emergency shelters. Program ~~3.1~~2.4.c in the Housing Plan is included to address this requirement.

AB 2339 (2022) expanded the definition of "emergency shelters" to include other interim interventions, including but not limited to, navigation centers, bridge housing, and respite or recuperative care. AB 2339 requires that jurisdictions identify zoning designations where emergency shelters are allowed to include sites that meet at least one of the following:

1. Vacant and zoned for residential use.

2. Vacant and zoned for nonresidential use and located near amenities and services for homeless individuals.

3. Nonvacant and is suitable for use as a shelter in the current planning period.

Additionally, identified sites must permit residential and have a minimum area of 200 square feet per person to show that it may accommodate the number of people experiencing homelessness.

The 2022 Greater Los Angeles Homeless Count found that there were 81 people experiencing homelessness in Malibu. Considering the requirements of AB 2339, Malibu must identify 16,200 square feet of land that is zoned to permit emergency shelters by-right, permits residential uses, and is located near amenities. The MMC requires a limit of 25 individuals per emergency shelter. Given the capacity limit, there must be at least 4 parcels that are appropriately zoned to meet the square footage requirements under AB 2339. As discussed above, Malibu permits emergency shelters by right in the CG zone which allows for various types of commercial uses as well as residential uses such as SROs and residential care facilities. Within the CG zone, there are 5 parcels within 0.5 miles of

a bus stop and/or near amenities. Of the five parcels, two are vacant and government owned (APNs: 4458-020-904 and 4458-020-900). The parcels are 1.11 acres and 0.53 acres, respectively. The smaller parcel is currently being developed as a road and is not feasible for the development of an emergency shelter. Considering the square footage requirements of AB 2339, the larger parcel could accommodate at least 81 people but the City's capacity requirement limits capacity at this site to 25 individuals. Therefore, the City of Malibu does not meet its obligation under AB 2339. The City will implement Program 2.4.c to revise the definition of emergency shelters, remove the individual capacity limit, and requirement of proximity to a transit stop in order to remove constraints for emergency shelters. Additionally, the City has released an RFP for outreach and community engagement related to City-owned sites, including APN 4458-020-904. The engagement will include proactive outreach to community organizations, residents, and other interested parties. The City plans to facilitate development on the sites via a land lease agreement and the sites would be considered exempt surplus land. If an organization is recruited to develop an emergency shelter, building permits could be issued prior to the end of this Housing Element cycle.

Transitional and supportive housing. SB 2 and SB 745 ~~also~~ require~~s~~ that transitional and supportive housing be treated as a residential use subject to only those requirements that apply to other residential uses of the same type in the same zone.

In 2018, AB 2162 amended State law to require that supportive housing be a use by-right in zones where multi-family and mixed uses are permitted, including non-residential zones permitting multi-family uses, if the proposed housing development meets specified criteria. Program ~~3.1~~2.4.a in the Housing ~~Policy~~ Plan includes a commitment to allow transitional and supportive housing as a regular residential use to be similarly permitted as other uses of the same housing type in the same zone.~~process an amendment to the Municipal Code in compliance with this requirement.~~

Low barrier navigation centers. In 2019 the State Legislature adopted AB 101 establishing requirements related to local regulation of *low barrier navigation centers*, which are defined as "Housing first, low-barrier, service-enriched shelters focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing." *Low barrier* means best practices to reduce barriers to entry, and may include, but is not limited to:

(1) The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth

(2) Accommodation of residents' pets

(3) The storage of possessions

(4) Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms

Low barrier navigation centers meeting specified standards must be allowed by-right in areas zoned for mixed use and in nonresidential zones permitting multi-family uses. Program ~~3.1~~2.4.d in the Housing Policy Plan includes a commitment to process an amendment to the ~~Zoning Code~~MMC and LIP in compliance with this requirement.

Single Room Occupancy

Single room occupancy (SRO) facilities are small studio-type units designed for extremely-low- and very-low-income persons. SRO facilities are permitted by-right in the CG zone subject to the following requirements:

- Minimum 150 sq. ft./maximum 400 sq. ft.
- Occupancy limited to 2 persons
- Laundry facilities must be provided on-site
- If bathroom facilities are not provided in each unit, common bathrooms must be provided in accordance with the California Building Code for congregate residences with at least one full bathroom per floor.
- If kitchen facilities are not provided in each unit, at least one common kitchen must be provided per floor.
- 24-hour on-site management

Off-Street Parking Requirements

The City's parking requirements for residential uses vary by residence type. Single-family dwellings require two enclosed and two unenclosed spaces per unit. Multi-family dwellings require two parking spaces per efficiency (studio) unit and three spaces per one- and two-bedroom units. One additional parking space is required for each additional bedroom above two. ~~The parking requirements are summarized in Table 7-4Table 7-27.~~

Through the provisions of State density bonus law[9], senior housing and other affordable housing projects are eligible to request reduced parking standards. It is widely accepted that senior and lower-income households have fewer cars on average than higher-income households. In order to reduce potential constraints to affordable housing development, reduced parking standards are allowed for multi-family projects that provide affordable housing consistent with density bonus law. The parking requirements are summarized in Table 7.4-4

According to the Terner Center for Housing Innovation at UC Berkeley, parking can cost $25,000 to $75,000 per space to construct.[10] Requiring fewer parking spaces not only reduces development project costs but can preserve land to build additional housing units. The current parking standards add to the cost of development of multi-family housing. However, the entire City is in a Very High Fire Hazard Severity Zone and many neighborhoods have streets that are only 20 feet wide and cannot accommodate on-street parking to provide access for emergency vehicles. Additionally, public transit is only available along the Pacific Coast Highway and is difficult to access for residents that live more than half a mile from Pacific Coast Highway. The residential parking requirements in Malibu may add to the cost of development, however the number of required spaces are needed to meet the needs of residents.

[9] California *Government Code* Sections 65915-65918

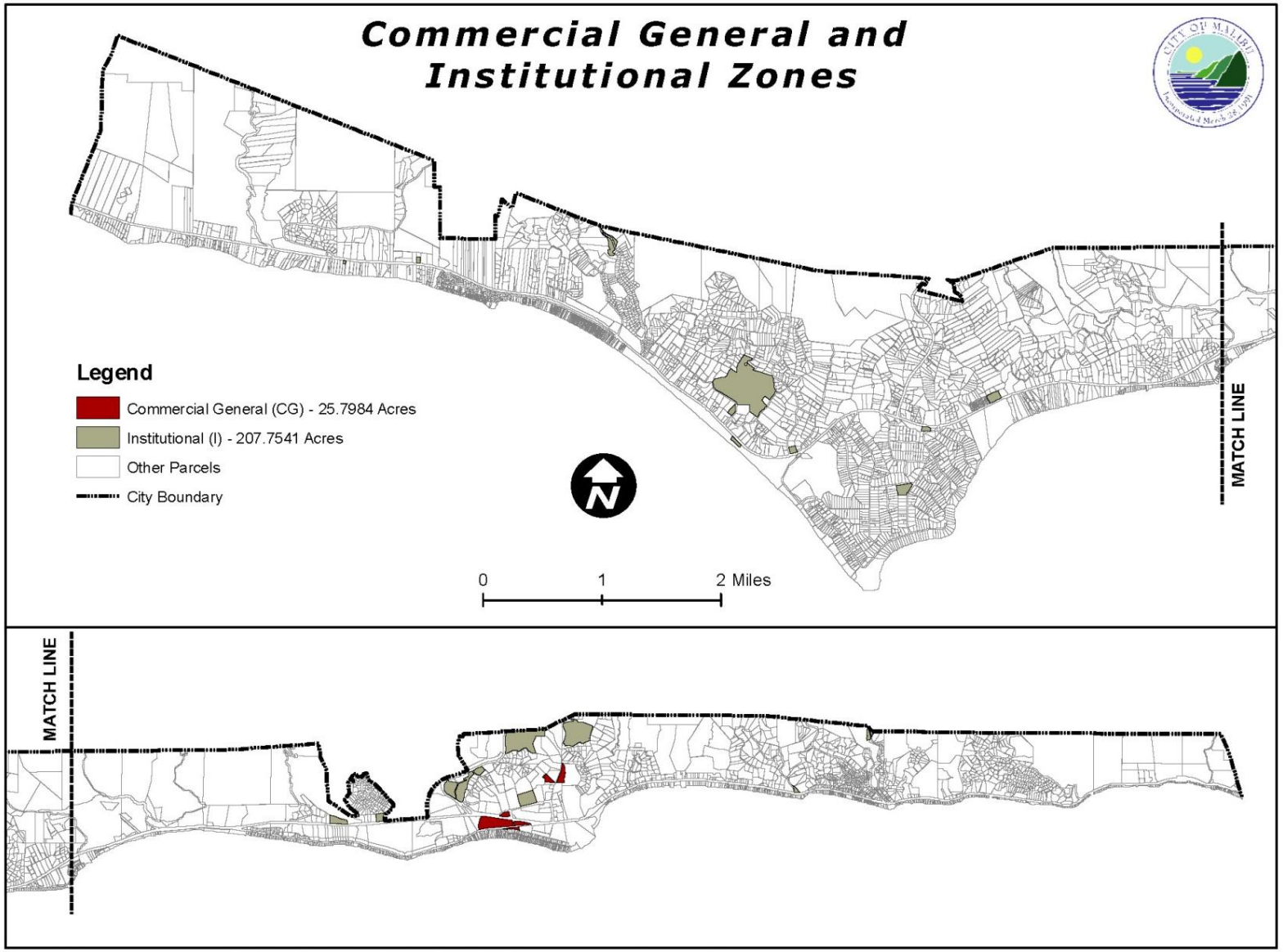
[10] Terner Center for Housing Innovation at UC Berkeley, 2016. Available at: http://ternercenter2.berkeley.edu/proforma/

Table 7.4-4
Residential Parking Requirements

Unit Type	Minimum Parking Space Required
Single-family units	2 enclosed and 2 unenclosed spaces
Multi-family units	
Efficiency dwelling unit	2 spaces either enclosed or covered
1-bedroom or 2-bedroom units	3 spaces, 2 of which shall be enclosed
3 or more bedroom units	4 spaces, 2 of which shall be enclosed plus one additional space for each additional bedroom above three (enclosed or covered)
Guest parking	1 space for each 4 units
Single Room Occupancy	1 space for two units (inclusive of guest parking) and 2 spaces for the resident manager
Small residential care facility	2 enclosed and 2 unenclosed
Mobile Home parks	2 spaces per dwelling unit
Senior and or Disabled housing Mobile Home Parks	1 ½ spaces per dwelling (at least one space shall be provided adjacent to each mobile home space)

Source: Malibu LCP / MMC

Figure 7.4-1
Commercial General and Institutional Zones



Note: This map was prepared by the City of Malibu Planning Department on November 14, 2011.

Accessory Dwelling Units

In response to State-mandated requirements and local needs, the City allows the development of second units, otherwise known as accessory dwelling units (ADUs), as a permitted accessory use (i.e., no discretionary approval required) in all residential zones. The City is preparing an ordinance to be consistent with the State laws, anticipated for adoption in December 2023.

ADUs serve to augment resources for senior housing or other low- and moderate-income segments of the population.

In recent years the State legislature has adopted several amendments to ADU law. Housing Plan Program ~~2.2A~~4.1 describes actions the City will take to ~~update ADU regulations in conformance with current law and~~ encourage and facilitate the increased development of this type of housing.

Density Bonus

As part of the LCP, the City has adopted a residential Density Bonus Ordinance (LIP Section 3.7). Under the City's ordinance, a density increase of up to 35% over the otherwise maximum allowable residential density is available to developers who agree to construct housing developments with units affordable to low- or moderate-income households. The density bonus is applicable only to projects where the land use designations in the LCP allow development of at least five residential units on the property where the project is located. Additionally, the Density Bonus Ordinance requires that the project be consistent, to the maximum extent feasible and in a manner most protective of coastal resources. In recent years the State legislature has adopted amendments to density bonus law. Program ~~2.3~~3.4 is included in the Housing Plan to process an amendment to City density bonus regulations in conformance with current State law.

Mobile Homes/Manufactured Housing

There is often an economy of scale in manufacturing homes in a plant, rather than on site, thereby reducing cost. State law precludes local governments from prohibiting the installation of mobile homes on permanent foundations on single-family lots. It also declares a mobile home park to be a permitted land use on any land planned and zoned for residential use, and prohibits requiring the average density in a new mobile home park to be less than that permitted by the LCP and M~~.~~MC.

In the City, manufactured housing is allowed in all residential zones as a permitted use, provided the installation complies with the site development standards for the applicable zoning district. Mobile home parks, in existence as of City incorporation on March 28, 1991, are allowed as permitted use within the MH District. Modification to the number, layout, or density of mobile home spaces, or internal roads or parking areas requires a conditional use permit. The City currently has two mobile home parks, both located south of Pacific Coast Highway. The first is Paradise Cove Mobile Home Park (257 units), located just east of Point Dume and the second is the Point Dume Club Mobile Home Park (297 units), located just west of Point Dume.

The City's mobile home parks are its most significant source of affordable housing. Many mobile home park residents have limited or fixed incomes. The City has adopted mobile home park rent control regulations (MMC Chapter 5.16) to ensure that mobile homes continue to provide affordable housing opportunities. The development of mobile homes in the MH zone promotes the development of a variety of housing types in the City, and the development standards of this zone do not impose set back requirements or a maximum density.

Building Codes

State law prohibits the imposition of building standards that are not necessitated by local geographic, climatic, or topographic conditions and requires that local governments making changes or modifications in building standards must report such changes to the California Department of Housing and Community Development (HCD) and file an expressed finding that the change is needed.

The City has adopted the current (2022~~19~~) Los Angeles County Building Codes, with all amendments which are based on the California Code.

As noted in Chapter III, the City has adopted the Local Energy Efficiency Standards Ordinance and the Landscape Water Conservation Ordinance. The energy ordinance preserves and enhances the environment, by setting forth minimum energy efficiency standards within the City for all new single-family dwellings, multi-family residential construction, nonresidential construction and substantial remodels. The City's ordinance includes measures which are more restrictive than the California Building Energy Efficiency Standards (Title 24). The water conservation ordinance applies to: 1) projects for a commercial, institutional, or multi-family use or a subdivision, any of which propose a new or altered landscape area, including public agency projects; and 2) projects for a single-family residential use proposing a new or altered landscape area of 2,500 square feet or more; in the case of a project associated with an existing single-family residence, the new or altered landscape area is subject to this Chapter when the landscape area is 5,000 square feet or more. The water conservation standards are intended to promote water conservation while allowing the maximum possible flexibility in designing healthy, attractive, and cost-effective water efficient landscapes. Implementation of the two ordinances has begun. These standards may result in an incremental increase in development cost but are offset by water and energy savings throughout the life of the home.

Required compliance with building codes increases the cost of housing, but these requirements are mandated by State and Federal laws. Building codes are enforced by the City through plan check and inspection.

Transfer of Development Credit Program

For each new single-family residential parcel which is proposed to be created, an applicant must acquire one transfer of development credit (TDC). That is, the applicant must demonstrate that the development potential on the equivalent of one developable parcel has been extinguished. This is normally done by recording an offer to dedicate an open space easement over the subject property. The open space easement prohibits construction of a residence and most other types of development.

As implemented by the California Coastal Commission (CCC), the TDC Program in Malibu (LIP Chapter 7) is mandatory for applicants who propose to intensify land use through subdivisions or construction of condominiums or rental housing projects (except for qualifying affordable housing developments, which are exempt from TDC requirements). Any property owner may choose not to participate in the program by simply applying for a coastal development permit for no more than one residential unit on each existing residential parcel.

The CCC has recognized several ways to "generate" a TDC (that is, to assemble the equivalent of one developable parcel which can then be restricted to open space). For instance, in a small-lot subdivision, a credit will be considered generated according to a formula which measures the buildability of the site. To qualify property as a TDC generator, site-specific soil studies, percolation tests, and the like are not typically performed, due to the often considerable expense which such tests involve. Instead, the formula is based on the criteria of slope, road access, and water service, which can be measured without undue expense to the property owner.

The number of small lots required to equal one TDC depends on the application of the formula to the lots in question: the more gentle the slope, the greater the credit value of the lots, since a more generous dwelling could be constructed. For example, one or more lots capable of supporting a small-to-medium sized dwelling (one with 1,500 square feet of floor space) are determined to generate one TDC.

Where small lots are less suited to development, TDCs may be generated based on their size rather than slope. Thus, the second way of generating a TDC would be based on 500 square feet of credit for each lot of at least 4,000 square feet of area; three such lots, generating 1,500 square feet of credit, are considered to generate one TDC.

A third way to generate TDCs, for lots smaller than 4,000 square feet, is to assign a value of one TDC for any combination of lots adding up to a total of one acre. The assumption here is that an acre of land, even if steep, can probably accommodate at least a small dwelling. Of course, if the property were determined to be completely unbuildable, no TDCs would be generated, since the whole point of the program is to avoid development that could otherwise occur.

However TDCs are generated, the mechanism by which development potential is extinguished is recordation of an offer to dedicate an open space easement. In general, the open space easement allows no development as defined by the Coastal Act, except for removal of vegetation that constitutes a fire hazard, installation of underground utility lines or septic systems, passive public recreational use, directional or no-trespassing signs, and fences which are necessary to protect natural resources and/or private property. Residential use, as a primary use, is not allowed, although some easements allow uses associated with a residence, such as corrals or decks. Such ancillary uses are appropriate where the underlying fee interest in the land is under the ownership of an adjacent homeowner who can assume the necessary responsibility for property taxes and weed abatement. In other instances, where other public land holdings are adjacent or nearby, fee ownership of the land is turned over to a public agency, such as the California Department of Parks and Recreation.

Existing regulations generally limit development in the MF and MFBF zones to one unit per existing parcel unless development credits are obtained. The developer of the recipient

site must purchase development credits on a unit-for-unit basis to attain the maximum density allowed in the MF and MFBF zones. LCP regulations specifically exempt low-income units from the requirement to purchase TDCs; therefore, this policy does not represent a constraint to the development of affordable housing.

Short-Term Rentals

Municipal Code Chapter 17.55 (Short-term Rental of Property) allows short-term rental of residential property subject to obtaining a short-term rental permit from the City. The City is currently working on a short-term rental ordinance that balances the need for overnight accommodations and the availability of long-term rental housing.

Inclusionary Housing Requirements

The City has no inclusionary housing requirements.

7.4.1(b) Development Processing Procedures

Residential Permit Processing/Coastal Development Permits

State planning and zoning laws provide permit processing requirements for residential development. Within the framework of State requirements, including the Coastal Act, the City has structured its development review process in order to minimize the time required to obtain permits, and ensure that projects receive careful review.

All residential development is reviewed by City staff for LCP/ MMC and Building Code compliance prior to the issuance of building permits. These reviews are conducted concurrently with the planning review process, which shortens the overall processing time:

City Biologist/Environmental Review Board: Biological review is required by the LCP if a project is near an environmentally sensitive habitat area (ESHA) or includes landscaping. The City Biologist reviews all new residential projects to determine whether they should be reviewed by the Environmental Review Board (ERB). The City Biologist's review typically takes three weeks. If the City Biologist determines that ERB review is required, then the process typically extends another several months. Additionally, the review process may be extended if the application includes the installation of 2,500 square feet of landscaping, as the project must be reviewed for conformance with the MMC Landscape Water Conservation Ordinance per State requirements.

City Coastal Engineer: The City Coastal Engineer reviews projects that are located along the coast and can be potentially affected by tidal forces. Although the requirement that the application include a wave uprush report pursuant to LCP requirements can extend the permit process, and thereby raise the cost of residential development, these reports are necessary to ensure public safety. On average, the Coastal Engineer will respond within one month of receiving submitted materials. The entire review process varies greatly depending upon the complexity of the project and the promptness of the applicant's consultant.

City Environmental Health Administrator: The City Environmental Health Administrator reviews the adequacy of on-site wastewater treatment systems (OWTS) for all those properties in the City that are not served by a wastewater treatment plant pursuant to LCP requirements. Review by the City Environmental Health Administrator is necessary because the City has no public sewer system except for a small portion of the City in the Civic Center area and approximately 84% of the dwelling units in the City have no access to a local/ neighborhood sewer system at this time. The entire review process varies greatly depending upon the complexity of the project and the promptness of the applicant's consultant.

City Geologist and City Geotechnical Engineer: Due to complex geologic and geotechnical conditions in the City, development is subject to review by the City Geologist and/or City Geotechnical Engineer. Although the requirement that the applicant submit geological and geotechnical reports can extend the permit process, and thereby raise the cost of residential development, these reports are necessary to ensure public safety and are required by State building codes. On average, the City Geologist and / or City Geotechnical Engineer will respond within one month of receiving submitted materials. The entire review process varies greatly depending upon the complexity of the project and the promptness of the applicant's geotechnical consultant.

City Public Works Department: The City's Public Works Department is responsible for reviewing projects that include grading, drainage, demolition and right-of-way improvements. On average, comments will be provided by the Public Works Department within one month of submittal. The entire review process varies greatly depending upon the complexity of the project and the promptness of the applicant's geotechnical consultant.

Additional reviews: Although additional reviews may not be required for all applications, reviews by the City Engineer, Los Angeles County Fire Department, Los Angeles County Waterworks District No. 29 (District 29), California Department of Fish and Wildlife, California State Lands Commission, and California Department of Transportation may be required so that appropriate conditions can be placed on projects. The amount of time required for review varies depending on the complexity of the project.

Administrative CDP applications are reviewed and decided upon by the Planning Director. All other CDPs are decided upon by the Planning Commission pursuant to Government Resource Code Section 30624. CDPs are subject to conditions to ensure conformance with the LCP. Additionally, the following findings are required for CDPs:

A. That the project as described in the application and accompanying materials, as modified by any conditions of approval, conforms with certified City of Malibu Local Coastal Program; and

B. If the project is located between the first public road and the sea, that the project is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act of 1976.

C. The project is the least environmentally damaging alternative.

D. If the project is located in or adjacent to an environmentally sensitive habitat area pursuant to Chapter 4 of the Malibu LIP (ESHA Overlay), that the project conforms with the recommendations of the Environmental Review Board, or if it does not conform with the recommendations, findings explaining why it is not feasible to take the recommended action.

All residential projects require an Over-the-Counter (OC) permit, an Administrative Plan Review (APR), or a Coastal Development Permit (CDP). OC permits are issued for such projects as free-standing garden walls, on-grade patio slabs, interior remodels and other smaller residential improvements. APR permit-eligible projects include those that are exempt from requiring a CDP. A list of exemptions from a CDP are provided in LIP Section 13.4 and include improvements to single-family residences, such as the addition of garages, swimming pools, fences, storage sheds, certain types of landscaping, and a minimal amount of grading. Typically, projects located on beachfront properties do not qualify for an APR permit. A CDP is required for projects that are not exempt and ensures that development within the Coastal Zone (the entire City of Malibu) is consistent with the LCP, the California Coastal Act, and California Code of Regulations Title 14 Division 5.5. Other discretionary requests, such as a site plan review, minor modification, conditional use permit, string-line modification, or variance, are processed concurrently with an APR or a CDP. The CDP findings listed above are not subjective. Moreover, the required discretionary review by the Planning Commission is necessary to ensure the safety of the residents, protection of environmental resources and compliance with the California Coastal Act.

State Streamlining

In the 5th Cycle Housing Element reporting period (2015-2023), the City of Malibu made insufficient progress toward their Lower Income RHNA (Very Low and Low Income) and is subject to SB 35 streamlining provisions for projects that include at least 50% affordability. SB 35 requires that eligible projects be reviewed for compliance and consistency with the City's objective standards and are not subject to discretionary processes, such as CEQA environmental review and public hearings. Eligible projects with 150 units or fewer must be approved within 90 days and projects with more than 150 units must be approved within 180 days.

Eligible developments must include a specified level of affordability, be on an infill site, comply with existing residential and mixed-use general plan or zoning provisions, and comply with other requirements such as locational and demolition restrictions. A local government that has been designated as subject to the Streamlined Ministerial Approval Process by the Department shall provide information, in a manner readily accessible to the public, about the locality's process for applying and receiving ministerial approval, materials required for an application and relevant objective standards to be used to evaluate the application. A local government cannot impose application requirements that are more stringent than required for a final multifamily entitlement or standard design review in its jurisdiction.

Since 2018, no projects have been applied for or approved through SB 35 ministerial approval. In addition, AB 1397 requires that 5th cycle opportunity sites re-used in the 6th cycle and identified to accommodate lower income units (Very Low-Income and Low-Income) be subject to by-right approval if projects include 20% affordable units for lower

income households on-site. Currently the City of Malibu does not have written procedures for SB 35 Streamlined Ministerial Approval Process. Malibu will develop written procedures for SB 35 as noted in Housing Plan Program 4.2.c.

Permit Processing Times

Processing times vary and depend on the size, complexity, and location of the project. APR projects are reviewed and approved by the Planning Director. CDPs are separated into two types – Administrative CDP (ACDP) and full CDP. Administrative CDPs are reviewed and approved by the Planning Director and reported to Planning Commission. A regular CDP requires a public hearing per LCP requirements and is approved by the Planning Commission. Some discretionary requests, such as conditional use permits and variances, require a public hearing before the Planning Commission. Projects that involve potential impacts to ESHAs may also be reviewed by the City's ERB prior to a decision by the Planning Director or Planning Commission. This process typically adds from one to two months to the permit process. The City does not require architectural review; however, the LCP requires a visual impact analysis through the installation of story poles for all projects that are visible from a scenic area or include a discretionary request unless waived by the Planning Manager.

Tentative parcel maps and tentative tract maps require approximately six to eight months to process and both are processed concurrently with a CDP. However, review time depends greatly on the promptness of the applicant. Projects reviewed by the Planning Commission and the City Council, such as amendments to the General Plan, LCP and MMC, typically add, at a minimum, six months to the process.

Certain steps of the development process are required by State rather than local laws. The State has defined processing deadlines to limit the amount of time needed for review of required reports and projects. In an effort to provide an efficient permit processing system, the City has implemented the following time- and cost-saving developmental processes:

- Prepared permit processing guidelines to assist residential builders in applying for development permits.
- Located all City divisions involved in the permitting process in one central location.
- Updated the referral process for projects requiring review by outside agencies, such as the County of Los Angeles Fire Department and Water District No. 29, to reduce confusion and burden on the applicant.
- Developed an "early consultation" pre-application process to identify issues as soon as possible and reduce processing time, if requested.
- Encouraged processing of one comprehensive project to avoid multiple applications on one property.
- Provided a GIS (Geographic Information System) application on the City's website with land use information and hyperlinks to important information, such as General Plan and Zoning Code documents.

- Allowed for planning-related inquiries to be addressed Mondays through Fridays at the public counter and through a Planning Department telephone and email hotline.
- Adopted a concurrent submittal program through which projects can be reviewed by the Planning Department and the Building Safety Division at the same time.

While the City has adopted procedures to minimize the review time for development applications, such as concurrent processing of all related applications, the additional complexity of Coastal Commission involvement and sensitive environmental conditions on nearly every site results in more lengthy processing times than is often the case in non-coastal areas. While lengthy review procedures can present a constraint to housing development and affordability, the City has few options for expediting permits that have not already been implemented or do not require significant financial investment.

~~The City has not received requests to develop housing at densities below those anticipated in the sites inventory.~~ The length of time between receiving approval for housing development and submittal of application for building permits varies based on several factors and typically ranges from two weeks to several months.

Table 7.4-5 summarizes the review process for single-family and multi-family projects.

Table 7.4-5
Permit Processing Steps

Single-Family Projects	Multi-Family Projects
Example: 5-lot subdivision with development	Example: 5-unit apartment building
1. Pre-application consultation-optional (staff) – 2 weeks	1. Pre-application consultation-optional (staff) – 2 weeks
2. Review application for completeness by all City and appropriate County agencies – 12 weeks	2.Determine if any affordable unit are to be incorporated and review Affordable Housing Density Bonus options as requested
3. Board hearing for the application (Subdivision Review Committee) – 4 weeks	2. Review application for completeness by all City agencies – 12 weeks
4. Tentative tract map/CDP approval (Planning Commission) – 4 weeks	3. CDP review (Planning Commission or Planning Director) – 4 weeks
5. Final map approval (City Council) – 6 weeks	4. Building plan check (ministerial) – 8 weeks
6. Building plan check (ministerial) – 8 weeks	5. Building permits (ministerial) – 1 week
7. Building permits (ministerial) – 1 week	
Total Time Estimated = 37 weeks (9.25 months) of active staff time	Total Time Estimated = 27 weeks (6.75 months) of active staff time

Source: City of Malibu Planning Department, 2021
Notes: Process assumes that the project is consistent with the General Plan and LCP and does not include time spent on redesign or waiting for response to comments.

Environmental Review

Environmental review is required for all development projects under the California Environmental Quality Act[11] (CEQA). An Environmental Impact Report (EIR) is required for all developments that have the potential of creating significant impacts that cannot be mitigated. Typically, residential projects in the City are either Categorically Exempt or require an Initial Study and Negative Declaration or Mitigated Negative Declaration under CEQA. The Negative Declaration process typically takes six to eight weeks to prepare, plus the mandated public review period. Categorically Exempt developments, such as ADUs, require a minimal amount of time. As a result, while State-mandated environmental review can pose a constraint to housing development, the City does not have the authority to modify these requirements.

7.4.1(c) Development Fees and Improvement Requirements

State law limits the amount of fees charged for development permit processing to the reasonable cost of providing the service for which the fee is charged. Various fees and assessments are charged by the City and other public agencies in order to cover the costs of processing permit applications and providing services and facilities such as schools, parks and infrastructure. Almost all of these fees are assessed through a pro rata share system, based on the magnitude of the project's impact or on the extent of the benefit that will be derived.

Table 7.4-6 provides a list of fees the City charges for new, standard residential development. Table 7.4-7 and Table 7.4-8 provide a summary of fees charged for a typical single-family and multi-family project. The rates charged by the City are inclusive and based on standardized unit sizes. Because of environmental and infrastructure constraints, residential development consists primarily of infill projects that do not involve LCP, MMC or General Plan amendments. Development fees will vary from project to project but are currently estimated to be approximately $41,215.25~~41,000~~ per unit for single-family units and $29,991.40~~18,000~~ per unit for multi-family units. In comparison, development fees for other coastal cities such as the City of Santa Monica are estimated to be approximately $35,870 per unit for single-family units and $124,588.59 per unit for multi-family units. The City of Manhattan Beach development fees are estimated to be about $26,980 per unit for single-family units and $97,793 per unit for multi-family units. The City of Malibu has higher fees for single family units but much lower multi-family unit fees than other similar coastal cities.

The City annually evaluates the actual cost of processing the development permits when revising its fee schedule.

After the passage of Proposition 13 and its limitation on local governments' property tax revenues, cities and counties have faced increasing difficulty in providing public services and facilities to serve their residents. One of the main consequences of Proposition 13 has been the shift in funding of new infrastructure from general tax revenues to development impact fees and improvement requirements on land developers. The City requires developers to provide on-site and off-site improvements necessary to serve their projects. Such improvements may include water and other utility extensions, street construction and traffic control device installation that are reasonably related to the project.

[11] California Public Resources Code §21000, et seq.

Dedication of land or in-lieu fees may also be required of a project for improvements to the right-of-way, transit facilities, recreational facilities and school sites, consistent with the Subdivision Map Act[12].

Table 7.4-6
Planning and Development Fees

Fee Category	Fee
Planning and Application Fees	
Coastal Development Permit– New Single-Family Residence	~~$10,258~~ $11,579
Coastal Development Permit– Subdivision and Parcel/Tract Map	~~$15,929~~ $17,981
Coastal Development Permit - Multi-Family Attached Residential Development (2-4 Units)	~~$177 per hour~~ $200 per hour
Minor Modification	~~$1,056~~ $ 1,192
Site Plan Review for height/ others	~~$3,100/ $2,641~~$3,499/$2,981
Variance	~~$3,169~~ $3,578
Conditional Use Permit (Major)	~~$3,523~~$4,652
Conditional Use Permit (Minor)	~~$1,762~~ $1,988
General Plan Amendment	~~$177 per hour~~ $200 per hour ~~/HR~~
Zoning Text Amendment	~~$177 per hour~~$200 per hour ~~/HR~~
Local Coastal Program Amendment	~~$177 per hour~~$200 per hour ~~/HR~~
Referral Fees	
Geology (Major)	~~$4,646~~ $5,389
Coastal Engineering (standard project)	~~$3,236~~ $1,876
City Biologist	~~$1,618~~ $1,720
Environmental Health (Specialist Review)	~~$2,209~~ $2,493
Public Works (CDP)	~~$225 per hour~~ $254 per hour~~/HR~~
Environmental Review	
Categorical Exemption	~~177~~ $75
Negative Declaration	~~$177 per hour~~ $200 per hour~~/HR~~
Negative Declaration - Mitigated	~~$177 per hour~~$200 per hour~~/HR~~
Environmental Impact Report	Cost = 30%~~. No change~~
Environmental Review Board Analysis	~~$2,818~~ $3,181

Source: City of Malibu Planning Dept., 2023~~4~~

[12] California Government Code §§66410-66499

Table 7.4-7
Planning and Development Fee Example
Single-Family Development

Fee Category	Fee (per unit)*
Planning and Development Fees	
Coastal Development Permit with ESHA	~~$ 10,258~~ $11,579
Site Plan Review for height	~~$3,100~~ $3,499
Geology	~~$4,646~~$5,389
City Biologist	~~$ 1,720~~$1,720
Environmental Health	~~$2,209~~$2,493
Public Works	$2,700
Environmental Review Board Analysis	~~$2,818~~$3,181
Categorical Exemption	~~$177~~ $75
Impact Fees	
Fire protection fee - $0.1345~~9705~~ per square foot	$336.25~~2,427~~
Park fee - $4,401 per single-family residence***	~~$4,401~~ $4,968
School impact fee ($2.11~~2.63~~/sq.ft.)	$5,275~~6,575~~
Total per unit fees	**~~$41,031~~$41,215.25**
Estimated portion of total development cost**	**3%**

Source: City of Malibu Planning Dept., 2021
*Based on a 2,500-sq.ft. single-family house on a 1-acre lot
** Based on development cost of $1,200/sq.ft (excluding land cost)
*** Park fee is charged the first time the property is developed from vacant land, demolition of an existing structure does not trigger the requirement for payment

Table 7.4-8
Planning and Development Fee Example
Multi-Family Development

Fee Category	Fee (per unit)*
Per-unit Planning and Development Fees	
Multi-Family Residential Development	~~$20,000~~ $200 per hour and ~~/HR~~ $20,000 Deposit
Conditional Use Permit (Major)	~~$3,523~~$4,652
Site Plan Review for height	~~$3,100~~$3,499
Geology	~~$4,646~~$5,389
City Biologist	~~$1,720~~$1,720
Environmental Health	~~$2,209~~$2,493
Public Works	$2,700
Categorical Exemption	~~$177~~ $75
Impact Fees	
Fire protection fee - $0.1345~~9705~~ per square foot	$161.40~~3,494~~
Park fee	~~$3,489~~ $3,938
School impact fee ($4.47~~2.63~~/sq.ft.)	$5,364~~9,468~~
Total per unit fees	**~~$18,175~~29,991.40**
Estimated portion of total development cost**	**4%**

Source: City of Malibu Planning Dept., 2021
*Based on a 3-unit project of 1,200-sq.ft. units on a 20,000-sq.ft. lot
**Based on development cost of $1,200/sq.ft (excluding land cost)

The City requires the payment of three impact fees prior to the issuance of building permits: the Los Angeles County Fire Department Developer Fee, the Santa Monica – Malibu Unified School District (SMMUSD) Developer Fee, and the Quimby Act/Parkland Development Fee. The Fire Department Developer Fee was initiated by the Los Angeles County Fire Department and is the same fee charged by most of the cities and in the unincorporated areas of the cCounty surrounding the City of Malibu. The fee is necessary to assure adequate fire equipment and services are available as Malibu is designated as a Very High Fire Hazard Severity Zone. The fee is $0.13459705 per square foot of new construction. The School District Developer Fee was initiated by the SMMUSD and is used to fund school improvements in the district. The fee is $4.472.63 per habitable square foot of new residential (both single-family and multi-family) construction. The Quimby Act/ Parkland Development Fees are designed to ensure that new development meets local park space obligations. The Quimby Act fee is applied to new subdivisions while the Parkland Development Fee applies to new construction other than subdivisions. The Parkland Development Fees are $4,968 4,401 per single-family unit, $3,938 3,756 per unit in a multi-family project containing less than five dwelling units per building, and $2,7993,159 per unit in a multi-family project containing five or more units per building. These fees are typical of other cities in environmentally constrained areas and are not considered to be a constraint to development.

Development and growth in the City are limited by geologic and environmental constraints, steep slopes, and dependence on private OWTS for wastewater management. Public works facilities that exist in the City include roads and highways, public water and telephone utilities, and all publicly financed recreational facilities. Major capital improvement projects completed by the Department of Public Works in Malibu consist of road repairs, maintenance, and improvements.

The majority of new housing development that has occurred in the City during the previous housing cycle has been single-family homes on infill sites, including large rural estate parcels. These projects typically do not require off-site improvements but are dependent on public roads that must be maintained by the City. The City's roads are vulnerable to damage by winter storms, and considerable expense is required to keep the roads open. Local streets are defined in the General Plan Circulation Element as two-lane, undivided roadways with frequent driveway access and 48- to 58-foot rights-of-way, although many of the City's canyon access roads have narrower rights-of-way. To maintain the rural character of its residential areas, the General Plan discourages the use of curbs and sidewalks. Malibu's standards for local streets are modest when compared to more urbanized cities in Los Angeles County and do not act as a constraint to development.

The City's Capital Improvement Program (CIP) contains a schedule of public improvements including streets, storm water and wastewater treatment facilities, parks, and other public works projects to facilitate the continued build-out forecast in the City's General Plan. The CIP helps to ensure that construction of public improvements is coordinated with private development.

Although development fees and improvement requirements increase the cost of housing, cities have little choice in establishing such requirements due to the limitations on property taxes and other revenue sources needed to fund public services and improvements.

7.4.2 Non-Governmental Constraints

7.4.2(a) Environmental Constraints

Malibu is located on a narrow coastal strand on the southern slope of the Santa Monica Mountains, which are characterized by steep and rugged hillsides and canyons draining into the Pacific Ocean. More than 80% of Malibu is hillside area; the remaining relatively flat land is subject to ocean and/or canyon (creek) flooding, or other significant environmental constraints. Geologic and seismic hazards include landslides, soil erosion, mudflows, and liquefaction potential.

Additionally, the City is located in the Very High Fire Hazard Severity Zone, and the majority of the City has experienced major brush fires in recent decades. On November 8, 2018, the Woolsey Fire broke out in the Chatsworth area north of the 101 Freeway and reached Malibu on November 9, 2018. The Woolsey Fire was largest fire Los Angeles County history and the most disastrous event ever in Malibu. In one week, the fire burned approximately 90,000 acres throughout the Santa Monica Mountains area and destroyed 488 single-family homes in Malibu.

The City's environmental constraints are well documented in the General Plan. Since its incorporation in 1991, the City of Malibu has had six federally declared disasters and one federally declared emergency.

Although the City is characterized by a large amount of vacant land, only a small portion of that land is suitable for development due to these natural constraints. Development in steeply sloping properties would require substantial modification to the natural terrain, which would significantly add to the cost of development. Development on the steep hillsides would also add to erosion and landslide potential. Additionally, all new single-family residences and multi-family residential development in the City require a CDP~~Coastal Development Permit~~ pursuant to the development requirements of the LCP, which limit grading on steep slopes and encroachment into environmentally sensitive habitat areas (ESHAs). Development is also constrained by federal and state laws (e.g., Federal Emergency Management Agency floodplain regulations, Clean Water Act, Endangered Species Act; and California Fish and Game Code and Alquist-Priolo Earthquake Fault Zoning Act).

While environmental conditions constrain development throughout the city, these factors have been considered in the analysis of potential development sites described in Appendix B.

7.4.2(b) Infrastructure Constraints

Infrastructure in the City is designed to serve resident needs in a manner that respects environmental constraints and retains the City's rural residential character. As discussed previously under *Development Fees and Improvement Requirements*, the City requires developers to provide on-site and off-site improvements necessary to serve their projects. Dedication of land or in-lieu fees may also be required of a project for rights of way, transit facilities, recreational facilities, and school sites, consistent with the Subdivision Map Act.

Additionally, the City's Capital Improvement Program (CIP) contains a schedule of public improvements including streets, public structures, storm water conveyance and wastewater treatment facilities, parks and other public works projects to facilitate the continued build-out of the City's General Plan. The CIP helps to ensure that construction of public improvements is coordinated with private development. As a result of these policies, any infrastructure constraints that currently exist must be fully mitigated and financed as growth occurs. While infrastructure requirements can add to the cost of housing, these improvements are necessary to ensure public health and safety, and would not preclude the level of development that is necessary to accommodate the city's housing needs.

Wastewater

There is no municipal sewer service in the City. All properties in the City are currently served by individual on-site wastewater treatment systems (OWTS); with the exception of those properties served by six small, community-serving package wastewater treatment plants: Point Dume (serving the Point Dume Mobile Home Park), Trancas Canyon (serving Malibu West and a number of homes on Broad Beach Road and Victoria Point), Malibu Mesa (at Pepperdine University, serving the Malibu Country Estates), Tivoli Cove Condominiums, Maison de Ville (serving three condominium complexes) and the Civic Center Water Treatment Facility (CCWTF).

The California State Water Resources Regional Board prohibited on-site wastewater disposal systems (septic systems) in the Malibu Civic Center area in 2009. The City built a treatment plant to serve the Civic Area that went online in 2018. Existing commercial and residential properties connect to the treatment plant in Phases. The properties within Phase 1 of the Civic Center Water Treatment Facility, are included in a special assessment district. Each property has its allocated wastewater amounts based on its usage. The amount of wastewater that can be generated from the property cannot be modified unless the City Council elects to approve the additional wastewater allocations. From that, the proposed development would be required to pay any additional fees and costs. The Public Works Department only requires wastewater off-site improvements for the Civic Center. Multi-family developments are required to build an on-site wastewater facility to serve the complex.

The lack of a municipal sewer system constrains the amount of development that the City can accommodate; however, the underlying constraint is the steep terrain that is better suited to onsite systems than a community sewer system. Additional high-density residential development to accommodate the City's assigned regional housing need would require either the construction of a municipal wastewater treatment system or small treatment plants to serve individual developments.

Water

Domestic water for City residents is supplied by District 29 from the Metropolitan Water District of Southern California (MWD) which supplies water through a 30-inch water main that runs along the Pacific Coast Highway with several distribution pipelines. If properties do not have adequate water pressure for fire flow to serve the property, then they are required to enter into a Participation Agreement with the Waterworks district. The

necessary work required may include a variety of improvements such as adding a pressure pump to enlarging an existing pipe for a section of the pipe.

The MWD obtains its water from the State Water Project and the Colorado River. Wholesalers of water in the Malibu/Santa Monica Mountains areas are the Las Virgenes Municipal Water District and the West Basin Municipal Water District. These wholesalers distribute to three retailers, which include District 29, Silvas Park Mutual Water Company, and Las Virgenes Metro Water District. Many of the City's water mains and tanks have been identified by the City and by District 29 as severely undersized. However, for projects located in areas with limited to no service by District 29, property owners may install water tanks to serve the property's needs.

The Los Angeles County Fire Department (LACFD) has recently adopted new water supply requirements for the issuance of final approval. New construction projects will not receive final approval unless they can show adequate fire flow capacity. Furthermore, the Fire Department will no longer accept onsite water tanks to be used as a primary source of water for fire-fighting purposes. The problem with these new requirements is that the majority of remaining vacant properties in the City are located within the mountain canyons. These properties do not have ready access to water lines; therefore, they cannot prove adequate fire flow.

The problem has been compounded by the aging water infrastructure in District 29. In many of the more remote areas of the City, there is no infrastructure. In the past, properties in these areas have relied upon wells and/or large water storage tanks to provide water in times of fire.

Currently, the LACFD will not issue final approval without District 29 sign-off and LACFD approval. The City is in negotiations with both departments~~,~~ but has not rectified the problems to date.

Storm Water Drainage

The City has numerous streams and creeks that drain the hillsides and canyons. The majority of storm water runoff follows natural drainage courses to the ocean. The City has two storm water treatment projects to remove pollutants: Paradise Cove Storm Water Treatment Facility and the Civic Center Storm Water Treatment Facility, which is tied into Legacy Park. The LIP includes provisions to ensure development projects will not result an increase of storm water runoff. The City Public Works Department reviews hydrology reports for all new development to ensure compliance with storm water runoff provisions; therefore, with these existing facilities and review procedures in place, the City's flood control system is not expected to limit development during the planning period.

Roads

The Los Angeles County Fire Department reviews development projects for conformity to fire safety standards. LACFD requires developments to ensure that the onsite and offsite roadways meet maximum grade and minimum street width requirements. Streets that serve two or more homes must have a minimum street width of 26 feet to allow vehicles to park on the street and allow access for the Fire Department truck. Exceptions for width are allowed with Fire Official approval. Additionally, fire apparatus access roads shall not

exceed 15% in grade with the exception for fire apparatus access roads that serve no more than two single-family dwellings which shall not exceed a maximum grade of 20% when approved by the fire code official.

7.4.2(c) Land and Construction Costs

Land represents one of the most significant components of the cost of new housing. Land values fluctuate with market conditions, and changes in land prices reflect the cyclical nature of the residential real estate market.

The natural resources, commitment to a rural character, and location of the City has made Malibu a very desirable place to live. Additionally, most of the buildable land in the City has already been developed. The high demand for housing in the City combined with a limited supply has made land prices considerably higher than in most other areas of Los Angeles County, and this trend is expected to continue in the foreseeable future. A recent survey of vacant land offered for sale found asking prices of approximately $100,000 to $15 million.

The cost of construction is affected by the price of materials and labor, development standards, and general market conditions. The City has no influence over the cost of materials and labor, and the building codes and development standards are not substantially different than most other cities in the County. Construction costs for materials and labor in the City have increased at a higher pace than the general rate of inflation, according to the Construction Industry Research Board. The estimated residential construction cost in Malibu is $1,200 per square foot.

7.4.2(d) Cost and Availability of Financing

The crisis in the mortgage industry that accompanied the Great Recession affected the availability of real estate loans, although for those with excellent credit, mortgage interest rates are at historic lows. However, the changes in mortgage underwriting standards have had greater impacts on low-income families than other segments of the community. ~~Programs such as 2.7 and 3.2 in the Housing Plan help to reduce financing costs for low- and moderate-income homebuyers.~~

Under State law, it is illegal for real estate lending institutions to discriminate against entire neighborhoods in lending practices because of the physical or economic conditions in the area ("redlining"). The City is not aware of any evidence that redlining is currently practiced in the City.

7.4.2(e) Developer timing

As described above in section 7.3.1 (b), residential projects take an average of 27-37 weeks to process. After the entitlement is approved the plans must be approved by various departments through plan check then once approved the building permit may be issued. The average number of days from entitlement to building permit is about 1.5 years, based on a review of projects from the past 12 months. This includes an average of six months for the applicant to submit their plans to Building and Safety for plan check after the entitlement approval and an average of one year from plan check submittal to permit issuance.

As mentioned in the infrastructure and environmental sections, Malibu faces various non-governmental constraints such as lack of sewer infrastructure which requires the developer's engineer to design a septic system for each residential unit rather than just connecting to the sewer lines. Additionally, geotechnical issues such as steep slopes also add to the time it takes the developer and their team to design the plans to ensure that the steep slopes are graded safely to not cause environmental issues.

7.4.2(f) Ability to Develop at Density Potential

The City of Malibu is located entirely within the California coastal zone, and all development is subject to the LCP- to preserve and protect sensitive coastal resources. The land use controls implemented through the LCP are typically more stringent than non-coastal cities and add to the cost and constrain the supply of housing within Malibu. However, LCPs are required for all jurisdictions within the California coastal zone and many of the policies included and the additional processes required may constrain development, but are necessary to comply with state requirements and protect coastal environmental conditions.

Recent projects developed or currently in development in Malibu, as noted in Table B-2 in Appendix B, Residential Land Inventory, are not being developed at full density potential. No multifamily developments have been proposed within the past 10 years, which is largely driven by the market demand and developers choosing to develop single family homes rather than multi-family. The City will monitor, promote, and support higher density achievement through Program 3.1 – Facilitate Affordable Housing Development and Housing Assistance Opportunities and Program 3.4 – Density Bonus.

~~7.4.3 Affirmatively Furthering Fair Housing~~

~~Under State law, *affirmatively further fair housing* means "taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics."~~

~~There are three parts to this requirement:~~

1. ~~Include a Program that Affirmatively Furthers Fair Housing and Promotes Housing Opportunities throughout the Community for Protected Classes.~~
2. ~~Conduct an Assessment of Fair Housing that includes summary of fair housing issues, an analysis of available federal, state, and local data and local knowledge to identify, and an assessment of the contributing factors for the fair housing issues.~~
3. ~~Prepare the Housing Element Land Inventory and Identification of Sites through the Lens of Affirmatively Furthering Fair Housing.~~

~~In compliance with AB 686, the City has completed the following outreach and analysis.~~

~~Outreach~~

~~As discussed in Appendix C, the City held a series of public meetings during the Housing Element update in an effort to include all segments of the community. Each meeting was publicized on the City's website and meeting notices were also sent to persons and organizations with expertise in fair housing, affordable housing and supportive services. Interested parties had the opportunity to interact with City staff throughout the Housing Element update process and provide direct feedback regarding fair housing issues.~~

~~The City also created a dedicated web page for the 2021 Housing Element update (https://www.malibucity.org/370/Housing-Element-Update) and provided opportunities for all interested persons to participate in public meetings remotely and by email, which made it possible for those with disabilities limiting their travel to participate and comment on the Housing Element regardless of their ability to attend the meetings.~~

~~Over the course of the Housing Element update the City received written comments from one organization - Abundant Housing LA (11/30/2020). AHLA's comments related to fair housing are summarized as follows:~~

~~*AHLA comment: "Given that single-family, exclusionary zoning predominates in Malibu, and that its single census tract is classified as "highest-opportunity" in the TCAC/HCD Opportunity Map, rezoning is required in order to accommodate the RHNA targets for lower-income households. Additionally, focusing rezoning in single-family zoned areas will expand housing opportunities while minimizing the impact on existing renters in multifamily-zoned areas. (p. 6)*~~

~~This pejorative comment equates *single-family zoning* with *exclusionary zoning* while ignoring basic land use constraints in Malibu, including high fire hazards, environmentally sensitive habitat areas, geological problems, and the lack of a community wastewater system. As noted in Appendix B, the City has identified adequate sites with appropriate zoning to fully accommodate the RHNA allocation for the planning period consistent with State law, and no rezoning is necessary. As further noted by AHLA, the entire city is classified as "highest opportunity" and the Affordable Housing Overlay (AHO) sites have the best access to transportation available in the city.~~

~~*AHLA comment: In order to fairly distribute housing opportunities citywide, Malibu should develop a quantitative methodology for scoring neighborhoods, based on factors like housing costs, median income, access to transit, access to jobs, access to schools, and environmental quality. Neighborhoods that score higher on these dimensions should be allocated higher housing growth targets, and rezoning should be based on these neighborhood-level housing growth targets. (p. 6)*~~

~~While this opinion may be appropriate in many urbanized areas of Los Angeles County, the City encourages AHLA to become familiar with environmental conditions in Malibu and revise it's recommended "methodology" for scoring neighborhoods to consider factors like wildland fire hazards, geological hazards, flood hazards, environmentally sensitive habitat areas, lack of wastewater treatment, limited access for emergency vehicles, and State laws and Coastal Commission policies regarding these factors. Nearly 500 Malibu homes were lost in the Woolsey Fire of 2018. Under AHLA's recommended criteria, those areas would be prime candidates for high-density housing.~~

It is also important to note that the City of Malibu was incorporated in 1991 and by that time, the low-density land use pattern of the city had already been established by development approved by Los Angeles County. The City had no involvement in any discriminatory real estate practices that may have occurred before its incorporation, and the City's General Plan and zoning regulations create opportunities for new affordable housing in appropriate locations such as the Affordable Housing Overlay (AHO) zone. ADUs also create substantial opportunities for affordable housing in high-opportunity single-family neighborhoods.

Assessment of Fair Housing

The following analysis examines geographic data regarding racial segregation, poverty, persons with disabilities, and areas of opportunity as identified by the TCAC/HCD Opportunity Areas map.

Racial segregation. As seen in Figure 7-2, the percentage of non-white population in the city is relatively low compared to many areas of Los Angeles County. The block groups with the highest percentage of non-white residents are located in the central and western portions of the city, although the non-white population of this area is no more than 40% in all block groups.

Poverty. Recent Census estimates regarding poverty status of households in Malibu are shown in Figure 7-3. As seen in this map, poverty rates are low, with most census tracts less than 10% while in the central area of the city the poverty rate is between 10 and 20%.

Racially/Ethnically Concentrated Areas of Poverty (R/ECAP). A racially or ethnically concentrated area of poverty (R/ECAPs) is defined by HUD as areas in which 50 percent or more of the population identifies as non-White and 40 percent or more of individuals are living below the poverty line. As shown in Figure 7-4, there are no R/ECAPs in Malibu. The nearest designated R/ECAP is in West Los Angeles, near the UCLA campus.

Persons with disabilities. The incidence of disabilities in Malibu is similar to most surrounding areas of Los Angeles County. As shown in Figure 7-5, the percentage of residents reporting a disability is less than 20% in all census tracts in the city.

Access to opportunity. According to the 2020 California Department of Housing and Community Development (HCD) and the California Tax Credit Allocation Committee (TCAC) Opportunity Area Map (Figure 7-6), Malibu is entirely within designated "Highest Resource" areas. Highest Resource areas are those with very high index scores for a variety of educational, environmental, and economic indicators. Some of the indicators identified by TCAC include high levels of employment and close proximity to jobs, access to effective educational opportunities for both children and adults, low concentration of poverty, and low levels of environmental pollutants, among others.

Disproportionate Housing Needs and Displacement Risk. As discussed in Section 7.2 (Housing Needs Assessment), housing needs in Malibu are generally less severe than in the SCAG region as a whole. For example, data compiled by SCAG showed rates of overcrowding for both renters and owners (Table 7-5) and disability rates for seniors (Table 7-16) are lower in Malibu than in the regional as a whole.

Displacement of low-income households can occur through the expiration of affordability restrictions on assisted low-income housing, escalation of market rents, or demolition of existing rental units. As noted in Section 7.2, there are no low-income rental units at risk of conversion to market rate during the 2021-2031 period. In addition, the Affordable Housing Overlay areas targeted for affordable housing development do not contain any housing units; therefore, there is no displacement risk in those areas.

Contributing factors to fair housing issues. Under the Federal consolidated planning process, the Analysis of Impediments (AI) to Fair Housing Choice is the primary tool for addressing fair housing issues. The City of Malibu was a participating city with the County of Los Angeles in the preparation of the 2018 AI. Based on extensive analysis of housing and community indicators, and the input of residents, a list of impediments to fair housing choice was developed.

Appendix D includes a summary of the contributing factors to fair housing issues pertaining specifically to the Urban County and HACoLA's service areas, which includes Malibu. These items are prioritized according to the following criteria:

1. High: Impediments/Contributing factors that have a direct and substantial impact on fair housing choice, especially in R/ECAP areas, affecting housing, those impacting persons with disabilities, and are core functions of HACoLA or the CDC.

2. Moderate: Impediments/ Contributing factors that have a direct and substantial impact on fair housing choice, especially in R/ECAP areas, affecting housing, those impacting persons with disabilities, and are core functions of HACoLA or the CDC, but the CDC or HACoLA may only have limited capacity to make a significant impact; or may not be within the core functions of HACoLA or the CDC.

3. Low: Impediments/Contributing factors that may have a direct and substantial impact on fair housing choice but are not within the core functions of HACoLA or the CDC or not within the capacity of these organizations to make significant impact, or not specific to R/ECAP neighborhoods, or have a slight or largely indirect impact on fair housing choice.

The impediments/contributing factors identified and included in Appendix D are in relation to the fair housing issues listed below. The prioritization of these contributing factors relates to the ability of the CDC and HACoLA to address the fair housing issues. A low priority does not diminish the importance of the factor in the Urban County or HACoLA service areas but reflects the priority in addressing issues of fair housing.

- Segregation
- Racially or ethnically concentrated areas of poverty (R/ECAPs)
- Disparities in Access to Opportunity
- Disproportionate Housing Needs
- Discrimination or violations of civil rights laws or regulations related to housing

As a participating city in the Los Angeles County CDBG program, Malibu has access to fair housing outreach, education, and counseling on housing discrimination complaints. The City will continue to advertise the fair housing program through placement of fair housing service brochures at the public counter, at the Senior Center and on the City website. Apartment owners and managers are provided with current information about fair housing issues, rights and responsibilities. The Apartment Association of Greater Los Angeles conducts seminars on State, Federal and local Fair Housing laws and compliance issues. In addition, the City will:

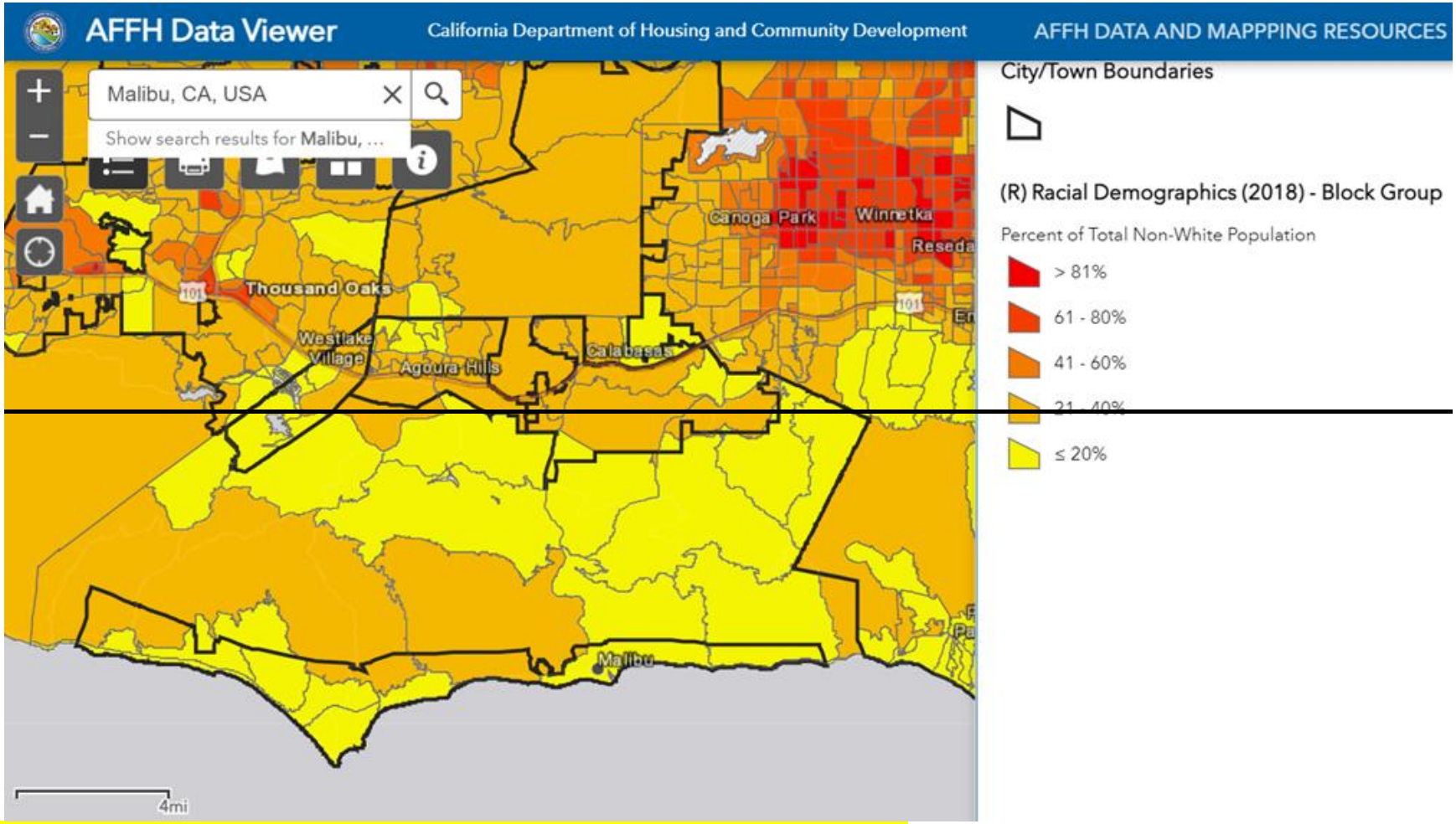
- Ensure that all development applications are considered, reviewed, and approved without prejudice to the proposed residents, contingent on the development application's compliance with all entitlement requirements.
- Accommodate persons with disabilities who seek reasonable waiver or modification of land use controls and/or development standards pursuant to procedures and criteria set forth in the applicable development regulations.
- Work with the County to implement the regional Analysis of Impediments to Fair Housing Choice and HUD Consolidated Plan.
- Facilitate public education and outreach by posting informational flyers on fair housing at public counters, libraries, and on the City's website.
- Conduct public meetings at suitable times, accessible to persons with disabilities, and near public transit. Resources will be invested to provide interpretation and translation services when requested at public meetings when feasible.
- Encourage community and stakeholder engagement during development decisions.

Conclusion

This analysis indicates that the primary barrier to fair housing in the city is high housing cost, which has the effect of limiting access by lower-income households to the high opportunities and resources available in Malibu. There is no evidence to suggest that discrimination against racial groups or persons with disabilities is a major issue.

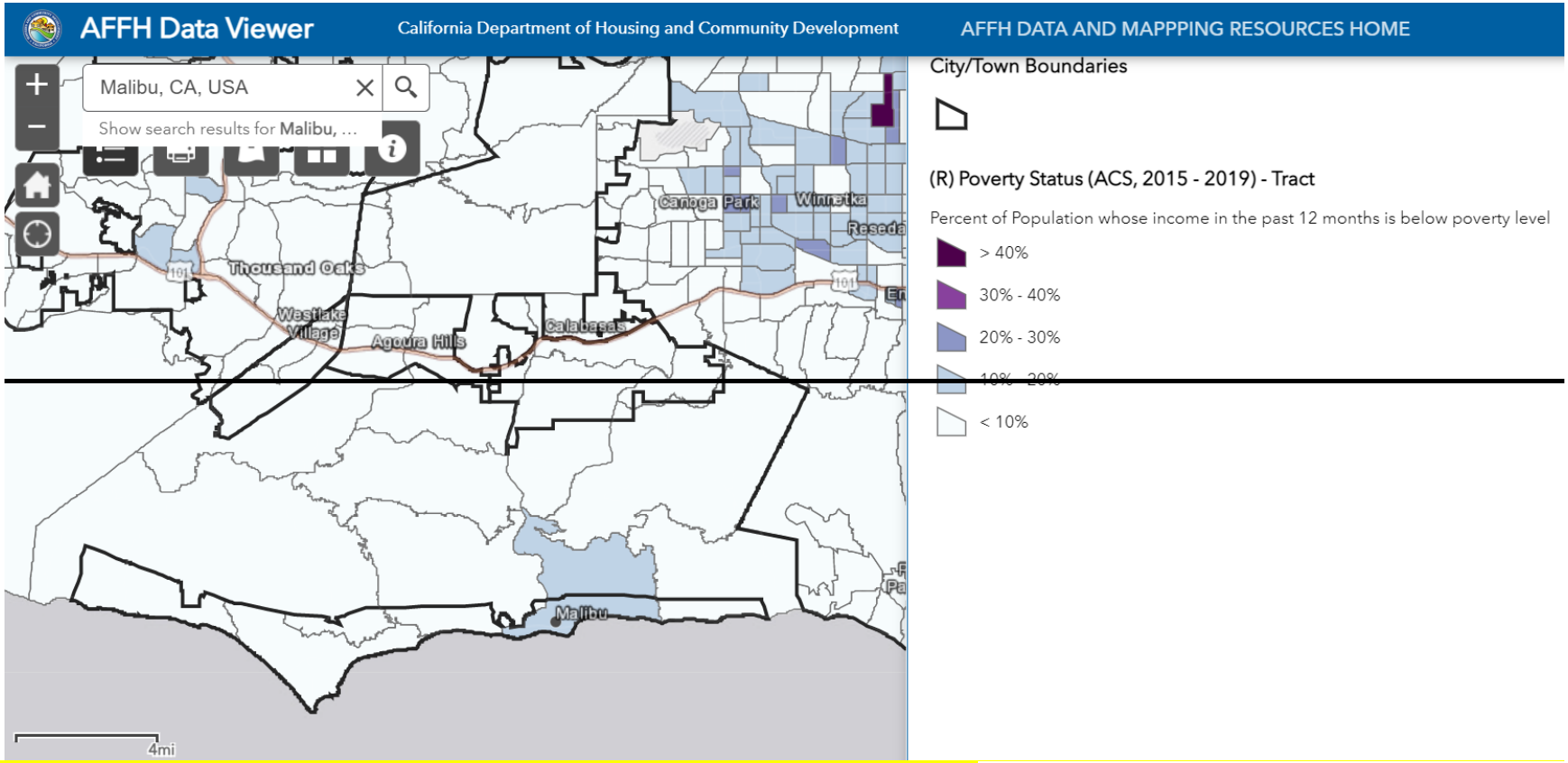
The Housing Plan (Section 7.5) includes programs intended to encourage and facilitate multi-family and mixed-use development to accommodate low- and moderate-income housing, and also encourage the provision of accessory dwelling units, which can expand affordable housing opportunities for lower-income persons such as care-givers, household employees and others working in service occupations. Program 3.1 describes actions the City will take to affirmatively further fair housing and address any issues of housing discrimination that may arise.

~~Figure 7.4-2~~
~~Racial Characteristics – Malibu~~



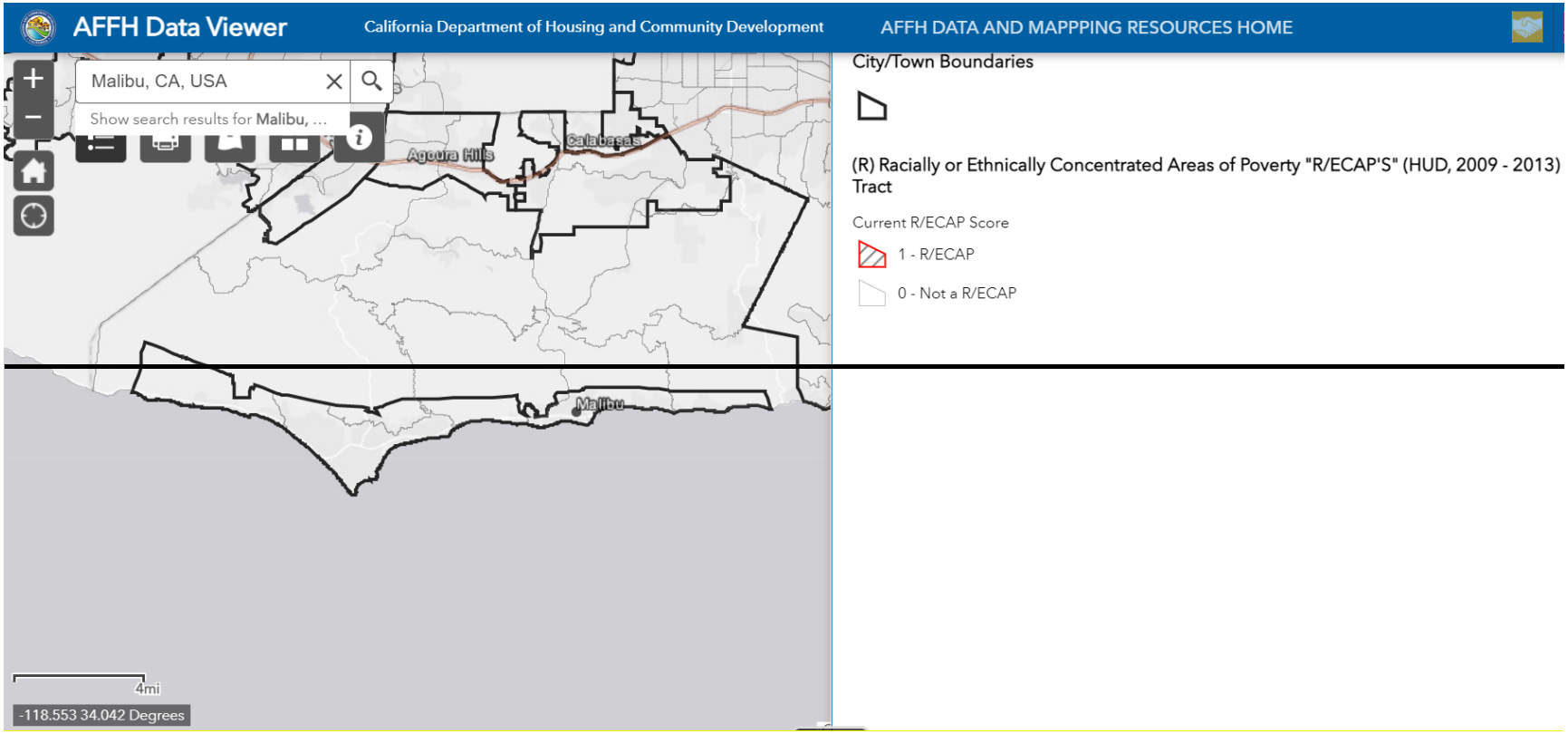
~~Source: California Department of Housing and Community Development, AFFH Data Viewer, 2021~~

~~Figure 7.4-3~~
~~Poverty Status – Malibu~~

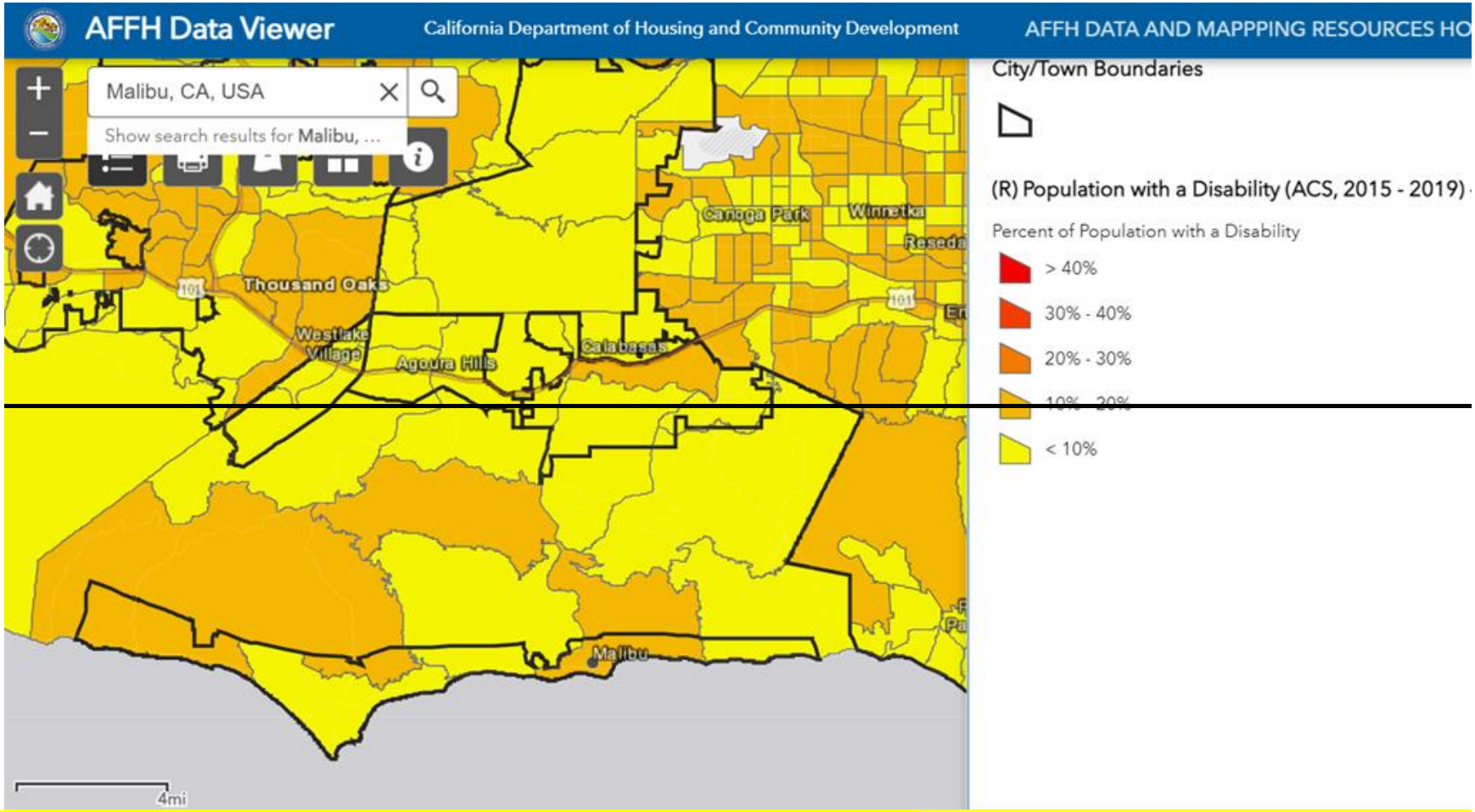


~~Source: California Department of Housing and Community Development, AFFH Data Viewer, 2021~~

~~Figure 7.4-4~~
~~Racially or Ethnically Concentrated Areas of Poverty – Malibu~~

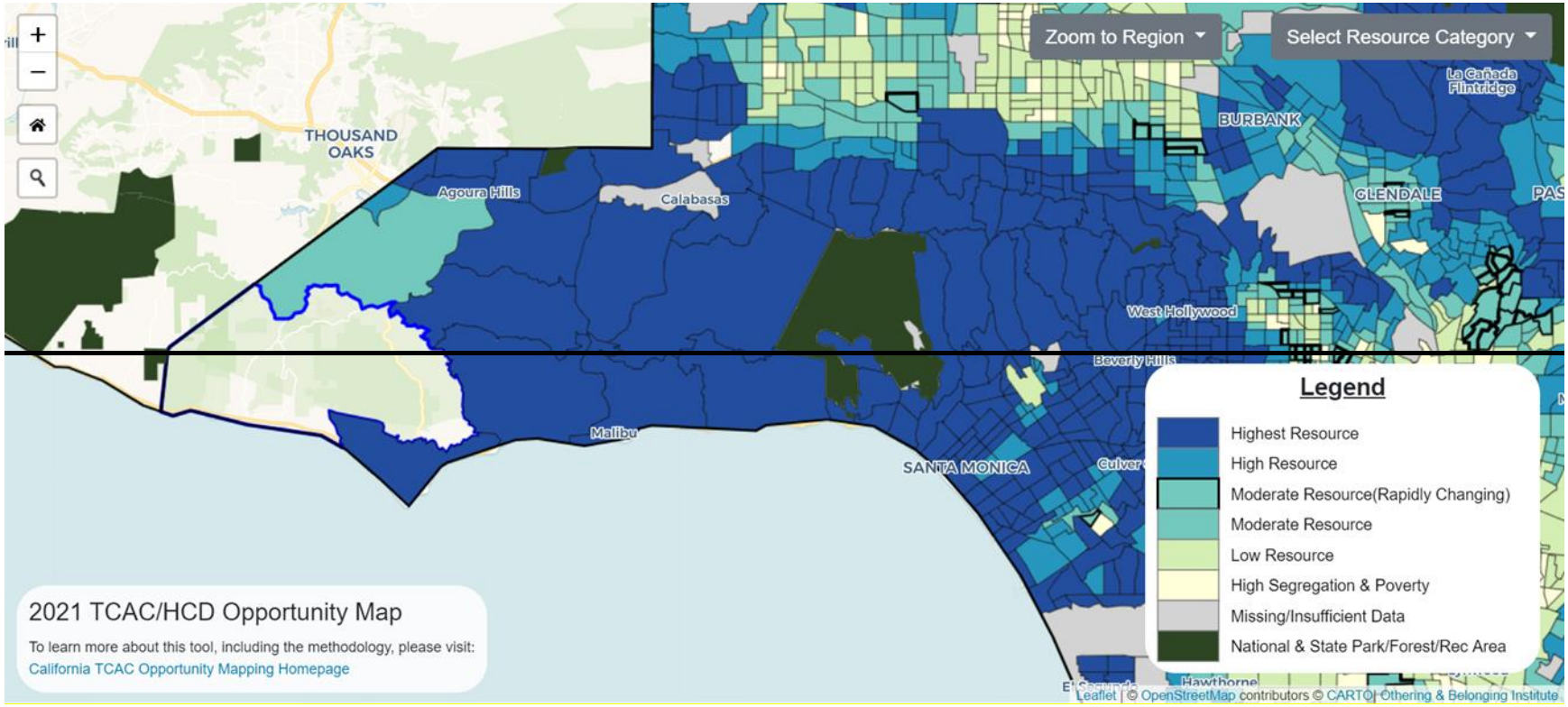


~~Figure 7.4-5~~
~~Population with a Disability – Malibu~~

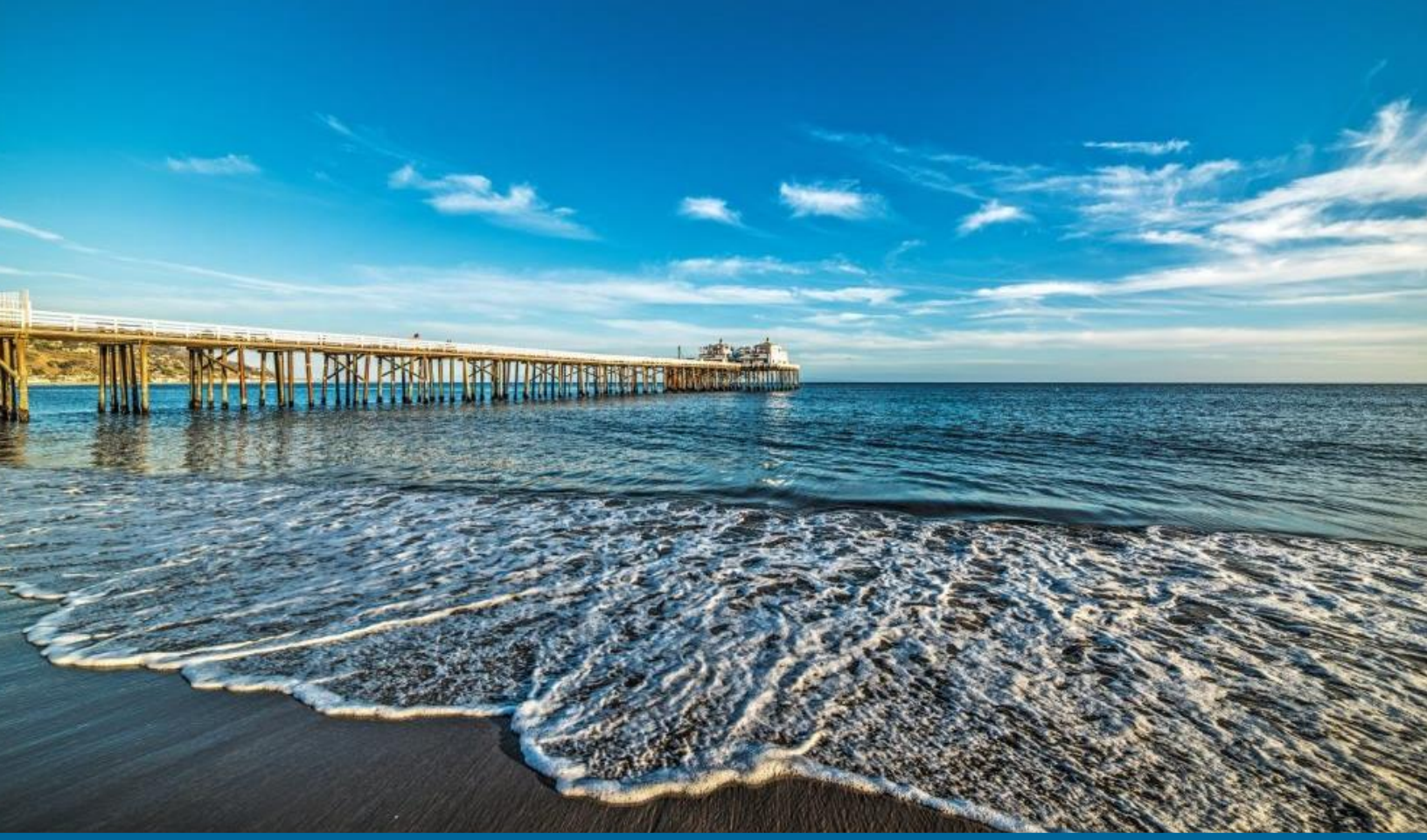


~~Source: California Department of Housing and Community Development, AFFH Data Viewer, 2021~~

~~Figure 7.4-6~~
~~TCAC/HCD Opportunity Map~~



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7.5 Housing Plan







7.5 Housing Plan

7.5.1 Goals, Objectives, Policies, and Implementation Programs

This chapter outlines the City of Malibu's goals, policies and programs to encourage the provision of adequate housing to meet the needs of residents from all economic segments throughout the 2021-2029 planning period. The overriding housing goal of the City is:

GOAL: Adequate Housing for the Existing and Projected Needs of All Economic Segments of the Community

The City's policies and implementation programs designed to support this goal are organized into four general areas as described below.

1. Preserve, Conserve, and Improve the Existing Housing Stock

Policy 1.1 **Ensure compliance with existing codes to protect health, safety and community sustainability**

Policy 1.2 **Assist property owners in repairing or rebuilding damaged or deteriorated housing units, especially affordable housing**

Policy 1.3 **Preserve existing mobile home parks as an important source of affordable housing**

Policy 1.4 **Conserve affordable housing in the Coastal Zone**

Program 1.1 – Code Enforcement

~~Ensure compliance with the City's codes and regulations. Particularly in the case of~~For code violations in units that are occupied by lower-income persons or persons with special needs, the City will direct property owners and renters to programs that are available to provide assistance. Offer amnesty from code enforcement fines and legalization for existing housing units that violate City code where:

1) The unit is "livable" and meets basic health and safety requirements
2) The unit existed at the time of the City's incorporation; and
3) The unit is restricted for owner-occupancy or rental by low- or moderate-income persons at an affordable rate.

Responsible department: Planning Department

Funding source: General Fund; permit fees

~~Time frame: Throughout the planning period~~

Objective:

1.1.a Disseminate information to residents about code enforcement and amnesty information.

- Maintain current information on the City's website about code enforcement and amnesty. Include information in a social media campaign on housing resources annually and provide handouts at public events, prioritizing outreach to eastern Malibu.

Timeframe: Update the City's website as needed throughout the planning period, and conduct social media campaign on housing resources annually.

Program 1.2 – Rebuilding Assistance

The City currently waives fees for fire rebuilds for all fire victims who were the primary property owners when the fire occurred. In September 2023, the City adopted a resolution to extend the fee waiver program for an additional three years. Eligible waived fees also include fees required for replacement or upgrade of onsite wastewater treatment systems (OWTS), damaged or destroyed accessory structures, hardscaping, and landscaping. The City will ~~E~~expedite permit processing and provide special assistance to homeowners seeking to repair or rebuild homes that have been lost or damaged in a fire, flood or other disaster, especially units that accommodate low- and moderate-Income households, elderly, disabled, large families, single heads of households, farm workers, individuals in need of emergency shelter, and other individuals or household types with special needs, unless those units are located in areas that are physically unsuitable for development. Fire rebuild projects have priority assignment and are assigned to a Fire Rebuild Team (two City staff members and a contract planner).

Responsible department: Planning Department; Building & Safety Division

Funding source: General Fund; Federal Emergency Management Agency (FEMA); Office of Emergency Services (OES)

~~Time frame: Continuously throughout the planning period~~

Objective:

1.2.a Provide technical housing rebuild assistance to lost or damaged homes as needed. When an application is from a low- or moderate-income household and/or special housing needs households, the City shall prioritize that application for assistance and shall be assigned to a City staff member to coordinate all assistance needs.

Timeframe: Expedite permit processing for low and/or moderate-income households while the program is in effect.

~~Facilitate rebuilding of lost or damaged homes~~

Program 1.3 – Housing Rehabilitation Assistance

Provide ~~incentives to rehabilitate~~rehabilitation assistance to existing housing units, prioritizing units~~, such as permit fee waivers for units~~ that are ~~deed-restricted for, or~~ occupied by, low-~~ and moderate~~ income ~~families.~~ households, elderly households, and/or disabled persons. As funding allows, the City will provide financial assistance for minor home repairs to address health and safety problems, correct code deficiencies, and improve the exterior appearance of homes to prevent housing stock loss and displacement. Priority will be given to housing units identified by Code Enforcement for health and safety violations. The City will also connect qualifying residents with state and regional programs designed to reduce household energy costs, particularly home weatherization programs geared toward lower-income households.

Responsible department:	Planning Department
Funding source:	Affordable Housing Trust Fund
Time frame:	Throughout the planning period
Objectives:	~~4 units rehabilitated~~
	1.3.a Provide housing rehabilitation assistance to lower-income, elderly, and/or disabled households.
	Assist at least 6 households with repairs made by 2026.
	Timeframe: Assist households by 2026.
	1.3.b. Disseminate information regarding rehabilitation assistance, preventative maintenance, and energy conservation measures to eligible homeowners. Maintain current information on the City's website and disseminate information. Include information in a social media campaign on housing resources annually and provide handouts at public events.
	Timeframe: Update the website and disseminate information annually.

Program 1.~~3~~44 – Preserv~~ation of Affordable Housinge~~ Existing Mobile Home Parks

The City will ~~M~~maintain the Mobile Home Park Rent Control Regulations Ordinance that regulates maximum allowable rents and limits rent increases. Pursuant to the provisions of *Government Code* §65863.7, the City requires the submittal of a report detailing the impacts of any proposed mobile home park conversion to a nonresidential use concurrent with the filing of any discretionary permit on such property and impose reasonable mitigation measures upon the park owners.

Responsible department: City Manager's Department; State of California

Funding source: General Fund; registration fees

~~Time frame: Throughout the planning period~~

Objectives:

1.4.a. Pursuant to the provisions of Government Code §65863.7, require the applicant to submit a report to the City detailing the impacts of any proposed mobile home park conversion to a nonresidential use concurrent with the filing of any discretionary permit on such property and impose reasonable mitigation measures upon the mobile home park owners. Ensure compliance with state regulations in the event of a park conversion.

- Preserve 541 mobile home units during the planning period.

1.4.b. City will assess implementation of MMC Chapter 5.16 regarding the Mobilehome Rent Park Control Ordinance and conduct outreach to mobile home park tenants.

- City to mail information to all mobile home park tenants to increase awareness of the Mobilehome Rent Park Control Ordinance by January 2025.

Timeframe: Mail information to mobile home park tenants by January 2025.

~~Preserve 541 existing mobile home units~~

Program 1.5 Monitor Affordable Housing At Risk of Conversion to Market Rate

There are currently no affordable housing units located in the city and therefore there are no affordable units at risk of conversion to market rate housing. This program is intended to support the preservation or acquisition of any future restricted affordable units and unrestricted affordable units that could potentially convert to market-rate units during the planning period. The City will monitor any future affordable housing units and assist property owners in maintaining the affordability of these units and assist tenants if preservation is unsuccessful to prevent displacement.

Responsible department: Planning Department

Funding source: General Fund

Objectives:

1.5.a. In the event that an affordable housing unit is developed within the planning period, the City will monitor such units to ensure compliance with the most recent State affordable housing legislation, including rent-restricted ADUs and JADUs.

1.5.b. In accordance with Government Code §65590, continue to require and annually monitor the replacement of low- or moderate-income units that have been removed from the coastal zone (either by demolition or conversion), whenever feasible.

Timeframe: Monitor annually.

~~**1.5 – Conserve Affordable Housing in the Coastal Zone**~~

~~In accordance with *Government Code* §65590, continue to require the replacement of low- or moderate-income units that have been removed from the coastal zone (either by demolition or conversion), whenever feasible.~~

~~Responsible department: Planning Department~~

~~Funding source: General Fund~~

~~Time frame: Throughout the planning period~~

~~Objective: No net loss of affordable units in the coastal zone~~

2. *Provide Adequate Sites* ~~*New Housing Development*~~

~~**Policy 2.1 Support a regional fair-share approach to meeting housing needs**~~

Policy 2.1~~2~~ Support a range of new housing development commensurate with the City's needs and consistent with environmental and public service limitations through all appropriate regulatory and administrative mechanisms

Program 2.1 – Adequate Sites to Accommodate Regional Fair Share of Housing Growth~~Regional Housing Needs Identification~~

The City was assigned a RHNA of 79 units for the 2021-2029 Housing Element planning period. After accounting for planned and approved projects and projected ADUs, the remaining RHNA units (31 lower-income and 16 moderate-income units) must be accommodated through adequate sites planning. The site inventory capacity analysis found that existing land use designations can accommodate the RHNA on vacant and underutilized land (see Appendix B, *Residential land Inventory*, for more information). Future residential growth is expected to occur on vacant and nonvacant parcels.

~~Work with the Southern California Association of Governments (SCAG) and the Las Virgenes-Malibu Subregional Council of Governments (COG) to encourage an appropriate fair share allocation of future regional housing needs based on population need, existing supply/demand, ability to accommodate growth given the physical/environmental constraints and the jobs-to-housing ratio.~~

Responsible Department: ~~City Manager; City Council liaison to COG;~~ Planning Department

Funding source: General Fund

~~Time frame: Throughout the planning period~~

Objective: **2.1.a.** Maintain an updated inventory of housing sites and actively promote sites available for lower- and moderate-income housing development to potential developers for the purpose of affordable housing development. Post information on the City's website and update at least once every six months.~~Encourage fair and realistic RHNA allocations~~

Timeframe: Publish the Sites Inventory on the City's website by January 2025 and update list of available sites annually.

2.1.b. Maintain an updated list of residential housing developments that have been submitted, approved, and denied throughout the housing cycle.

Timeframe: Through the Annual Progress Report (APR), publish list of developments by January 2025 and update annually.

2.1.c. Maintain a list of publicly owned properties that have been designated surplus land with potential for residential development in accordance with AB1255 and AB 1486.

- Publish a list of publicly owned sites that have been designated surplus land on the City's website by January 2025 in accordance with the Surplus Land Act. Conduct community outreach for development of these sites by January 2024. Facilitate development on the sites via a land lease agreement.

Timeframe: Publish on the City's website by January 2025.

Program 2.2. Monitoring of No Net Loss

Government Code Section 65863, otherwise known as "No Net Loss", prevents the loss of existing housing and land available for future residential development by ensuring that cities and counties "identify and make available" additional adequate sites if a housing project is approved with fewer units by income category than what is identified in the Housing Element. In compliance with State law, the City will expand and improve upon the ongoing no net loss efforts to develop a procedure to track:

- Unit count and income/affordability assumed on parcels included in the sites inventory
- Actual number of units achieved and income/ affordability when parcels are developed
- Net change in capacity and summary of remaining capacity in meeting remaining RHNA

Unit count and income/affordability are identified in the Sites Inventory (see Appendix B).

Responsible Department: Planning Department

Funding source: General Fund

Objectives: **2.2.a.** Monitor the development of vacant and nonvacant properties identified in the sites inventory and ensure that adequate sites are available to meet the remaining RHNA by income category; amend the sites inventory list and rezone additional properties as needed. If the City approves a project on the AHO sites that would result in a loss of existing housing and land available to accommodate the RHNA, the City will identify adequate sites to accommodate any shortfall and/or rezone additional sites to an appropriate density to accommodate lower and moderate-income households.

Timeframe: Within 180 days of approval of a project that would result in a loss of existing housing and land available to accommodate the RHNA, the City will identify, or rezone, "sufficient additional, adequate, and available sites" to accommodate the remaining RHNA for each income category.

2.2b. Maintain an updated inventory of residential housing developments that have been submitted, approved, and denied.

Timeframe: Update the site inventory annually every July.

2.2c. Actively promote, through outreach and discussions, sites available for lower- and moderate-income housing development to potential developers, private and non-profit organizations, and other interested persons and organizations. (See 3.1.a)

Timeframe: ~~Update inventory annually every July.~~Annually

Program 2.34 Replacement Housing

Pursuant to AB 1397 (Adequate Sites) passed in 2017, the City will amend the LIP and MMC to require the replacement of existing residential units on nonvacant RHNA sites as a condition of project approval for development. Specifically, sites that currently have residential uses, or within the past five years have had residential uses that have been vacated or demolished, that are or were subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of low or very low income, subject to any other form of

rent or price control, or occupied by low- or very low-income households are subject to this requirement. Those units shall be replaced with units affordable to the same or lower–income level as a condition of any development on the site. Replacement requirements shall also be consistent with those set forth in the State Density Bonus Law.

Responsible Department: Planning Department

Funding source: General Fund

Objectives: **2.34.a.** Amend the LIP and MMC to establish the replacement requirements pursuant to AB 1397.

Timeframe: Initiate an LIP and MMC amendment by January 2025~~Amend the LIP and MMC by January 2025.~~

Program 2.4 Support the Development of Variety of Housing Types

Government Code Sections 65583 and 65583.2 require the housing element to provide for a variety of housing types including multifamily rental housing, factory-built housing, mobile homes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing. Providing development opportunities for a variety of housing types promotes diversity in housing price, style, and size, and contributes to neighborhood stability by offering more affordable and move-up homes and accommodating a diverse income mix.

Responsible Department: Planning Department

Funding source: General Fund

Objectives:

2.4.a Amend the LIP and MMC to allow transitional and supportive housing as a regular residential use to be similarly permitted as other uses of the same housing type in the same zone.

Timeframe: Initiate an LIP and MMC amendment by January 2025.

2.4.b. Amend the LIP and MMC to allow licensed residential care facilities for seven or more persons in residential zones with a CUP for persons of any age, allow operation by for-profit agencies as well as non-profit agencies, and ensure that the CUP findings are based on objective standards that do not constrain development of large residential care facilities and provide certainty to applicants through the permitting process.

Timeframe: Initiate an LIP and MMC amendment by January 2025.

2.4.c. Revise the definition of emergency shelters, remove the individual capacity limit and requirement of proximity to a transit stop for emergency shelters to meet the requirements of AB 2339. LIP and MMC parking regulations for Homeless and Emergency Shelters and Navigation Centers to comply with Government Code section 65583, subdivision (a)(4)(A).

Timeframe: Initiate an LIP and MMC amendment by January 2025.

2.4.d. Amend the LIP and MMC to comply Government Code section 65661 which requires a Low Barrier Navigation center to be a use by-right in areas zoned for mixed-use and nonresidential zones permitting multifamily uses, provided specific requirements of the law are met.

Timeframe: Initiate an LIP and MMC amendment by January 2025.

2.4.e. Amend LIP and MMC to comply with State Employee Housing Act, which stipulates that any employee housing for six or fewer persons should be treated as a single-family use.

Timeframe: Initiate an LIP and MMC amendment by January 2025.

~~**Program 2.2 – Ensure Adequate Capacity to Accommodate Regional Housing Needs**~~

~~The City's residential land inventory provides adequate capacity to accommodate the City's housing needs as identified in the 2021-2029 RHNA (see Appendix B). The City will pursue a two-part strategy to provide sites for lower-income housing: 1) Opportunities and incentives for accessory dwelling units; and 2) Zoning regulations to facilitate affordable multi-family or mixed-use development in suitable locations.~~

~~**A. Expand the Supply of Accessory Dwelling Units**~~

~~Accessory dwelling units (ADUs) represent an important source of affordable housing in Malibu (see Appendix B for further discussion of ADU production). Due to extraordinarily high land cost and environmental constraints, development of new affordable housing is very difficult. Since ADUs can be accommodated on developed sites at no additional land cost, they represent an excellent option for addressing the needs of seniors, university students, household employees, local service workers, and extended family members.~~

In recent years State law has been amended to encourage ADU production. The City is currently processing amendment to the Zoning Ordinance to update local ADU regulations in conformance with current law.

In order to maximize the availability of additional ADUs, the City will continue to implement the following actions:

1. **Promote the Development of ADUs** - Provide a brochure with information on the City's ADU standards and incentives to promote their development. The brochure will be distributed at City Hall, posted on the website, and provided to all applicants for new residential development.

2. **Amnesty Program for ADUs** - Implement and promote the amnesty program for legalized ADUs that meet all health and safety requirements. The amnesty program may include the waiver of City fees and penalties and will allow the legal registration of both ADUs and converted guest houses.

3. **Financial Assistance for ADUs** - Contact local service providers, including the Water District and School District, to pursue reduced development impact fees on ADUs dedicated for occupancy by lower income households. Evaluate mechanisms to subsidize impact fees using local, state, and nonprofit sources, including the City's Affordable Housing Trust Fund and applying for other grant funds if available.

4. **Pre-Approved ADU Prototypes** - Make available pre-approved ADU prototype plans to assist applicants and streamline the approval process.

Responsible department: Planning Department

Funding sources: General Fund; Affordable Housing Trust Fund; other governmental agencies; grant funds

Time frame: Code amendment in 2021/22; implementation throughout the planning period

Objective: 32 ADUs during 2021-2029

B. Facilitate New Affordable Housing Development

In order to accommodate lower-income housing, the MMC and LCP regulations establish an Affordable Housing Overlay (AHO) allowing multi-family or mixed-use development by-right at a density of 20 units/acre for projects that include affordable housing. In order to qualify for the increased density incentive, all "bonus" units (i.e., additional units allowed above the base density of 6 units per acre) must be deed-restricted for low- and moderate-income households for a minimum of 30 years at a ratio of 50% low- and 50% moderate-income. As an alternative, very-low-income units may offset the requirement for low-income and

~~moderate-income units[1]. Any developer utilizing these incentives shall be required to screen tenants or buyers for compliance with income limits and establish a monitoring system to ensure the unit's continued affordability. This program creates a strong incentive for affordable housing development because of the additional units allowed at 20 units per acre compared to the base density of 6 units per acre. The allowable density of 20 units per acre does not include the State-mandated density bonus, and it is anticipated that all projects utilizing this option will also qualify for a density bonus.~~

~~This program does not represent an "inclusionary" requirement because property owners who do not wish to take advantage of the density incentive would be allowed to develop market-rate housing at the allowable base density of 6 units/acre.~~

~~Incentives and concessions for ELI units will include a variety of housing types such as SROs and supportive housing. Incentives may include priority processing, density bonus, modified development standards, administrative support with funding applications, and/or fee waivers or deferrals.~~

~~In order to facilitate development of affordable housing, including housing for persons with developmental disabilities and other special needs, the City will contact non-profit developers annually to implement a strategy for developing housing, including site identification, priority processing, density bonus and modified development standards, administrative support with funding applications, and fee waivers or deferrals if feasible. The City has had conversations with nonprofit developers regarding affordable housing opportunities on the La Paz site.~~

~~Responsible department: Planning Department~~

~~Funding source: Affordable Housing Trust; CDBG; General Fund~~

~~Time frame: Throughout the planning period~~

~~Objective: Provide suitable sites with appropriate zoning that could accommodate lower- income housing~~

3. Facilitation of Affordable Housing Development

Policy 3.1 **The City shall facilitate the development of new housing for extremely low-, very low-, low-, and moderate-income households.**

Policy 3.2 **The City shall encourage homeownership and housing mobility options.**

Policy 3.3. **The City shall identify funding sources and strategies to support affordable housing.**

~~[1] For example, a 20 unit qualifying project may provide 7 low income units, 7 moderate income units and 6 market-rate units; or as an alternative, 7 very-low-income units and 13 market-rate units.~~

Program 3.1. Facilitate Affordable Housing Development and Housing Assistance Opportunities

To accommodate lower-income housing, the MMC and LIP regulations established an Affordable Housing Overlay (AHO) allowing multi-family or mixed-use development by-right at a minimum density of 20 units per acre for projects that include affordable housing. To qualify for the increased density incentive, all "bonus" units (i.e., additional units allowed above the base density of 6 units per acre) must be deed-restricted for low- and moderate-income households for a minimum of 30 years at a ratio of 50% low- and 50% moderate-income. As an alternative, very low-income units may offset the requirement for low-income and moderate-income units[2]. Any developer utilizing these incentives shall be required to screen tenants or buyers for compliance with income limits and establish a monitoring system to ensure the unit's continued affordability. This program creates a strong incentive for affordable housing development because of the additional units allowed at 20 units per acre to the base density of 6 units per acre. The allowable density of 20 units per acre does not include the State-mandated density bonus, and it is anticipated that all projects utilizing this option will also qualify for a density bonus.

This program does not represent an "inclusionary" requirement because property owners who do not wish to take advantage of the density incentive would be allowed to develop market-rate housing at the allowable base density of 6 units per acre. Incentives and concessions for ELI units will include a variety of housing types such as SROs and supportive housing. Incentives may include priority processing, density bonus, modified development standards, administrative support with funding applications, and/or fee waivers or deferrals.

Responsible department: Planning Department

Funding source: Affordable Housing Trust Fund; General Fund

Objectives: **3.1.a.** Proactively promote affordable housing development on AHO sites. Prioritize contacting qualified housing developers to identify affordable housing development opportunities that serve the needs of special needs populations, including seniors, homeless, female-headed households, large families, low-income, and/or persons with disabilities.

- Coordinate with potential developers at least once annually to provide information on density bonus, potential funding sources, and available incentives. Support the development of 47 lower-income units and 17 moderate-income units.

[2] For example, a 20-unit qualifying project may provide 7 low-income units, 7 moderate-income units and 6 market-rate units; or as an alternative, 7 very-low-income units and 13 market-rate units.

Timeframe: Annually.

3.1.b. Provide resources on the City's website for affordable housing developers. Information could include availability of state and federal funding, state and other local development incentives, and funding programs that provide financial assistance to develop affordable housing for special needs populations.

Timeframe: Annually.

3.1.c. Identify funding available through LACDA, HCD, and HUD and have a list of options available for interested developers by July 2025. Potential funding programs may include single- and multi-family affordable housing rehabilitation programs and homeownership programs administered by the California Housing Financing Agency (CHFA).

- Identify at least three different types of funding available through both State and Federal resources.

Timeframe: Identify at least three different types of funding by July 2025 and monitor funding on an ongoing basis.

3.1.d. Promote the Housing Choice Voucher program to landlords (including ADU owners) and residents with the goal of increasing the number of vouchers used.

Timeframe: Establish a list of property owners and managers of multi-family units and ADUs and mail information about the Housing Choice Voucher program and state fair housing law regarding discrimination based on source of income by December 2025 and again by December 2027.

3.1.e. Amend the development standards of the Affordable Housing Overlay Zone as described in the MMC and LIP to include a maximum density independent of the state density bonus.

Timeframe: Initiate an LIP and MMC amendment by January 2025.

Program 3.2. Affordable Housing Development Incentives

Responsible department: Planning Department

Funding source: Affordable Housing Trust Fund

Objectives:

3.2.a. Subject to funding availability, provide development subsidy for affordable housing units with an effort to locate such housing near transit and essential services.

Timeframe: Annually, through the budgetary process, allocate available funding to support affordable housing development.

Program 3.3. Housing for Persons with Special Needs

The MMC is periodically updated to address a wide range of issues and California and federal law. The City will monitor its policies, standards, and regulations to ensure that they comply with applicable law. The City will also facilitate development that serves the needs of special needs populations, including seniors, homeless, female-headed households, large families, and persons with disabilities, including developmental disabilities.

Responsible department: Planning Department

Funding source: Affordable Housing Trust Fund

Objectives:

3.3.a. Prioritize AHTF assistance to developers for affordable housing projects that provide units that serve the needs of at least one special needs group by creating scoring criteria that encourage the inclusion of units and services needed to support individuals with special needs.

- Subject to the availability of funds, support at least five affordable housing units during the planning period.

Timeframe: Ongoing.

3.3.b. Support services that meet the needs of City residents, especially extremely low-income households and special housing needs populations, that support mobility options and housing choices.

- Allocate $127,500 in FY 2023-24 to the Ventura Transit Systems for Dial-A-Ride services to seniors (60 years and older) and disabled residents. Annually consider allocations and continue the service throughout the planning period as funding allows.
- Organize a senior resource fair at least once annually that promotes housing and transportation services available to seniors, including the Dial-A-Ride service.
- Provide informational lectures on housing resources at the Senior Center including the application process and funding options for assisted living.

Timeframe: Provide services throughout the planning period.

3.3.c. Implement the City's Homelessness Task Force and provide funding to the City's Outreach Team and Housing Navigator to coordinate with landlords and shelter facilities throughout Los Angeles County. Annually report the outcomes and effectiveness of the City's Outreach team and review annually at City Council.

Timeframe: Review the City's Outreach Team program annually and implement recommended changes within six months of review.

3.3.d. Amend the MMC and the Local Implementation Plan (LIP) to remove the provision of review of a request for reasonable accommodation on the basis that may have a material effect on surrounding properties and ensure that requests for reasonable accommodation are reviewed only on the basis of objective findings, limited to review by the Planning Director. Additionally, clarify in the MMC and LIP that review and approval of reasonable accommodation requests are not contingent upon the findings of other discretionary decisions.

Timeframe: Amend the MMC and LIP by June 2025.

3.3.e. Promote awareness of the City's exemption on the Utility Use Tax for senior households (MMC Chapter 3.28).

- Place flyers with information on the Utility Use Tax exemption in the library and senior center.

Timeframe: Throughout planning period.

Program 3.4 Density Bonus

State law requires cities to allow an increase in residential density and other incentives when developments provide affordable or senior housing. Recent state legislation has amended density bonus requirements. MMC Section 17.41.1 (Affordable Housing) and LIP Section 3.7.1. establish City standards and procedures to implement State density bonus law. The City will amend density bonus regulations in conformance with current state law and will continue to monitor up and coming density bonus legislation. In addition, the City will promote the use of density bonuses to facilitate production of affordable and senior housing.

Responsible department: Planning Department

Funding source: General Fund

Objectives: **3.4.a.** Amend City density bonus regulations consistent with state law (Government Code §65915 et seq.).

Timeframe: Amend the MMC and LIP by June 2025.

3.4.b. Inform housing developers about the City's density bonus program during pre-development conferences, inquiries, and with applications and emphasize development potential.

- Communicate with at least two different affordable housing developers annually informing them about the City's density bonus program.

Timeframe: Inform housing developers on an annual basis throughout the planning period

3.4.c. Provide technical assistance to developers on how to use the Density Bonus incentives.

Timeframe: Maintain current information on the City's website. Refresh annually. Publish an informational bulletin for developers on the City's density bonus program by June 2025. Review annually and edit to include new information as necessary.

~~**Program 2.3 – Streamline Development Review and Assist Affordable Housing Developments**~~

~~Streamline the development review and permit process for all residential development by upgrading the City's permitting software and other integrated programs to facilitate an accelerated transition to a digital project submittal and review process. This transition is crucial in order to both speed up the permitting process for new housing units and to prevent disruptions in service during emergencies such as wildfires, pandemics, and other natural disasters, which limit applicant access to City Hall and staff access to physical files and in-office resources. Informational handouts describing how to apply for housing development and summarizing the basic development criteria for different zones will be provided online and at the public counter. When developers propose to include affordable units in a project, provide assistance through expedited processing, density bonus and other modified development standards, and administrative assistance with grant applications.~~

~~The City will also comply with new transparency requirements for posting all zoning, development standards and fees for each parcel on the City website and develop written procedures for SB 35 streamlined review.~~

~~To ensure that City land use regulations encourage and facilitate affordable housing, the City will monitor State legislation and update City regulations as necessary. In recent years State density bonus law has been revised to provide increased incentives for affordable housing production. An amendment to the Municipal Code and Local Coastal Program will be processed in 2022 to incorporate current density bonus regulations consistent with State law.~~

~~Responsible department: Planning Department~~

~~Funding source: Grant funds; General Fund; permit fees~~

~~Time frame: Municipal Code and LCP amendments by 10/2022~~

~~Objective: Minimize residential permit processing time and assist affordable housing developments~~

~~43~~. Remove Constraints to Housing Development~~Fair Housing and Assistance to Lower-Income Households and Persons with Special Needs~~

Policy 4.1 Remove regulatory barriers to housing for all residents, including those with special needs.

Program 4.1. Support Development of Accessory Dwelling Units

Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) can provide affordable housing options for lower- and moderate-income households. The State has passed multiple bills in recent years to remove constraints to the development of ADUs and JADUs (including AB 587, AB 671, AB 68, and SB 13, among others). The City anticipates adopting an ADU ordinance in December 2023 to bring the MMC in compliance with state law. The City will monitor ADU development trends and new legislation to update the MMC to comply with changes in ADU and JADU law.

Responsible department: Planning Department, Building Safety

Funding source: General Fund

Objectives: **4.1.a.** Pursue mechanisms to facilitate the construction of at least 28 ADUs by the end of the planning period, including but not limited to:

- Create pre-approved standards for ADU foundation plans or prefabricated plans.
- Refer property owners to programs that assist lower and moderate-income homeowners in constructing ADUs.
- Expand or extend fee waivers for ADUs beyond state law.

Timeframe: Apply for funding to create pre-approved plans by June 2024. Publish pre-approved plans for ADUs by December 2025.

4.1.b. Review ADU trends and commit to adjustments if the City is not on track to meet target development. If the City is not meeting ADU goals, implement additional action(s) depending on the severity of the gap, including increased public outreach efforts to increase ADU development.

Timeframe: Review ADU trends every two years starting in 2023 and implement additional incentives and public outreach within one year of review, as needed.

4.1.c. Publish resources on City's website on building ADUs and JADUs.

Timeframe: Publish material on the City's website by January 2025.

4.1.d. Create an ADU Amnesty Program that allows property owners who have unpermitted ADUs on their property to bring them up to code and get them permitted without facing any penalties or fines.

Timeframe: Adopt an ADU Amnesty Program Ordinance by 2028.

Program 4.2. Expedite the Project Review Process

The City will continue to expedite the project review process to support residential development.

4.2.a. Continue Pre-Design Review for project applicants to serve as a cost-effective alternative to a first submittal, and to evaluate major costs or issues with the proposed development.

Timeframe: Continue Pre-Design Review process.

4.2.b. Identify new or improved data and technology solutions to support faster development project review and greater access to housing and land use information such as online dashboards and other publicly accessible online resources.

Timeframe: Monitor additional, more effective methods for project review on an annual basis.

4.2.c. Develop written procedures for SB 35 Streamlined Ministerial Approval Process.

Timeframe: Develop written procedures for SB 35 Streamlined Ministerial Approval Process by January 2025.

~~**Policy 3.1 Facilitate the provision of fair housing services.**~~

~~**Policy 3.2 Remove regulatory barriers to housing for all residents, including those with special needs.**~~

~~**Policy 3.3 Provide financial support, where feasible, and referral information to persons in need of housing assistance.**~~

Program 3.1 – Affirmatively Further Fair Housing

As a participating city in the Los Angeles County CDBG program, Malibu has access to services for fair housing outreach, education, and counseling on housing discrimination complaints. The City will continue to advertise the fair housing program through placement of fair housing service brochures at the public counter, at the Senior Center, through the City's newsletter, and on the City website. Apartment owners and managers are provided with current information about fair housing issues, rights and responsibilities. The Apartment Association of Greater Los Angeles conducts seminars on State, Federal and local Fair Housing laws and compliance issues. In addition, the City will:

- Ensure that all development applications are considered, reviewed, and approved without prejudice to the proposed residents, contingent on the development application's compliance with all entitlement requirements.
- Accommodate persons with disabilities who seek reasonable waiver or modification of land use controls and/or development standards pursuant to procedures and criteria set forth in the applicable development regulations.
- Work with the County to implement the regional Analysis of Impediments to Fair Housing Choice and HUD Consolidated Plan.
- Facilitate public education and outreach by posting informational flyers on fair housing at public counters, libraries, and on the City's website.
- Conduct public meetings at suitable times, accessible to persons with disabilities, and near public transit. Resources will be invested to provide interpretation and translation services when requested at public meetings when feasible.
- Encourage community and stakeholder engagement during development decisions.

To ensure that City land use regulations encourage and facilitate housing for persons with special needs, the City will monitor State legislation and update City regulations as necessary. In 2018 AB 2162 amended State law to require that supportive housing be permitted by right in zones where multi-family and mixed uses are permitted, including non-residential zones permitting multi-family uses, if the proposed housing development meets specified criteria.

- AB 139 (2019) revised State law regarding parking standards for emergency shelters.
- AB 101 (2019) added the requirement that low barrier navigation centers meeting specified standards be allowed by-right in areas zoned for mixed use and in non-residential zones permitting multi-family uses pursuant to *Government Code* §65660 et seq.

An amendment to the Municipal Code will be processed in 2022 to incorporate the requirements of AB 2162, AB 139 and AB 101 consistent with State law.

- Responsible department: Planning Department
- Funding source: General Fund; CDBG

Time frame: Annual appropriation and semi-annual publications and announcements

Code amendment by 10/2022 to update regulations for emergency shelters, supportive housing and low barrier navigation centers

Objectives: Provide and publicize fair housing services through contracting with a public or non-profit service provider

Encourage and facilitate housing for persons with special needs

Program 3.2 – Provide Financial Support and Referral Information to Persons in Need of Assistance

Malibu is a small jurisdiction without a redevelopment successor agency or housing department, and is not an entitlement jurisdiction for federal grants, such as Community Development Block Grants (CDBG) and the HOME Investment Partnerships Program (HOME). Therefore, the City does not have any resources for direct financial housing assistance, other than a small Affordable Housing Trust Fund. The City will provide referral information to extremely-low-, very-low-, low-, and moderate-income persons and families, the elderly, and persons with disabilities regarding affordable and special needs housing, such as Section 8 Rental Assistance and the Mortgage Credit Certificate program. If feasible, the City will seek CDBG and HOME funds.

a. **Affordable Housing Trust Fund**. Maintain an Affordable Housing Trust Fund and use the proceeds to leverage other sources of funding for affordable housing.

b. **State and Federal Grants**. Where feasible, seek state and federal grant funds, such as CDBG and HOME, in order to provide support for affordable housing activities.

c. **Section 8 Rental Assistance**. Provide referral information to low-income persons seeking rental assistance by publicizing the program in flyers posted at City Hall, the City's website and other public locations.

d. **Mortgage Credit Certificates**. Provide referral information regarding the mortgage credit certificate program to homebuyers by publicizing the program in flyers posted at City Hall, the City website and other public locations.

Responsible department: Planning Department; Los Angeles County Development Authority (LACDA)

Funding source: General Fund; Section 8; mortgage credit certificates; Affordable Housing Trust Fund; CDBG/HOME (if feasible)

~~Time frame:~~ ~~The City's Housing Coordinator has responsibility for monitoring all activities related to Housing Element implementation, including preparation of annual progress reports, annual monitoring of sources of financial assistance such as Section 8, state/federal grants, and mortgage credit certificates. The Housing Coordinator shall also be responsible for disseminating information to the community regarding this activities and resources.~~

~~Depending on program availability and City eligibility, apply for state/federal funds on a bi-annual basis to assist affordable housing development.~~

~~Objective:~~ ~~Disseminate housing assistance information; provide direct funding in support of affordable housing when feasible~~

54. Housing Opportunities For All (Fair Housing) ~~Housing Performance Monitoring~~

~~Policy 4.1 Monitor housing program results and revise strategies as necessary~~

Policy ~~3~~5.1 ~~Facilitate the provision of~~Promote fair housing services.

~~Policy 35.2 Remove regulatory barriers to housing for all residents, including those with special needs.~~

Policy ~~3~~5.2~~3~~ Provide ~~financial support, where feasible, and~~ referral information to persons in need of housing assistance.

Policy 5.3 Provide opportunities for housing choice and housing mobility.

Program 5.1 – Affirmatively Furthering Fair Housing and Fair Housing Services

AB 686 (2017, Santiago) requires each local government to administer its programs and activities related to housing in a manner that affirmatively furthers fair housing. The City will take actions to overcome patterns of segregation, address disparities in housing needs and access to opportunity, and foster inclusive communities.

The City will advertise fair housing services through placement of fair housing service brochures at the public counter, through the City's newsletter, and on the City website. The City will conduct outreach to property owners and managers to provide current information about fair housing issues, rights, and responsibilities. Additionally, the City will require proactive outreach to a diverse population for affordable housing developments, especially to workers in the city

who do not live in the city, to provide housing choice and housing mobility opportunities.

Responsible department: Planning Department

Funding source: General Fund

Objectives: **5.1.a.** Promote the services of HRC to provide fair housing and tenant/landlord services, including fair housing counseling and education and tenant/landlord counseling and mediation. Advertise available fair housing services.

Timeframe: At least once annually starting in 2025, provide information on fair housing services available to Malibu residents and property owners via the City's social media, flyers at the planning counter and at community locations, and/or posting in the local newspaper. When possible, provide information in English and Spanish.

5.1.b. Provide informative materials on fair housing resources with ADU applications.

Timeframe: Provide materials with ADU applications by December 2025.

Program 5.2 Fair Housing Community Outreach

The goal of this program is to increase access to housing in Malibu for lower-income and special housing needs residents and provide opportunities for housing choice and mobility.

Responsible department: Planning Department

Funding source: General Fund

5.2.a. Require the project developers of affordable housing projects or projects with affordable units to implement an Affirmative Fair Marketing Plan to outreach to a diverse population, extending outreach to nearby communities in Los Angeles County and Ventura County, especially to workers in the city who do not live in the city. These affirmative marketing materials will include contact information for housing service providers (such as the home share programs) and non-profit housing organizations that serve lower-income tenants in the surrounding region.

- By January 2025, require implementation of an Affirmative Fair Marketing Plan.

Timeframe: As affordable units are being created.

5.2.b Provide information and referral services that direct families and individuals to financial resources for housing rental or purchase, locating suitable housing in areas of opportunity, and obtaining housing with special needs facilities such as disabled-accessible units to enhance housing choices and mobility.

- Create a page on the City's website to disseminate informational materials to residents on affordable housing and financial resources.

Timeframe: Create webpage by January 2025.

~~**Program 4.1 – Monitor and Report Annually on Housing Program Accomplishments**~~

~~The City will monitor accomplishments toward Housing Element objectives and report annually to the City Council and California Department of Housing and Community Development. If implementation measures are ineffective in achieving desired results, adjustments will be made to improve the efficacy of programs.~~

~~Responsible department: Planning Department~~

~~Funding source: General Fund~~

~~Time frame: Annual progress reports~~

~~Objective: Monitor progress and make mid-course corrections if necessary to achieve desired results~~

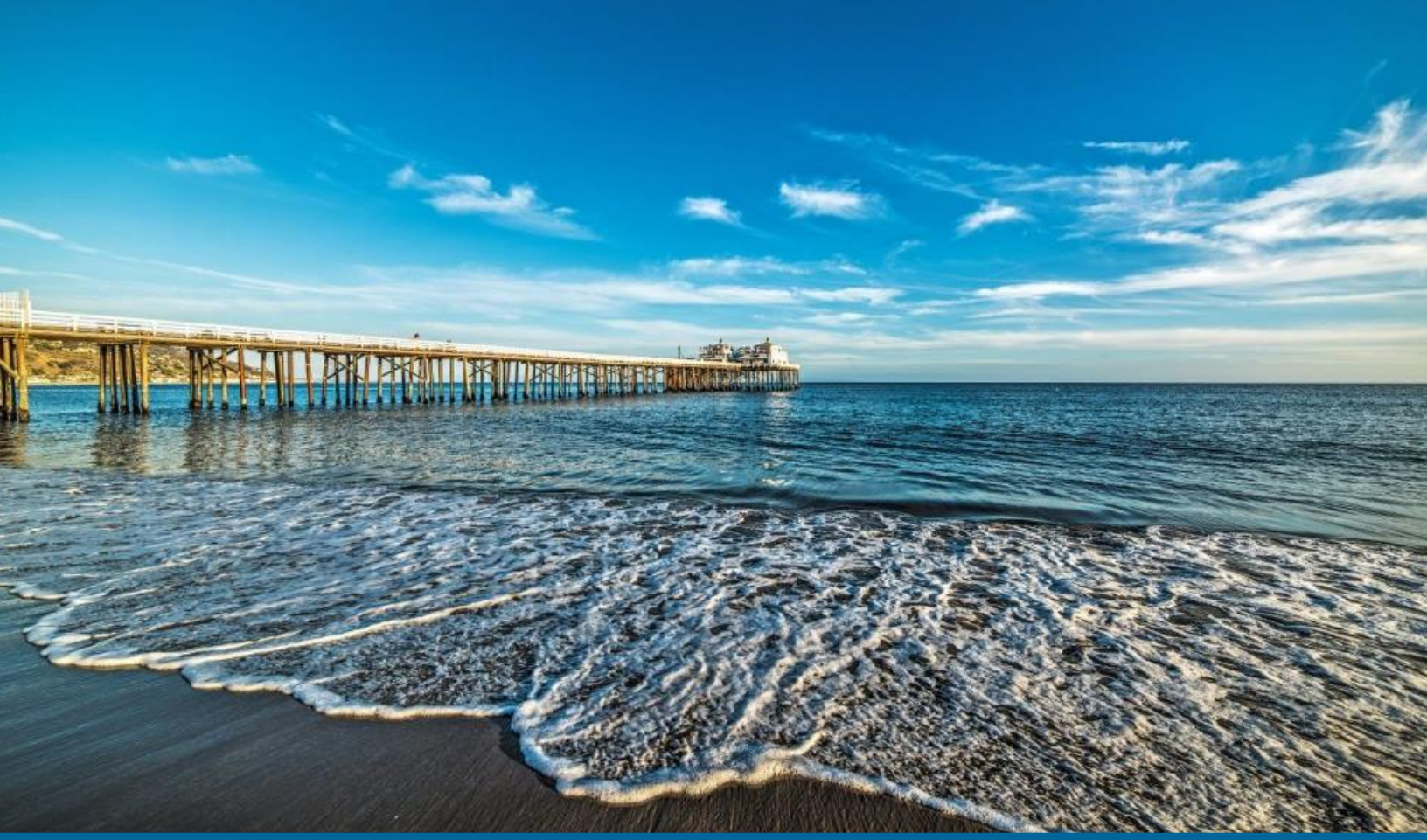
7.5.2 Quantified Objectives

The City's quantified objectives for new construction, rehabilitation and conservation are presented in Table 7.5-1. It must be recognized, however, that many factors and constraints outside the City's control may Influence its ability to achieve these objectives. These estimates represent the City's best effort to quantify potential results.

Table 7.5-1
Quantified Objectives 2021-2029

Category	Income Level					
	Ex. Low	V. Low	Low	Mod	Above Mod.	Totals
New Construction*	14	14	19	17	15	79
Rehabilitation	1	1	~~1~~2	~~1~~2		~~2~~6
Conservation**	541					541

*Quantified objective for new construction is for the period 6/30/2021 to 10/15/2029 per the RHNA
**Existing mobile homes



Appendix A
Evaluation of the Previous Housing Element





Appendix A – Evaluation of the Previous Housing Element

Section 65588(a) of the *Government Code* requires that jurisdictions evaluate the effectiveness of the existing Housing Element, the appropriateness of goals, objectives and policies, and the progress in implementing programs for the previous planning period. This appendix contains a review of the housing goals, policies, and programs of the previous housing element, and evaluates the degree to which these programs have been implemented during the previous planning period, 2013 through 2021. The findings from this evaluation have been informative in determining the City's 2013-2021 Housing Plan.

Table A-1 summarizes the programs contained in the previous Housing Element, along with the City's accomplishments, and implications for future policies and actions.

Table A-2 summarizes progress compared to the quantified objectives of the previous Housing Element period.

Overview of Accomplishments

During the 5th cycle Housing Element Planning Period (2013-2021), the City implemented numerous programs to support market-rate and affordable housing production, preservation of existing housing stock, and rental housing assistance. A full list of programs in the 5th cycle Housing Element is included in Table A-1. Most notably, the City accomplished the following housing-related activities:

- Rebuilding Assistance: Program 1.2 provides rebuilding assistance to expedite repairs or rebuilding for homes that have been lost or damaged in a fire. The City amended the Malibu Municipal Code (MMC) and the Local Coastal Program (LCP) in 2019 to expedite permit processing for those seeking to repair or rebuild homes that have been affected by the Woolsey Fire and/or related flooding and debris flow. During the 5th cycle planning period, 72 units were rebuilt after being destroyed or damaged by the Woolsey Fire, including 62 single-family homes and 12 multifamily units. Additionally, in 2021, the City was awarded approximately $15,803,348 in federal HUD Disaster Recovery funds (CDBG-DR) available through the Housing and Community Development (HCD) Disaster Recovery-Multifamily Housing Program in response to the 2018 Woolsey Fire. To date, no developers have applied to utilize the funds.

- Affordable Housing Development: The City created an Affordable Housing Overlay (AHO) District on three sites to facilitate the development of affordable housing. LCP and MMC amendments for the AHO District were certified in 2019. The overlay establishes development standards within the Coastal Zone that comply with state standards for affordable housing. The amendments also allow preservation of housing for all income-levels. The City will support affordable housing development on these sites as outlined in Chapter 7.4, Housing Plan.

- Short-Term Rental Regulations: A Short-Term Rental Ordinance was adopted in 2020 to encourage homes to be used for permanent residential use and reduce conversion of units into short-term rentals. The Short-Term Rental Ordinance created a new short-term rental permit system to regulate the short-term rental of residential property and went into effect January 15, 2021.
- Housing Development: While the City did not construct any very low- and low-income units and did not meet the 5th cycle RHNA objective of two units, the City did permit 115 units of above-moderate income housing units, including 87 single-family homes, eight multi-family units, and 20 accessory dwelling- units (ADUs).[1]
- Accessory Dwelling Units: The City successfully applied for a Local Early Action Planning (LEAP) grant to support the preparation of an ADU ordinance and ADU processing. The City is currently preparing an ADU ordinance that will streamline the process for creating new ADUs and promote their development. During the 5th cycle planning period, building permits for 20 ADUs were issued.[2]
- Homeless Services – The City helped fund a permanent office for the Malibu Community Labor Exchange (MCLE) to assist people with finding employment, including for people experiencing homelessness. The City also hired a Housing Navigator to assist homeless individuals, and two additional outreach workers to locate, engage, and assist people experiencing homelessness with housing and support services. The outreach team successfully moved 33 homeless residents into permanent housing and 15 individuals into interim housing.

Effectiveness of Addressing Special Needs

Special needs communities are demographic or occupational groups that call for specific program responses to address unique housing needs. State law specifically requires analysis of the special housing needs of people who are elderly or disabled (including developmental disabilities), female-headed households, large households, farmworkers, and people experiencing homelessness. These special-needs groups often spend a disproportionate amount of their income to secure safe and decent housing and are sometimes subject to discrimination based on their specific needs or circumstances.

The 5th cycle Housing Element addressed special needs populations through Program 1.2: *Rebuilding Assistance* and Program 3.2: *Provide Financial Support and Referral Information to Persons in Need of Assistance*. Program 1.2 prioritizes rehabilitation assistance for special needs persons, and Program 3.2 aims to provide grant funding and

[1] HCD. Housing Element Implementation and APR Dashboard. https://www.hcd.ca.gov/planning-and-community-development/housing-open-data-tools/housing-element-implementation-and-apr-dashboard, accessed August, 2023

[2] HCD. Housing Element Implementation and APR Dashboard. https://www.hcd.ca.gov/planning-and-community-development/housing-open-data-tools/housing-element-implementation-and-apr-dashboard, accessed August, 2023

programs for special needs populations. During the 5th cycle planning period, the City took the following actions to address resources for special needs:

- The City utilized $15,000 in CDBG funds as part of the Urban County Entitlement Program for the MCLE and authorized the use of $98,000 in CDBG funds for a permanent trailer for the MCLE. The MCLE provides day labor job connections, including for homeless people.
- In January 2019, the City was awarded $76,660 from the Los Angeles County Homeless Initiative to fund a pilot project expanding housing services for the homeless population in Malibu. Specifically, a grant fund of $355,000 between 2020 and 2021 were used to fund a Housing Navigator position for 18 months through The People Concern. The Housing Navigator helped with placement in permanent housing. The City will continue this program in the 6th housing cycle.
- In 2016, the City issued a grant of $38,000 to the Malibu Task Force on Homelessness (MTFH), an independent organization of community volunteers, to help fund a pilot project to bring professional services to Malibu's homeless population. MTFH entered into an agreement with The People Concern to bring two full-time outreach workers to Malibu daily in order to locate, engage, and build relationships with homeless individuals. They then connected the individuals with a fully-integrated system of care – including mental and medical health care, substance abuse services, and permanent supportive housing – provided by The People Concern and tailored to the unique needs of each individual. During the 5th cycle Housing Element, the outreach team successfully moved 72 homeless residents into permanent housing. An additional 15 individuals are currently in interim housing. Since the program began, more than 30 of the outreach team's clients received or were approved for housing vouchers, putting them on the path to permanent housing.
- The City secured a $50,000 grant in October 2017 from Los Angeles County to help fund the development of a Homelessness Strategic Plan. The goals of the Homelessness Strategic Plan are to assist homeless individuals in a more effective way, mitigate public health and public safety impacts, and align Malibu's local efforts with those of the Los Angeles County Homeless Initiative. The program was fully funded by the City as of July 2018. The Homelessness Strategic Plan was adopted by the City Council on June 25, 2018. The Malibu Homelessness Working Group, comprised of City staff, outreach workers, the faith community, and residents, meets on a monthly basis to review community and City efforts to execute the pPlan.
- Beginning in July 2018, the City established a budget line item to directly fund its homelessness programming, including full funding of the outreach program provided by The People Concern. In each subsequent fiscal year the city has funded two outreach workers and a Housing Navigator. In fiscal year 2022, the City budgeted $243,858; in fiscal year 2023, the City budgeted $355,000; and in fiscal year 2024, the City budgeted $385,000.

- The City continued to offer the Senior Citizen Utility Tax Exemption, which exempts senior citizens living in Malibu who receive supplemental security income from the Utility User Tax.

- The Transportation services program provides Dial-A-Ride services to Malibu seniors and disabled citizens through Ventura Transit Systems. The service is funded by Proposition A transportation funds, which are allocated by the Los Angeles County Metropolitan Transit Authority. In the fiscal year 2023, the City budgeted $125,000 for the Dial-A-Ride program and $35,000 to transport seniors to special events run by the Community Service Department. Passengers pay $1.00 each way for trips to the Malibu Senior Center, $2.00 each way for trips within City boundaries, and $4.00 each way for trips outside City limits. Currently, 215 people are registered for the service. Passengers may travel to various locations locally and to neighboring cities. In FY 2022-23, 141 passenger trips were provided to residents, and promotions included newspaper advertisements, banners, press releases, and giveaways.

Cumulatively, 5th cycle housing programs are generally effective at meeting housing needs for people experiencing homelessness, although additional programs and actions are needed to serve the community's needs. The City will explore additional program actions to provide affordable housing and support housing access for special needs groups and support people with disabilities, seniors, and extremely-low, low-, and moderate-income households.

Table A-1
2013-2021 Housing Element Program Evaluation

Program	Objective	Timeframe	Status of Program Implementation
Program 1.1 – Code Enforcement Ensure compliance with the City's codes and regulations. Particularly, in the case of code violations in units that are occupied by lower-income persons or persons with special needs, direct property owners and renters to programs that are available to provide assistance. Offer amnesty and legalization for existing housing units where: 1) The unit is "livable" and meets basic health and safety requirements 2) The unit existed at the time of the City's incorporation; and 3) The unit is restricted for owner-occupancy or rental by low- or moderate-income persons at an affordable rate.	Reduce code violations and health & safety issues in existing housing	Throughout the planning period	This program is in progress. During the 5th housing cycle, the City maintained a staff of three to four code enforcement officers. The program offered amnesty and legalization for zero units. This program remains appropriate and will be carried into the 6th housing cycle as Program 1.1.
Program 1.2 – Rebuilding Assistance Expedite permit processing and provide special assistance to homeowners seeking to repair or rebuild homes that have been lost or damaged in a fire, flood or other disaster, especially units that accommodate low- and moderate-Income households, elderly, disabled, large families, single heads of households, farm workers, individuals in need of emergency shelter, and other individuals or household types with special needs, unless those units are located in areas that are physically unsuitable for development.	Facilitate rebuilding of lost or damaged homes	Throughout the planning period	The City approved 74 units to be rebuilt after being destroyed by the Woolsey Fire, as well as three ADUs. ~~In progress -~~The MMC and LCP amendments have been adopted or are in progress to expedite permit processing for those seeking to repair or rebuild homes that have been affected by the Woolsey Fire and/or related flooding and debris flow. The City was awarded $15,803,348 of federal CDBG-DR funds available through the HCD Disaster Recovery-Multifamily Housing Program in response to the 2018 Woolsey Fire. The funding is intended to serve as gap funding for eligible affordable multi-family housing projects in accordance with the HUD limits per affordable housing unit. To date, no developers have applied to utilize the funds. Additionally, the City is waiving all City rebuilding fees for properties that are being rebuilt as a like-for-like or like-for-like plus 10% rebuild and

Program	Objective	Timeframe	Status of Program Implementation
			were used as a primary residence by the property owner as of November 8, 2018. Eligible waived fees also include fees required for replacement or upgrade of onsite wastewater treatment systems (OWTS), damaged or destroyed accessory structures, hardscaping, and landscaping. Eligible rebuilding fees that have been already paid may qualify for a refund. This program will be continued into the 6th housing cycle as Program 1.2. ~~This program remains appropriate and should be continued.~~
Program 1.3 – Housing Rehabilitation Assistance Provide incentives to rehabilitate existing housing units, such as permit fee waivers for units that are deed-restricted for low- and moderate-income families.	4 units	Throughout the planning period	Opportunities for permit fee waivers for rehabilitation are reviewed on a case-by-case basis. No requests for permit fee waivers for rehabilitation were made during the reporting period, although this program remains appropriate and should be continued. Program 1.3 will be carried over into the 6th housing cycle as Program 1.3 to provide rehabilitation assistance for low- and moderate-income families.

Program	Objective	Timeframe	Status of Program Implementation
Program 1.4 – Preserve Existing Mobile Home Parks Maintain the Mobile Home Park Rent Control Regulations Ordinance that regulates maximum allowable rents and limits rent increases. Pursuant to the provisions of Government Code §65863.7, require the submittal of a report detailing the impacts of any proposed mobile home park conversion to a nonresidential use concurrent with the filing of any discretionary permit on such property and impose reasonable mitigation measures upon the park owners.	No net loss of mobile home units	Throughout the planning period	Ongoing – no mobile home parks were proposed for conversion. This program remains appropriate and should be continued. Program 1.4 will be carried over into the 6th housing cycle as Program 1.4 to support the preservation of mobile homes.
Program 1.5 – Conserve Affordable Housing in the Coastal Zone In accordance with Government Code §65590, continue to require the replacement of low- or moderate-income units that have been removed from the coastal zone (either by demolition or conversion), whenever feasible.	LCP and MMC amendment	Throughout the planning period	No low- or moderate-income units were demolished or converted during the 5th housing cycle. ~~LCP and MMC amendments for the Affordable Housing Overlay District were certified in 2019.~~ Program 1.5 will be carried over into the 6th housing cycle as Program 2.2 to ensure no net loss of low- or moderate-income units.
Program 2.1 – Regional Housing Needs Identification Work with the Southern California Association of Governments (SCAG) and the Las Virgenes-Malibu Subregional Council of Governments (COG) to encourage an appropriate fair share allocation of future regional housing needs based on population need, existing supply/demand, ability to accommodate growth given the physical/environmental constraints and the jobs-to-housing ratio.	Encourage fair and realistic RHNA allocations	Throughout the planning period	The City worked cooperatively with SCAG during the 5th cycle RHNA process to ensure that the growth forecast reflected development constraints in Malibu. City staff continues to monitor SCAG programs related to housing needs. ~~This program remains appropriate and should be continued.~~ The City will not carry this program into the 6th housing cycle as it is restating the functions of an existing city requirement.

Program	Objective	Timeframe	Status of Program Implementation
Program 2.2 – Ensure Adequate Capacity to Accommodate Regional Housing Needs The City's residential land inventory provides adequate capacity to accommodate the City's housing needs as identified in the 2013-2021 RHNA (see Appendix B). The City will pursue a two-part strategy to provide sites for lower-income housing: 1) Opportunities and incentives for second units; and 2) Zoning regulations to facilitate affordable multi-family or mixed-use development in suitable locations. A. Expand the Supply of Second Units. In order to maximize the availability of additional second units, the City will implement the following actions: 1. Promote the Development of Second Units 2. Amnesty Program for Second Units 3. Financial Assistance for Second Units 4. Pre-Approved Second Unit Prototypes	21 second units during 2013-2021	Throughout the planning period	The City issued permits for 134 above moderate-income units~~,~~ for the 5th cycle planning period. This includes 115 single-family homes, 12 multifamily units, and 7 ADUs~~-~~, which is significantly higher than the 5th cycle RHNA allocation. . ~~City staff informally encouraged the development of second residential units over guest houses or studios.~~ No requests were made to legalize previously developed second residential units. The City is preparing an ADU ordinance that will streamline the process for creating new ADUs and promote their development. The City undertook several mass mailings to encourage residents to participate in the ADU ordinance process. ~~Building permits for one new (not a rebuild or replacement) second unit were issued in 2020.~~ The City successfully applied for a LEAP grant to support the preparation of an ADU ordinance and ADU processing. This program remains appropriate and should be continued. Program 2.2 will be carried over into the 6th housing cycle as Program 2.1 and Program 4.1 to expand the housing development capacity in the City and encourage the development of ADUs.

Program	Objective	Timeframe	Status of Program Implementation
B. Facilitate New Affordable Housing Development In order to accommodate lower-income housing, the MMC and LCP regulations were amended in the previous planning period to establish an Affordable Housing Overlay allowing multi-family or mixed-use development by-right at a density of 20 units/acre for projects that include affordable housing. In order to qualify for the increased density incentive, all "bonus" units (i.e., additional units allowed above the base density of 6 units per acre) must be deed-restricted for low- and moderate-income households for a minimum of 30 years at a ratio of 50% low- and 50% moderate-income. As an alternative, very-low-income units may offset the requirement for moderate-income units on a one-for-one basis. Any developer utilizing these incentives shall be required to screen tenants or buyers for compliance with income limits and establish a monitoring system to ensure the unit's continued affordability. This program creates a strong incentive for affordable housing development because of the additional units allowed at a density of 20 units per acre compared to the base density of 6 units per acre. The allowable density of 20 units per acre does not include the state-mandated density bonus, and it is anticipated that all projects utilizing this option will also qualify for a density bonus of up to 35%.	Provide suitable sites with appropriate zoning that could accommodate lower-income housing	The Local Coastal Program Amendment to allow for multi-family development in compliance with the adopted 2013-2021 Housing Element was certified by the California Coastal Commission on December 11, 2019.	The applicable LCP amendments to the Affordable Housing Overlay District have been certified by the Coastal Commission. ~~This~~ Pprogram 2.2 B will be carried over into the 6th housing cycle as Program 3.1 and revised to include new actions and objectives related to affordable housing development. ~~remains appropriate and should be continued to facilitate affordable housing development~~
Program 2.3 – Streamline Development Review and Assist Affordable Housing Developments Streamline the development review and permit process for all residential development by providing a series of informational handouts describing how to apply for housing development and summarizing the basic development criteria for different zoning districts. When developers propose to include affordable units in a project, provide assistance through expedited processing, density bonus and other modified development standards, and administrative assistance with grant applications.	Minimize residential permit processing time and assist affordable housing developments	Throughout the planning period	Ongoing – Staff has created various pamphlets as well as forms to help guide applicants through the permitting process. Application materials were made available on the City's website. No applications have been submitted for affordable housing projects. However, staff has worked with two parties interested in affordable housing to determine the appropriate project standards and submittal processes. One pre-submittal application was received for a 20-unit project that included 8 affordable units. This program remains appropriate and should be continued. Program 2.3 will be carried over into Program 4.2 to ensure a streamlined permitting process for affordable housing.

Program	Objective	Timeframe	Status of Program Implementation
Program 3.1 – Fair Housing Support fair housing efforts by contracting with the Los Angeles County Housing Authority, Westside Fair Housing Council, or other appropriate organizations, to create a program that provides fair housing services, including investigation of discrimination complaints, research on housing discrimination-related issues, public information about the rights and responsibilities of landowners and tenants, and landlord/tenant dispute resolution. Promote the program each year through the use of pamphlets, public bulletin boards on community television; educational flyers distributed to property owners, apartment managers and tenants; public service announcements on local radio stations and in local print media; and presentations at community groups.	Provide and publicize fair housing services through contracting with a public or non-profit service provider	Annual appropriation and semi-annual publications and announcements	Ongoing. The City is a participating city of the Los Angeles Urban County. The Urban County comprises the unincorporated areas of the Los Angeles County and 48 cities that generally have populations of 50,000 or less and receive their CDBG allocations through the Urban County's application process. The Los Angeles County Development Authority (LACDA) administers the Los Angeles County's CDBG and HOME programs for the Urban County. The Los Angeles Homeless Services Authority (LAHSA), a joint powers authority created by the Los Angeles County Board of Supervisors and the Los Angeles Mayor and City Council, administers the ESG program for the LACDA. CDBG funds are distributed among the 48 participating cities and the unincorporated areas within five Supervisorial Districts, and Malibu is part of District 3. ~~Since 2016 the City has contracted with The People Concern to help transition individuals experiencing homelessness to permanent housing~~. This program remains appropriate and should be continued. Program 3.1 will be carried over and expanded as new Programs 5.1 and Program 5.2 to support fair housing services and to comply with new fair housing requirements.

Program	Objective	Timeframe	Status of Program Implementation
Program 3.2 – Provide Financial Support and Referral Information to Persons in Need of Assistance Malibu is a small jurisdiction without a redevelopment agency or housing department; furthermore, the City is not an entitlement jurisdiction for federal grants. Therefore, the City does not have any resources for direct financial housing assistance, other than a small Affordable Housing Trust Fund and Community Development Block Grant (CDBG) funds. The City will provide referral information to extremely-low-, very-low-, low-, and moderate-income persons and families, the elderly, and persons with disabilities regarding affordable and special needs housing, such as Section 8 Rental Assistance and the Mortgage Credit Certificate program. In addition, it will continue to seek CDBG and HOME funds.	Disseminate housing assistance information; provide direct funding in support of affordable housing when feasible	The City's Housing Coordinator has the responsibility for monitoring all activities related to the implementation of the Housing Element, including preparation of annual progress reports, annual monitoring of sources of financial assistance such as Section 8 funds, state/federal grants, and mortgage credit certificates. The Housing Coordinator shall also be responsible for disseminating information to the community regarding these activities and resources. Depending on program availability and City eligibility, apply for state/federal funds on a bi-annual basis to assist with affordable housing development.	The City received $67,062 of CDBG funding as part of the Urban County Entitlement program in fiscal year 2019-2020. These funds are utilized within the community to facilitate public service projects benefitting low and moderate income families. ~~For example, the City typically allocated about $20,000 for the Malibu Community Labor Exchange for 2020.~~ The City utilized $15,000 in CDBG funds as part of the Urban County Entitlement Program for the Malibu Community Labor Exchange (MCLE) and authorized the use of $98,000 in CDBG funds for a permanent trailer for MCLE. The Labor Exchange provides day labor job connections, including for homeless people. In addition, in the 2020-2021 fiscal year, the City included approximately $340,000 directly to address homelessness. In January 2019, the City was awarded $76,660 from the Los Angeles County Homeless Initiative to fund a Housing Navigator position for 18 months. In 2016, the City issued a grant to the Malibu Task Force on Homelessness (MTFH) to help fund a pilot project to bring professional services to Malibu's homeless population. MTFH partnered with The People Concern to bring two full-time outreach workers to Malibu daily to locate, engage, and build relationships with homeless individuals. They connected the individuals with a fully integrated

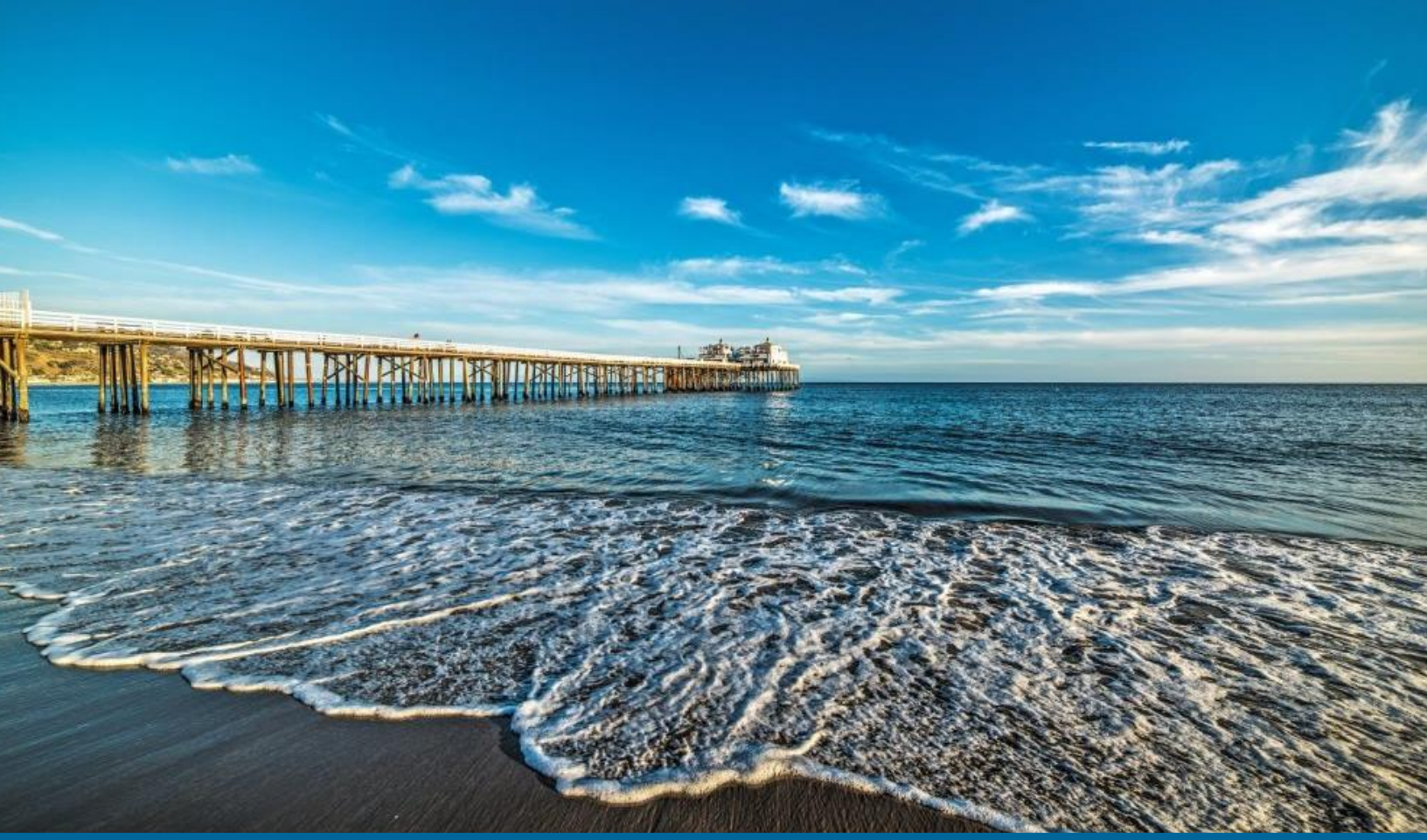
Program	Objective	Timeframe	Status of Program Implementation
			system of care, and permanent supportive housing. As of September 30, 2018, the outreach team has successfully moved 33 homeless residents into permanent housing. An additional 15 individuals are currently in interim housing. More than 30 of the outreach team's clients received or were approved for housing vouchers. In July 2018, the City established a budget line item to directly fund its homelessness programming, including full funding of the outreach program provided by The People Concern. This program remains appropriate and should be continued. Program 3.2 will be carried over into Program 3.2 and Program 3.3 to provide resources and housing to persons with special needs and promote resources available through the Los Angeles County Development Authority.
Program 4.1 – Monitor and Report Annually on Housing Program Accomplishments The City will monitor accomplishments toward Housing Element objectives and report the results annually to the City Council and California Department of Housing and Community Development. If implementation measures are ineffective in achieving the desired results, adjustments will be made to improve the efficacy of programs.	Monitor progress and make mid-course corrections if necessary to achieve desired results	Annual progress reports	The City completed an Annual Progress Report for all years within the planning period. The City continues to monitor Housing Element programs and report progress annually. ~~This program remains appropriate and should be continued.~~Review of progress towards achieving RHNA requirements is included as Program2.1.

Table A-2
Progress in Achieving Quantified Objectives
2014-2021

Program Category	Quantified Objective	Progress
New Construction[1]		
~~Extremely Low~~	~~15~~	~~0~~
Very Low	1~~-~~	0
Low	1~~23~~	0
Moderate	0~~23~~	0
Above Moderate	0~~20~~	~~98~~134
Total	2~~81~~	134~~98~~
~~**Rehabilitation**~~		
~~Extremely Low~~	~~4~~	~~0~~
~~Very Low~~		
~~Low~~		
~~Moderate~~		
~~Above Moderate~~	~~-~~	~~-~~
~~Total~~	~~4~~	~~0~~

Quantified objective and progress for new construction reflect units built 2014-2021

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Appendix B
Residential Land Inventory





Appendix B
Residential Land Inventory

The Regional Housing Needs Allocation (RHNA) is a key requirement for local governments to plan for anticipated growth. The RHNA quantifies the anticipated need for housing within each jurisdiction for the 6th Housing Element cycle extending from July 2021 to October 2029 (the RHNA projection period is longer than the Housing Element planning period). Communities then determine how they will address this need through the process of updating the Housing Elements of their General Plans. This update of the City's Housing Element covers the planning period of October 2021 through October 2029 (called the 6th Cycle Housing Element update). Malibu's share of the regional housing need is allocated by the Southern California Association of Governments (SCAG) and based on access to jobs and transportation, recent growth trends, income distribution, and capacity for future growth. The City must identify adequate land with appropriate zoning and development standards to accommodate its assigned share of the region's housing needs.

Malibu is obligated to demonstrate a total available capacity of 79 units. The units are distributed among four income categories, as shown in Table B-1.

Table B-1
Sites Inventory Summary

Housing Sites	Income Category				
	Very Low	Low	Moderate	Above	Total
RHNA 2021-2029	28	19	17	15	79

Source: SCAG, 2021
The RHNA does not project the need for extremely low-income units, but pursuant to State law (AB 2634), the City must project its extremely low-income housing needs based on Census income distribution or assume 50 percent of the very low-income units required by the RHNA as extremely low-income units. the City's RHNA allocation of 28 very low-income units was distributed evenly as 14 extremely low and 14 very-low income units. However, for purposes of identifying adequate sites for the RHNA allocation, State law does not mandate the separate accounting for the extremely low-income category.

The assumptions and methodology for the Residential Land Inventory are provided below.

METHODOLOGY FOR INCOME CATEGORIES AND REALISTIC CAPACITY OF VACANT SITES

Multi-family Sites. Vacant sites in the Multi-Family Beach Front (MFBF) zone allow one unit per 1,885 square feet of lot area (23.1 units/acre). The default density established by HCD for sites feasible to facilitate development of housing affordable to lower-income households is 20 units per acre. Although these sites are zoned at a maximum density greater than 20 units per acre, the vacant sites in the MFBF zone are smaller than 0.5 acre and permits up to four units per lot, which limits development potential. Based on development trends in the MFBF and the lot sizes, realistic development on these sites is 10 units. Based on market conditions, units in this zone would be affordable to above moderate-income households if developed with market rate units. ~~These sites were assigned to the lower-income category based on the "default density" of 20 units/acre established in State law, except that sites smaller than one-half acre were assigned to the moderate-income category pursuant to Government Code Sec. 65583.2(c)(2)(A).~~

Similarly, the realistic capacity of vacant s~~S~~ites in the Multi-Family (MF) zone, which allows ~~a~~ a density ~~of~~up to six units/acre is estimated to be 22 units. ~~and~~ These units were assigned to the above-moderate-income category based on the size of the parcels and allowed densities. ~~Potential new single-family detached units were assigned to the above-moderate category based on prevailing market conditions.~~

AHO Sites. The Affordable Housing Overlay (AHO) District is applied to ~~three vacant sites~~ three individual parcels shown in Table B-~~2~~4 two of which are under the same ownership. The AHO allows multi-family development by-right at a minimum density of 20 units/acre. All parcels are between 0.5 and 10 acres in size. Pursuant to Government Code Sec. 65583.2 t~~T~~hese sites ~~were~~ may be used to satisfy the RHNA~~assigned~~ to the lower-income and moderate-income category. The three~~two~~ AHO parcels ~~on Pacific Coast Highway~~ have a base zoning designation of MF (multi-family residential) and non-residential uses are~~is~~ not allowed on these parcels. The types of housing permitted on AHO sites are determined by the underlying zoning, which is MF for the sites identified in the Sites Inventory. The MF zoning district allows detached single-family houses, multi-family units as part of an affordable housing project, mobile homes, manufactured housing, ADUs, transitional/supportive housing, and small residential care facilities by right. Other multi-family units that are not part of an affordable housing development are allowed with a Conditional Use Permit.

Two AHO parcels are vacant. One of these parcels used to contain a single-family dwelling that was destroyed in the Woolsey Fire in 2018. This single-family dwelling had been occupied by the owners. One parcel (28401 Pacific Coast Highway) has one single-family dwelling unit with a significant portion of vacant land. The capacity of this parcel assumes that the existing structure will be demolished. None of the three AHO parcels contain rental dwellings currently or within the last five years that were:

- Currently or previously subject to a recorded covenant or ordinance that restricts rents to levels affordable to households of low or very low-income
- Subject to any other form of rent or price control through a public entity's valid exercise of its police power
- Occupied by a low- or very low-income household~~s~~

Therefore, none of the AHO sites are subject to a housing replacement program consistent with requirements listed in Government Codes 65915(c)(3) and 65583.2(g)(3). ~~The AHO parcel on La Paz Lane has a base zoning designation of Community Commercial.~~

~~Vacant~~ The multi-family parcels (including AHO, MF, and MFBF zoned parcels), shown on Figure B-2, can accommodate a total of ~~159~~ 66 lower-income units, ~~and~~ 495 moderate-income units, and 32 above-moderate income units. The total capacity of AHO sites is based on the minimum residential density allowed of 20 du/ac and divided among lower-income (60 percent) and moderate income (40 percent of total capacity).

~~Single-family Sites. Vacant parcels zoned for single-family development can accommodate an estimated 870 units but are not served by a public sewer system. A listing of vacant single-family parcels is on file with the Planning Department.~~

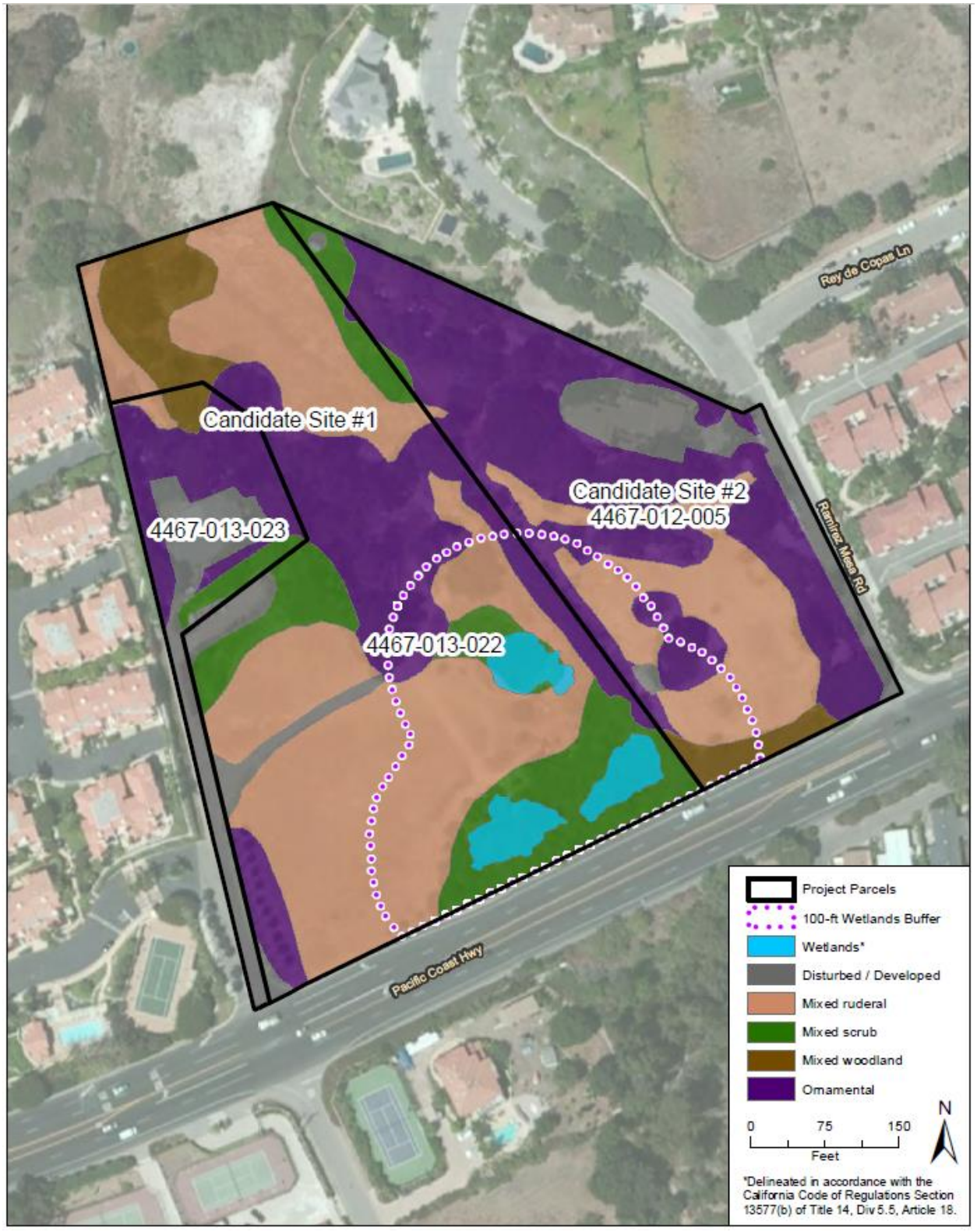
Environmental Constraints. Virtually all properties in Malibu face development challenges due to environmental constraints such as environmentally sensitive habitat areas (ESHAs), fire hazards, flood hazards, and geological hazards.

As with all of the city, all sites identified in the Sites Inventory are within a California Department of Forestry and Fire Protection (CAL FIRE) Very-High Fire Hazard Severity Zone. All sites are either directly adjacent to or a short distance from Pacific Coast Highway, which serves as the primary evacuation route in the event of wildfire. The City has adopted the California Fire Code, 2022 Edition (Part 9 of Title 24 of the California Code of Regulations). Additionally, all residences are required by the Malibu Municipal Code to utilize roofing materials and construction in compliance with Section 1603 (Fire Zone 4) of Title 26 (Los Angeles Building Code). The City also administers a Fire Hazard Tree Removal program which utilizes grant funding from the Santa Monica Mountains Conservancy to offer professional hazardous tree removal services to residents free of charge. Lastly, In June 2019, the City was awarded a $100,000 Cal Fire grant for the development of a Community Wildfire Protection Plan (CWPP), which identifies and prioritizes areas for hazardous fuel reduction treatments. The CWPP outlines an action plan that will protect at-risk communities and essential infrastructure from wildfire, as well as make recommendations to reduce structural ignitability throughout the community. These measures along with extensive messaging around wildfire preparedness throughout the community are intended to reduce wildfire risk. As such, compliance with these requirements for residential development on these sites would significantly mitigate the risk of catastrophic wildfire, and development of these sites does not pose a greater risk to residents than other sites in the city due to wildfire.

Development on the identified AHO sites could expose future residents and property to geologic hazards such as seismically induced ground rupture, liquefaction, settlement, and landslide hazards that exist in the area due to their proximity to the Malibu Coast Fault, the Santa Monica Fault, and the Anacapa Dume Fault. However, these geologic hazards are present throughout California and are not unique to Malibu. In general, compliance with California Building Code would mitigate these risks. As such, residential development on these sites does not pose a greater risk to residents than other sites in the city due to geologic hazards.

The three AHO parcels identified in the Sites Inventory are shown in Figure B-1. A 2013 study of these sites identified ESHA/wetlands resulting from an ephemeral stream located between 28401 and 28517 Pacific Coast Highway. To account for these constraints, the assumed developable area of both parcels does not include identified ESHA/wetland areas and the required 100-foot ESHA setback. ~~The estimated capacity of sites listed in Table B-2 considers these environmental constraints~~No known environmental conditions preclude housing development on the sites listed in Table B-4.

Figure B-1
Environmental Constraints on AHO Sites



Infrastructure Constraints. The most significant infrastructure constraint to housing development in Malibu is the city's lack of a public sewer system. All development outside of the Civic Center area must be served by individual on-site wastewater disposal facilities. While this condition makes all residential development (and particularly multi-family development) difficult, the City has no ability to change this condition because of prohibitive cost and lack of available land for a central wastewater treatment facility. Any multi-family development on AHO sites would require an onsite wastewater treatment system large enough to accommodate the proposed development. The onsite wastewater treatment system would be similar to the systems present on the multi-family developments adjacent to the AHO sites. The estimated cost for an onsite wastewater treatment system for a 61-unit residential project (the number of units assumed on 28517 Pacific Coast Highway) ranges from $300,000 to $550,000. Costs may vary due to the dispersal area type selected for the wastewater system (i.e., seepage pits, leach field, drip dispersal). As with other residential development on sites requiring an onsite wastewater treatment system in the city, the cost of the system would be factored into the overall cost to purchase and develop the site.

Accessory Dwelling Units

Trends in ADU Construction. In a high-cost housing market such as Malibu, ADUs represent an excellent opportunity to provide housing that is affordable to lower-income persons such as college students, the elderly, household employees and service workers. City records indicate that during the period 2018-2020~~0~~2, ~~1~~224 ADUs were permitted. By definition, ADUs contain both kitchen and bathroom facilities that are separate from the main house. Additional "guest houses" that did not contain both kitchen and bathroom facilities were not counted in ADU totals.

Income Levels for ADUs. In December 2020, SCAG published a study of ADU affordability in Southern California[1] and concluded that a significant portion of ADUs built recently have been affordable to low- and moderate-income households. For the higher-cost areas of Los Angeles County ("LA County I") which include the City of Los Angeles and the Las Virgenes-Malibu, South Bay Cities and Westside Cities subregions, SCAG determined that the following affordability assumptions are appropriate:

Very Low	Low	Moderate	Above Moderate
17%	43%	6%	34%

Source: SCAG 2020

Malibu is located within the Las Virgenes-Malibu subregion. ADU permits during the 2018-2020 period in Malibu are as follows:

2018: 3
2019: 7
2020: 2
2021: 6
2022~~0~~: 6~~2~~

[1] https://scag.ca.gov/sites/main/files/file-attachments/adu_affordability_analysis_120120v2.pdf?1606868527

Based on this trend and SCAG's analysis, it is assumed that ~~32~~82 ADUs (4.8 per year) will be produced through the remainder of the planning period from 2024 through October 2029~~during the 2021-2029 planning period~~. To avoid overcounting ADU production, ADUs permitted between October 2021 and the end of 2023 are assumed to be included in the planned and approved projects listed in Table B-2 below.

Planned and Approved Units

Residential developments approved and permitted, but not yet built ("pipeline projects") can be credited towards the City's RHNA for the 6th cycle Housing Element provided it can be demonstrated that the units can be built by the end of the 6th cycle's planning period. Similarly, units within completed projects which have received a certificate of occupancy on or after June 30, 2021 can also be credited towards the RHNA. A total of 81 planned or approved projects (91 total units) can be counted towards the City's 6th cycle RHNA: 71 single-family houses (eight of which include ADUs), one single-family house with both an ADU and a Junior ADU, and 10 new ADUs on existing single-family properties. All residential projects in the development pipeline consist of market-rate units affordable to above moderate-income households. Table B-2 lists these projects and their current status.

Table B-2
Planned and Approved Units

Project	Zone	Number of Units	Status	Date Approved
30044 ANDROMEDA LN	RR-5	1	BP Issued	11/30/2021
31205 BAILARD RD	RR-2	1	Pending	
27841 PACIFIC COAST HWY	RR-2	1	BP Issued	7/13/2021
28820 CLIFFSIDE DR	RR-1	1	Pending	
27357 PACIFIC COAST HWY	RR-2	1	Pending	
29280 GREENWATER RD	RR-2	1	Pending	
5842 DEERHEAD RD	RR-1	1	Pending	
32933 CALLE DE LA BURRITA	RR-2	1	Pending	
3870 PUERCO CANYON RD	RR-5	1	Pending	
29738 CUTHBERT RD	RR-2	1	Approved	9/28/2021
28901 SELFRIDGE DR	RR-1	1	Approved	10/20/2021
29359 BLUEWATER RD	RR-1	1	Approved	5/9/2022
28922 GRAYFOX ST	RR-1	1	Pending	
21298 SEABOARD RD	RR-20	1	Pending	
6626 WANDERMERE RD	RR-1	1	Approved	5/9/2022
29916 CUTHBERT RD	RR-20	1	Pending	
30601 MORNING VIEW DR	RR-5	1	Approved	11/30/2021
5942 RAMIREZ CANYON RD	RR-5	1	Pending	
6100 VIA ESCONDIDO DR	RR-2	1	BP Issued	1/11/2022
33955 PACIFIC COAST HWY	RR-20	1	BP Issued	11/3/2021
30002 ZENITH POINT RD	RR-2	1	Approved	1/25/2022
31011 BAILARD RD	RR-5	1	BP Issued	11/15/2021
30375 MORNING VIEW DR	RR-2	1	Approved	11/15/2021
28904 BONIFACE DR	RR-5	1	Approved	6/21/2022

Project	Zone	Number of Units	Status	Date Approved
29675 CUTHBERT RD	RR-2	1	Approved	11/22/2021
29842 CUTHBERT RD	RR-2	1	Approved	6/28/2023
5929 KANAN DUME RD	RR-5	1	Approved	2/22/2023
23344 PALM CANYON LN	RR-2	1	Pending	
3510 CROSS CREEK LN	RR-1	2	Pending	
20741 LAS FLORES MESA DR	RR-2	1	Pending	
5868 DEERHEAD RD	RR-1	1	Pending	
31847 PACIFIC COAST HWY	RR-2	1	Pending	
30163 CUTHBERT RD	RR-2	1	Pending	
29271 GREENWATER RD	RR-5	1	Pending	7/11/2023
6244 BUSCH DR	RR-2	1	Pending	
28843 SELFRIDGE DR	RR-1	1	Pending	
6579 WANDERMERE RD	RR-1	2	Pending	
25365 MALIBU RD	RR-1	1	Pending	
25341 MALIBU RD	RR-20	1	Pending	
3619 SWEETWATER CANYON DR	RR-1	1	Pending	
21023 LAS FLORES MESA DR	RR-2	1	Pending	
28819 SELFRIDGE DR	RR-5	1	Pending	
25351 MALIBU RD	RR-5	1	Pending	
29636 CUTHBERT RD	RR-20	1	Approved	8/2/2022
3915 PUERCO CANYON RD	RR-20	2	Pending	
32223 PACIFIC COAST HWY	RR-2	1	Pending	
25143 MALIBU RD	RR-5	1	Pending	
25345 MALIBU RD	RR-2	1	Pending	
6551 ZUMIREZ DR	RR-1	3	Pending	
7058 FERNHILL DR	RR-2	1	Pending	
22281 CARBON MESA RD	RR-2	1	Pending	
4615 VIA VIENTA ST	RR-5	1	Approved	
5809 TRANCAS CANYON RD	RR-1	1	Pending	
30000 ZENITH POINT RD	RR-1	2	Pending	
30051 ANDROMEDA LN	RR-2	1	Approved	12/10/2022
6960 WILDLIFE RD	RR-2	1	Pending	
31535 1/2 PACIFIC COAST HWY	RR-10	2	Pending	
30103 HARVESTER RD	RR-2	1	Approved	3/29/2023
5746 BUSCH DR	RR-1	1	Approved	4/27/2023
28809 BONIFACE DR	RR-2	1	Pending	
30018 ZENITH POINT RD	RR-1	1	Approved	4/24/2023
7169 BIRDVIEW AVE	RR-1	1	Pending	
30053 HARVESTER RD	RR-2	2	Pending	
6307 VIA CATALDO ST	RR-2	1	Pending	
27567 WINDING WAY	RR-1	1	Pending	
33008 PACIFIC COAST HWY	RR-2	1	Pending	
5520 HORIZON DR	RR-1	1	Approved	7/18/2023
7190 BIRDVIEW AVE	RR-2	1	Pending	
6100 VIA CABRILLO ST	RR-2	1	Pending	
6100 MURPHY WAY	RR-5	2	Pending	
29903 HARVESTER RD	RR-2	1	Pending	

Project	Zone	Number of Units	Status	Date Approved
21373 RAMBLA VISTA	MF	1	Pending	
5878 DEERHEAD RD	RR-2	1	Pending	
6200 PORTERDALE	RR-1	1	Pending	
22291 CARBON MESA RD	RR-1	1	Pending	
6672 ZUMERIZ	RR-10	1	Pending	
5921 FLORIS HEIGHTS	RR-2	2	Pending	
6140 MERRITT DR	RR-5	1	Pending	
30127 CUTHBERT RD	RR-2	1	Pending	
5906 PHILLIP	RR-2	1	Pending	
31587 PACIFIC COAST HIGHWAY	RR-1	1	Pending	11/30/2021
Total Planned and Approved Units		91		

Source: City of Malibu, 2023
BP = Building Permit

Potential to Accommodate the RHNA

Table B-~~1~~3 summarizes the City's residential site capacity compared to the RHNA allocation for this planning period. The table shows that there is adequate capacity to accommodate housing needs in all income categories.

Table B-~~1~~3
Sites Inventory Summary

Housing Sites	Income Category		
	Lower	Moderate	Above
~~Potential new single-family units (parcel listing on file with City Planning Dept.)~~	~~-~~	~~-~~	~~870~~
Potential new multi-family units (Table B-~~4~~2)	~~159~~66	~~49~~5	~~-~~32
Planned and Approved Units (Table B-2)	0	0	91
Potential new ADUs	~~19~~16	12	~~11~~11
Total Inventory	82~~178~~	~~51~~46	134~~986~~
RHNA 2021-2029	47	17	15
Buffer provided above remaining RHNA	113%	181%	
Adequate Capacity?	Yes	Yes	Yes

Source: City of Malibu, 2023~~4~~

Affirmatively Furthering Fair Housing

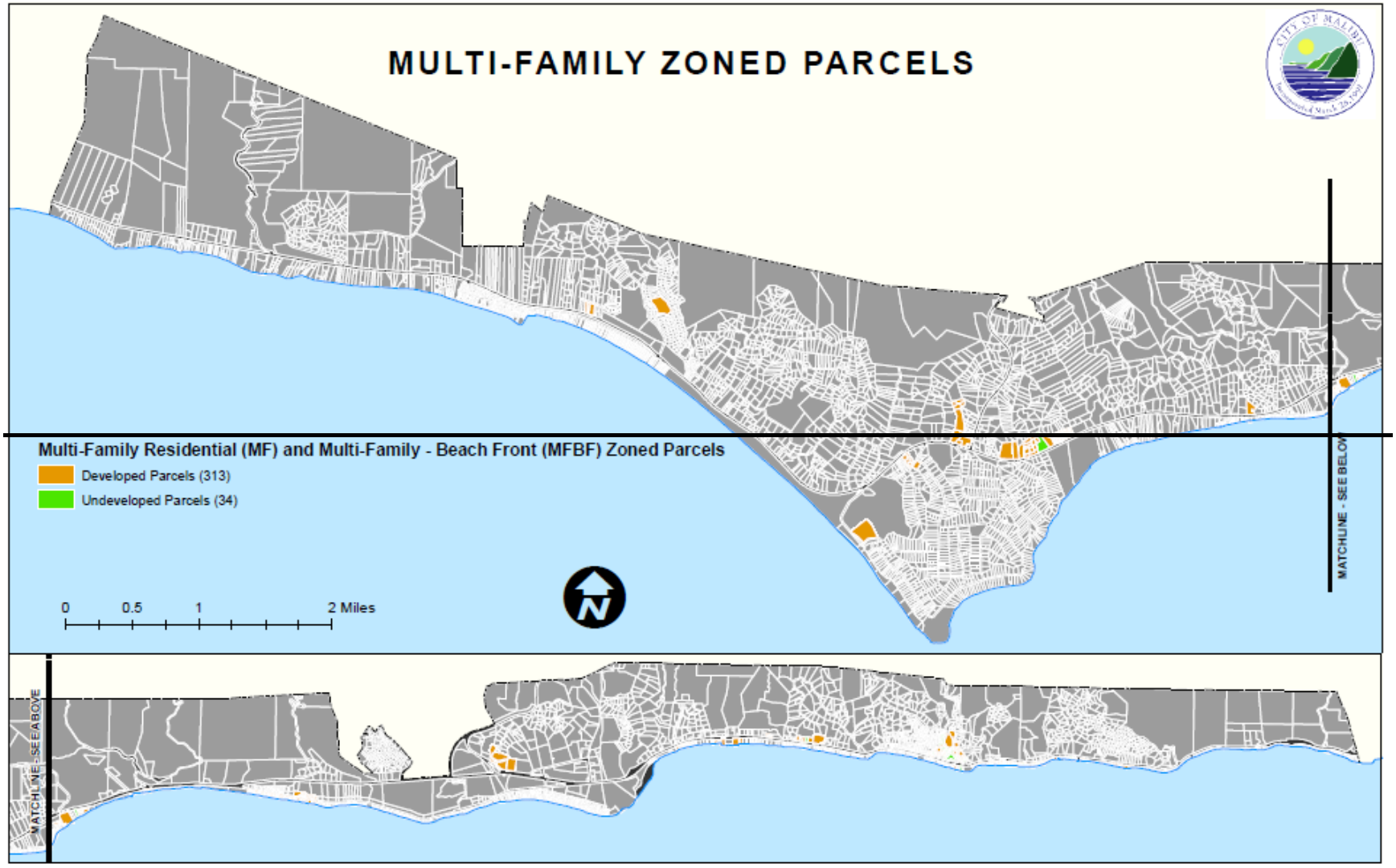
As noted ~~previously~~ in ~~Section 7.4~~Appendix F, Affirmatively Furthering Fair Housing, the entire city is designated a High Resource area according to HCD/TCAC opportunity maps. The AHO sites are located in an area~~s~~ with ~~the best~~ access to transportation while ADUs create opportunities for lower-cost housing in all residential areas throughout the city.~~,~~ ~~thereby avoiding~~Therefore, the Sites Inventory, together with pipeline projects and projected ADUs, will not contribute to segregated living patterns and ~~facilitating truly~~ will facilitate integrated and balanced living patterns and areas of opportunity. An in-depth analysis of the Sites Inventory in relation to fair housing concerns is provided in Appendix F.

Table B-~~24~~
~~Multi-Family~~ Sites Inventory

APN	Address	Street	Parcel Size (acres)	Parcel Size (sq.ft.)	General Plan/ Zone	Realistic Density (units/acre)	Potential Units		
							Lower	Moderate	Above-Moderate
4467013022	28517	PACIFIC COAST HWY	5.12		MF/AHO	20	~~61~~36	25	
4467013023			0.74						
4467012005	28401	PACIFIC COAST HWY	3.25		MF/AHO	20	~~52~~30	20	
~~4458022023~~ ~~4458022024~~	~~3700~~	~~LA PAZ LN~~	~~2.3~~		~~AHO~~	~~20~~	~~46~~		
4450025041		LAS FLORES CANYON RD	0.1533	6,678	MF/MF	6		~~1~~	1
~~4460019024~~	~~26544~~	~~LATIGO SHORE DR~~	~~0.8900~~	~~38,768~~	~~MF/MF~~	~~6~~		~~5~~	
4459016001	25222	MALIBU RD	0.1476	6,429	MFBF/MFBF	~~23~~20		~~3~~	2
4459017005	25360	MALIBU RD	0.1810	7,884	MFBF/~~?~~MFBF	20~~23~~		~~4~~	3
4450005041	20542	PACIFIC COAST HWY	0.1134	4,940	MFBF/MFBF	20~~23~~		~~2~~	2
4451023022		PACIFIC COAST HWY	0.1724	7,510	MF/MF	6		~~1~~	1
4451023023		PACIFIC COAST HWY	0.0872	3,798	MF/MF	6		~~1~~	1
4450003012	20222	PACIFIC COAST HWY	0.0660	2,879	MFBF/MFBF	20~~23~~		~~1~~	1
4450007033	20742	PACIFIC COAST HWY	0.1336	5,820	MFBF/MFBF	20~~23~~		~~3~~	2
~~4450007030~~	~~20758~~	~~PACIFIC COAST HWY~~	~~0.1795~~	~~7,819~~	~~MFBF/MFBF~~	~~23~~		~~4~~	
~~4450008041~~	~~20838~~	~~PACIFIC COAST HWY~~	~~0.0876~~	~~3,816~~	~~MFBF/MFBF~~	~~23~~		~~2~~	
4451020002		RAMBLA PACIFICO	0.0325	1,416	MF/MF	6		~~1~~	1
4451022002		RAMBLA PACIFICO	0.1859	8,098	MF/MF	6		~~1~~	1
~~4451022021~~		~~RAMBLA PACIFICO~~	~~0.2369~~	~~10,319~~	~~MF/MF~~	~~6~~		~~1~~	
4451022022		RAMBLA PACIFICO	0.2011	8,760	MF/MF	6		~~1~~	1
4451022024		RAMBLA PACIFICO	0.0812	3,537	MF/MF	6		~~1~~	1
4451022028		RAMBLA PACIFICO	0.1005	4,378	MF/MF	6		~~1~~	1
4451022063		RAMBLA PACIFICO	0.1157	5,040	MF/MF	6		~~1~~	1
4451022023	3833	RAMBLA PACIFICO	0.1864	8,120	MF/MF	6		~~1~~	1
4451022062	3859	RAMBLA PACIFICO	0.2313	10,075	MF/MF	6		~~1~~	1
4451022061	3861	RAMBLA PACIFICO	0.4123	17,960	MF/MF	6		~~2~~	2
4451022004	3863	RAMBLA PACIFICO	0.1574	6,856	MF/MF	6		~~1~~	1
4451022003	3865	RAMBLA PACIFICO	0.1772	7,719	MF/MF	6		~~1~~	1
4451021010		RAMBLA VISTA	1.0900	47,480	MF/MF	6		~~6~~	6
4451022019		RAMBLA VISTA	0.2952	12,859	MF/MF	6		~~1~~	1
~~4451022017~~	~~21331~~	~~RAMBLA VISTA~~	~~0.2685~~	~~11,696~~	~~MF/MF~~	~~6~~		~~1~~	
~~4460009001~~		~~SYCAMORE MEADOWS DR~~	~~0.0032~~	~~139~~	~~MF/MF~~	~~6~~		~~1~~	
TOTALS							~~159~~66	~~45~~49	32

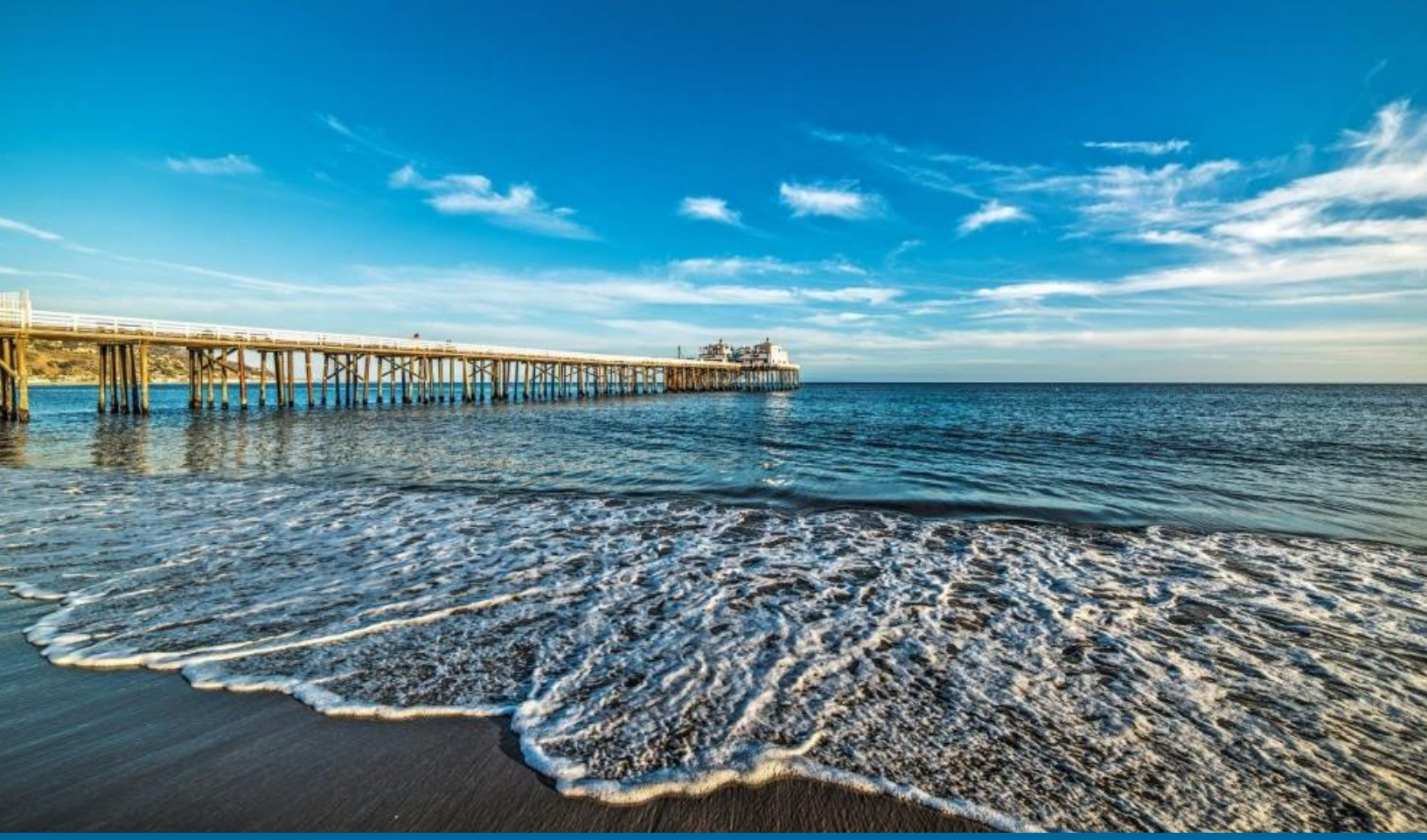
Source: City of Malibu, 2021
Notes: Sites smaller than 0.5 acre are shown as moderate-income pursuant to Govt Code Sec. 65583.2(c)(2)(A)

Figure B-~~1~~2
Residential Land Inventory Map




Malibu City Boundary
Site Inventory by Zoning
MF
MFBF
AHO
0
0.75
1.5
Miles
N
Pacific Ocean
Pacific Coast Hwy
Kanan Dume Rd
Matchline - See Below
Matchline - See Above
23
1
27

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APPENDIX C
PUBLIC PARTICIPATION SUMMARY





Appendix C – Public Participation Summary

Summary of Public Participation

The Housing Element must reflect the values and preferences of the community. Accordingly, community participation is an important component of the development of this Housing Element. Government Code Section 65583(c)(8) states that the local government must make "a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element." This process not only includes community members, but also participation from local agencies and housing groups, community organizations, and housing sponsors.

This update to the Housing Element has provided residents and other interested parties with numerous opportunities for review and comment on this document and on City housing policies and programs. The City of Malibu solicited input from stakeholders and community members through public meetings. To inform the community about the Housing Element update, the City contacted more than 260 residents, stakeholders, and organizations that serve special needs households and renters, provide affordable housing, and offer fair housing services.

The most common issues raised during the Housing Element update process included the following:

- Insufficient affordable housing for lower-income persons who work in Malibu
- Effect of short-term rentals on the supply of housing
- High cost of development in Malibu
- Concern about housing development given environmental constraints, including the high risk of fire hazards, environmentally sensitive habitat areas, geological hazards, flood hazards, water supply constraints, lack of a communitywide wastewater system, limited roadway access, and sea level rise.

These issues are addressed, to the extent feasible, in the policies and programs described in the Housing Plan.

Public Noticing

- To reach the largest and broadest spectrum of community members and stakeholders, the City utilized the following notification methods throughout the duration of the Housing Element update process:
- Early in the process the City created a website dedicated to the 2021 Housing Element update, and a Housing Element FAQ was prepared and posted on the website along with meeting notices and other housing reference information.

- Public notices of all Housing Element meetings and public hearings were published in The Malibu Times in advance of each meeting, as well as posted on the City's website. Meeting notices were also posted on bulletin boards at City Hall and the Library.
- The City utilized social media such as Facebook, Instagram, Twitter/X, and Next Door to advertise the Housing Element and public workshops.
- Malibu City TV, a government access channel was used to broadcast City Council and Planning Commission hearings, as well as provide notices of events such as workshops.
- The City maintains an interested party email and mailing list for those who have requested regular updates about the Housing Element update and notices for public workshops and public hearings.
- The City mailed postcards to all residents that included a URL to the Housing Element update website and– invitations to attend the June 23, 2021 public workshop, July 21, 2021 Planning Commission study session, and August 23, 2021 City Council study session, as well as Planning Commission and City Council adoption hearings.
- Throughout the Housing Element update process, the City encouraged organizations that serve low-income groups and persons with special needs to participate~~ion~~ in all Housing Element update meetings ~~of low-income groups and persons with special needs~~ through direct mail or e-mail notices ~~of all Housing Element meetings~~. The notification~~ce~~ list included the following local and regional ~~a number of~~ non-profit housing providers, housing advocates, and fair housing organizations. ~~including the following:~~

~~AMCAL Multi-Housing, Inc.~~
~~Alternative Living for the Aging~~
~~Area Housing Authority of Ventura County~~
~~Building Industry Association~~
~~Cabrillo Economic Development Corporation~~
~~California Rural Legal Assistance~~
~~Community Action of Ventura County~~
~~Community Housing Foundation Land Trust~~
~~Habitat for Humanity~~
~~House Farm Workers~~
~~Housing Rights Center~~
~~Jamboree Housing Corp.~~
~~League of Women Voters~~
~~Legal Aid Foundation of LA~~
~~LINC Housing~~
~~Many Mansions~~
~~Meta Housing~~
~~Olson Company~~
~~Public Counsel Law Center~~
~~Senior Concerns~~
~~SoCal Association of Non-Profit Housing~~
~~Upward Bound House~~
~~Ventura County Civil Alliance~~
~~Ventura County Housing & Homeless Coalition~~

In 2023, the City updated the notification list for the Housing Element to include additional relevant organizations. Identified contacts at the following organizations received notification of the revised Housing Element:

- Abode Communities
- Abundant Housing LA
- AMCAL Multi-Housing, Inc.
- Affordable Living for the Aging
- Building Industry Association
- California Housing Partnership
- Habitat for Humanity
- Housing Rights Center
- Jamboree Housing Corp
- Legal Aid Foundation of LA
- LINC Housing
- Los Angeles County Development Authority
- Meta Housing
- National CORE℠ and
- Hope Through Housing Foundation
- SoCal Association of Non-Profit Housing
- SoCal Housing Dev. Corp
- The People Concern
- Thomas Saffron and Associates
- Upward Bound House

Project Website

To facilitate the distribution and gathering of information, a project website dedicated to the Housing Element update was created. The project website provided detailed background information on the Housing Element, answers to frequently asked questions, links to upcoming and past event materials, links to articles and videos on the general plan topics, including the Housing Element. Educational materials included an introduction, informational flyers, and frequently asked questions specifically on the housing element (https://www.malibucity.org/370/Housing-Element-Update). Project materials associated with the Housing Element update were regularly posted on the project website, including documents available for public review, information for upcoming events, and virtual workshop PowerPoint presentations and video recordings.

Community Outreach

Virtual Workshop

A virtual public workshop was conducted on June 23, 2021 to provide ~~background information~~an overview of the Housing Element and solicit public comments regarding housing needs in the community. An in-person workshop was not an option at the time due to COVID-19 protocols. The Housing Element update team introduced the Housing Element goals and requirements to the community, educated the community on housing element requirements, and increased public understanding of the decision-making process and importance of public participation.

The following recurring themes emerged from comments received:

- Residents asked about using accessory dwelling units (ADUs) to meet the City's Regional Housing Needs Allocation (RHNA) including the potential to place income limits, or deed restrictions on ADUs, monitoring the affordability of ADUs, the potential to for ADUs to accommodate different family sizes, and whether ADUs that are used for family members or employees can accommodate the RHNA.
- Attendees expressed concern that the population of permanent residents is shrinking, while the City continues to permit second units and short-term rentals. Residents requested limits on the number of short-term rentals and to focus the City's housing development for permanent residents.
- Residents were concerned about potential penalties that the City would incur for not complying with State Housing Element law, including the possibility of enacting a streamlined permit process.
- Attendees expressed that regulatory and environmental constraints, such as California Coastal Commission regulations, wildfire risks, lack of evacuation routes, lack of sewer service, and effluent controls, limit the City's ability to meet the RHNA.
- Attendees expressed a desire to build more affordable housing and to be more inclusive to a variety of income levels, persons with disabilities and marginalized communities such as seniors, veterans and people experiencing homelessness.
- Landlord harassment and tenant discrimination is occurring with the city. Students are particularly targeted, as they are not always educated on tenants' rights.

The City categorized this feedback and the Housing Element was tailored to accommodate those themes as follows:

Need for ADUs to provide affordable housing options.

How addressed:

- The latest revision of the Housing Element added additional analysis of current zoning regulations for ADUs and identified potential constraints to ADU development.
- To support the production of ADUs, the City strengthened its ADU program during the latest revision to the Housing Element and added new program objectives. Housing Program 4.1.a was added to the Housing Plan, which directs the City to pursue mechanisms to facilitate the construction of ADUs, such as pre-approved standards for ADU foundation plans and expanding or extending fee waivers for ADU development beyond state law. The City will also create an ADU Amnesty Program that allows property owners who have unpermitted ADUs on their property to bring them up to code and get them permitted without facing any penalties or fines. These actions will promote ADU development by streamlining ADU permitting and reducing financial barriers.

Need for regulation on short-term rentals to support housing options for permanent residents.

How addressed:

- The Housing Element analyzed the City's regulations regarding short-term rentals. The City is currently working on a short-term rental ordinance that balances the need for overnight accommodations and the availability of long-term rental housing.

Need for a streamlined permitting process for affordable housing.

How addressed:

- The latest revision of ~~T~~the Housing Element added additional ~~analy~~analysis of ~~zed~~ the permitting process for single-family and multi-family development in Malibu as well as the permit and environmental review time for development applications.
- To support the production of affordable housing, the City strengthened and added programs for streamlining the City's permitting process and for promoting affordable housing development under ~~.~~ Housing Program 3.4, which directs the City to amend density bonus regulations in conformance with current state law and continue to monitor up and coming density bonus legislation. In addition, the City will ~~i~~inform housing developers about the City's density bonus program during pre-development conferences, inquiries, and with applications and emphasize development potential. The City will also provide technical assistance to developers on how to use the Density Bonus incentives and maintain information on density bonus incentives on the City's website.
- During the latest revision to the Housing Element, the City added programs and objectives to expedite project review, including Housing Program 4.2.a, which directs the City to continue Pre-Design Review for project applicants to serve as a cost-effective alternative to a first submittal, and to evaluate major costs or issues with the proposed development; Housing Program 4.2.b, which directs the City to identify new or improved data and technology solutions to support faster development project review and greater access to housing and land use information; and 4.2.c, which directs the City to develop written procedures for SB 35 Streamlined Ministerial Approval Process.

Need to balance regulatory and environmental constraints with the need for more affordable housing.

How addressed:

- During the latest revision to the Housing Element, revised development assumptions for the sites identified for affordable housing took into consideration a previous environmental study of these sites. The study documented wetlands on the sites of 28401 and 28517 Pacific Coast Highway. The development assumptions for these sites exclude protected wetland

areas plus a buffer. Additionally, these sites were selected based on zoning for allowable densities and proximity to transit and services.

- The Housing Element analyzed the City's General Plan, Local Implementation Plan, and Zoning Ordinance and identified regulatory and environmental constraints to affordable housing development in the city.

Support for transit-oriented development and increasing density in areas with existing services.

How addressed:

- The latest revision to the Housing Element includes the development of a full AFFH analysis, which analyzed access to public transit throughout the city, which determined that the eastern area of the city has greater transit access than the western area. Overall, transit access was identified as low which few jobs accessible by transit. Revisions to the Site Inventory identified sites for multi-family housing development were selected based on zoning for allowable densities and proximity to transit and services.

- To support transit-oriented development, the City added Housing Program 3.2, which directs the City provide development subsidy for affordable housing units with an effort to locate such housing near transit and essential services, subject to funding availability.

Need increased resources and housing options for people experiencing homelessness and other marginalized communities.

How addressed:

- Housing Program 1.2 directs the City to provide technical housing rebuild assistance to lost or damaged homes as needed, prioritizing low- or moderate-income households and/or special housing needs households.

- Under Housing Program 1.3, the City will provide housing rehabilitation assistance to lower-income, elderly, and/or disabled households. Providing financial assistance for home repairs to at risk households will reduce displacement risk caused by substandard housing conditions.

- The revised Housing Element includes an analysis of the City's compliance with AB 2339 to ensure compliance with state law for emergency shelters and that the City's zoning regulations for emergency shelters is adequate to accommodate the number of identified homeless residents in the city. The assessment identified that the City's Zoning Ordinance does not comply with AB 2339, which the City addressed by adding Housing Program 2.4.c.

- To address housing needs for lower-income and special housing needs groups, the City added and strengthened several programs and objectives designed to expand resources and opportunities during the latest revisions to the Housing Element. Housing Program 3.1 directs the City to prioritize contacting qualified housing developers to identify affordable housing development opportunities that serve the needs of special needs populations, including seniors, homeless, female-headed households, large families, low-income,

and/or persons with disabilities. Additionally, Housing Program 3.1 promotes the Housing Choice Voucher program to landlords (including ADU owners) and residents with the goal of increasing the number of vouchers used.

- During the latest revision to the Housing Element, the City also strengthened objectives to support affordable housing opportunities. Housing Program 3.3 directs the City to prioritize Affordable Housing Trust Fund assistance to developers for affordable housing projects that provide units that serve the needs of at least one special needs group. Housing Program 3.3 also directs the City to support services that meet the needs of City residents, especially extremely low-income households and special housing needs populations, that support mobility options and housing choices, and to provide funding to the City's Outreach Team and Housing Navigator to coordinate with landlords and shelter facilities throughout Los Angeles County.
- During the latest revision to the Housing Element, the City added Housing Program 3.3 to promote awareness of the City's exemption on the Utility Use Tax for senior households (MMC Chapter 3.28), which will reduce housing cost burden for that population. The City will also support services that meet the needs of City residents, including an annual senior resources fair, Dial-A-Ride services, and information on how to access assisted living housing.
- During the latest revision to the Housing Element, the City strengthened Housing Program 3.4, which directs the City to promote the use of density bonuses to facilitate production of affordable and senior housing.
- During the latest revision to the Housing Element, the City strengthened Housing Program 5.2, which directs the City to require the project developers of affordable housing projects or projects with affordable units to implement an Affirmative Fair Marketing Plan to outreach to a diverse population. The Housing Program also directs the City to Provide information and referral services that direct families and individuals to financial resources for housing rental or purchase, locating suitable housing in areas of opportunity, and obtaining housing with special needs facilities such as disabled-accessible units to enhance housing choices and mobility.

Need for increased access and services for education on housing rights and resources to reduce displacement.

How addressed:

- Housing Program 1.1 directs the City to disseminate information to residents about code enforcement and amnesty information.
- Housing Program 1.5 was amended and strengthened during the latest revision. The program directs the City to monitor future affordable housing units that could potentially convert to market-rate units, including rent-restricted ADUs and JADUs.
- Housing Program 5.1 was amended and strengthened during the latest revision. The program directs the City to promote the services of HRC to provide fair housing and tenant/landlord services, including fair housing

counseling and education and tenant/landlord counseling and mediation. The City will advertise available fair housing services.

- Housing Program 5.2 was amended and strengthened during the latest revision. The program directs the City to provide information and referral services that direct families and individuals to financial resources for housing rental or purchase, locating suitable housing in areas of opportunity, and obtaining housing with special needs facilities such as disabled-accessible units to enhance housing choices and mobility.
- Housing Program 1.4 was amended and strengthened during the latest revision. The program directs the City to conserve existing mobile home parks by ensuring compliance with state regulations in the event of a park conversion and mailing information to all mobile home park tenants to increase awareness of the Mobilehome Rent Park Control Ordinance.

Draft Housing Element Public Input and Housing Element Presentations

The Draft 6th Cycle Housing Element was available for public review in June 2021. The City received comment letters via email from two individuals and organizations.

Public meetings to review the draft Housing Element were conducted by the Planning Commission on July 22, 2021 and City Council on August 23, 2021. The presentations consisted of an introduction to the housing element, explanation of the RHNA, and an overview of the draft Housing Element.

The City Council, Planning Commission, and members of the public provided feedback on the draft Housing Element at the public meetings.

The following recurring themes emerged from comments received during the public review period and at the public meetings:

- Residents would like to see the City held accountable for implementing programs identified in the Housing Element, particularly relating to building affordable housing for seniors, teachers, and firefighters.
- There is a discrepancy between the amount of housing that is approved for high-income residents and the limited housing that is approved for low-income residents. There is a large housing gap for those in need of housing.
- When new residential development replaces former buildings, existing residents are displaced and do not return.
- Landlords do not accept vouchers as a form of income. It is very difficult for a voucher holder to move into Malibu. Residents requested mandates to be placed on landlords to prevent discrimination based on income source.
- ADUs are not adding to the housing stock, but rather are used to increase home values for wealthy residents.

In addition to the overarching themes gathered from the community workshop, the City categorized this feedback from the presentations and amended the Housing Plan as follows:

Need for moderate-income housing options.

How addressed:

- Housing Program 3.1 supports the facilitation of affordable housing development, which includes moderate-income housing. The City will promote affordable housing development on the three AHO parcels included in the Sites Inventory, including coordinating with potential developers, to support the development of at least 17 moderate-income housing units.

Need for income source discrimination prevention.

How addressed:

- Housing Program 3.1 was amended and strengthened during the latest revision. The program directs the City to promote the Housing Choice Voucher program to landlords (including ADU owners) and residents with the goal of increasing the number of vouchers used.

- Housing Program 5.1 was amended and strengthened during the latest revision. The program directs the City to promote the services of HRC to provide fair housing and tenant/landlord services, including fair housing counseling and education and tenant/landlord counseling and mediation, and to provide informative materials on fair housing resources with ADU applications. The City will advertise available fair housing services.

Over the course of the Housing Element update, the City received two written comments. One from a individual resident on June 21, 2021, and one from Abundant Housing LA (AHLA) on November 30, 2020. The individual resident expressed concerns about the affordability and supply of housing in Malibu. They recommended several actions the City can take, including streamlining the permitting process for ADUs, prioritizing rebuilding after the Woosley fire, incentivizing construction, creating a property owners registry for low-income units, establishing rent controls, and conversion of single-family homes into multi-family buildings. AHLA expressed concerns related to the predominance of single-family housing in Malibu and requested the City to increase residential densities by rezoning areas designated by the California Tax Credit Allocation Committee (TCAC) as high opportunity areas. AHLA also requested the City to develop a quantitative methodology to plan for additional housing growth in areas with access to transit, jobs, schools, and low environmental pollution burden.

The City acknowledges the desire for higher density housing but must contend with the significant environmental constraints that exist throughout the city, including high fire hazards, environmentally sensitive habitat areas, geological problems, the lack of a community wastewater system, limited access for emergency vehicles, and state laws and Coastal Commission policies that limit residential development in areas with such constraints. These constraints are further described in Chapter 7.3, *Constraints*. To

increase density in residential zones, the City is scheduled to adopt an ADU ordinance in December 2023.

As described in Appendix B, *Residential Land Inventory*, the City has identified adequate sites to fully accommodate the RHNA allocation for the planning period. The site selection methodology considered fair housing concerns, as well as access to resources and environmental constraints. The AHO sites are located along the Pacific Coast Highway and have access to public transit.

Public Hearings

After receiving comments on the draft Housing Element from the California Housing and Community Development Department (HCD), a revised draft Housing Element was reviewed at a Planning Commission public hearing on November 15, 2021 and adopted by the City Council at a public hearing on January 10, 2022.

The Draft Housing Element was revised to incorporate public comment prior to resubmittal to HCD on January 21, 2023. Specifically, the Housing Element was amended as follows:

- Additional analysis was incorporated regarding special housing needs populations and regulatory controls.
- Additional analysis regarding the environmental and infrastructure constraints was incorporated into the Sites Inventory.
- Revised housing programs to update the City's compliance with state laws, affirmatively furthering fair housing, and ADU promotion.

~~for The most common issues raised during the Housing Element update process included the following:~~

~~Insufficient affordable housing for lower-income persons who work in Malibu~~

~~Effect of short-term rentals on the supply of housing~~

~~High cost of development in Malibu~~

~~Inappropriate RHNA allocations in consideration of the exceptional constraints on housing development in Malibu including high fire hazards, environmentally sensitive habitat areas, geological hazards, flood hazards, water supply, lack of a communitywide wastewater system, limited roadway access, and problems caused by sea level rise.~~

~~These issues are addressed, to the extent feasible, in the policies and programs described in the Housing Plan.~~

CITY OF MALIBU
23825 Stuart Ranch Road
Malibu, CA 90265

PRSRT.STD.
U.S. POSTAGE
PAID
MALIBU, CA 90265
PERMIT NO. 174

Housing Element Virtual Public Meeting

Wednesday, June 23 at **6:30 PM**

YOU'RE INVITED!

Please join the 2021-2029 Draft Housing Element workshop to learn about the City's obligations and provide input on how major issues will be addressed in the updated Housing Element, including how City policies, plans and regulations help to further the development, improvement, and preservation of housing in order to meet the existing and projected needs of our community.

This meeting is to gather input from members of the public and no action will be made at this meeting. A public hearing to consider adoption of the 6th Cycle 2021-2029 Housing Element will be held at a later date, and a public notice will be provided in advance of that hearing.

All project background information and viewing and commenting instructions for the meeting are posted at:

MalibuCity.org/HousingElement

City of Malibu

2021 Housing Element Update

Planning Commission
June 23, 2021

Overview

Malibu General Plan

1.0 Land Use

2.0 Open Space and Recreation

3.0 Conservation

4.0 Circulation and Infrastructure

5.0 Safety and Health

6.0 Noise

7.0 Housing

Overview

- Housing Element required in General Plan since 1969
- Extensive legal requirements
- Housing Element updates required every 8 years
  - ✓ 2021-2029 update required by State law ("6th cycle")
- State oversight & Housing Element "certification"

Housing Element Certification

- Limitations on local land use control
- Housing is a "matter of statewide importance"
- State Legislature has delegated HCD authority to review Housing Elements for compliance ("certification")
- Potential legal consequences for non-compliance
- Certification supports the legal validity of the Housing Element and General Plan

Housing Element Guiding Principles

- Maintain & improve existing housing
- Plan for new housing to accommodate growth and a variety of housing for all economic segments
- Minimize constraints to housing
- Fair housing

What is Affordable Housing?

LA County Median Income = $80,000	Income Limits	Affordable Rent	Affordable Price (est.)
Extremely Low (<30%)	$35,450	$886	---
Very Low (31-50%)	$59,100	$1,478	---
Low (51-80%)	$94,600	$2,365	---
Moderate (81-120%)	$96,000	$2,400	$425,000
Above Mod (>120%)	>$96,000	>$2,400	>$425,000

Assumptions:
Based on a family of 4
30% of gross income for rent or PITI
10% down payment, 3.75% interest, 1.25% taxes & insurance, $300 HOA dues

Key Requirements

Housing regulations consistent with State law

- ✓ *Persons with special needs*

Regional Housing Needs Assessment (RHNA)

- ✓ *Adequate sites to accommodate assigned need*

Special Needs

Housing for persons with special needs

- ✓Affordable workforce housing
- ✓Transitional housing
- ✓Supportive housing
- ✓Emergency shelters
- ✓Residential care facilities
- ✓Accessory dwelling units (ADUs)

RHNA

- Mandated by State law since 1980
- Total housing need assigned to each region by HCD
- RHNA Plan prepared by SCAG
- Each city & county assigned a share of total need based on projected growth, existing need & access to jobs & transit
- RHNA allocation distributed among 4 income categories

RHNA requirements in State law

- Planning
  - ✓ City must ensure that plans and development regulations can accommodate the RHNA allocation in all income categories
  - ✓ Housing Element certification requires "adequate sites"
- Production
  - ✓ Housing Element certification not contingent on achieving the RHNA allocation
  - ✓ If housing production falls short of the RHNA allocation, streamlined permit processing required for some projects

RHNA

6th Planning Cycle (2021-2029)

SCAG region:	1,341,827 units
Los Angeles County:	812,060 units
Malibu:	79 units

RHNA

Malibu (2021-2029)

Income Category	Units
Very low	28
Low	19
Moderate	17
Above mod	15
Total	**79**

RHNA Summary

- Planning target, not a construction quota
- Sites inventory must accommodate the RHNA
- Lower-income need can be accommodated through:
  - ✓ Multi-family residential zoning (20+ units/acre)
  - ✓ Mixed-use or "overlay" zoning (20+ units/acre)
  - ✓ Accessory dwelling units (ADUs)
- If sites inventory does not accommodate the RHNA, rezoning is required

Next Steps

Date	Milestone
Spring/Summer 2021	Research & analysis Public outreach Planning Commission study session
Summer 2021	Prepare Draft Housing Element Public review Planning Commission review City Council review HCD review & consultation
Fall 2021	Prepare Revised Draft Housing Element Public review Planning Commission review City Council hearing & adoption HCD review & certification

For more information:

https://www.malibucity.org/HousingElement

Questions & comments?

jkendall@malibucity.org

Frequently Asked Questions

Malibu 2021-2029 Housing Element Update

1. What is a Housing Element?

State law[1] requires each city to adopt a comprehensive, long-term General Plan for its physical development. General Plans include several "elements" that address various topics. The Malibu General Plan[2] is organized into the following elements: Land Use, Circulation and Infrastructure, Conservation, Open Space and Recreation, Safety and Health, Noise, and Housing.

Most portions of city General Plans have a "time horizon" of 20-25 years; however, State law requires that Housing Elements be updated every 8 years. Housing Element planning periods are sometimes referred to as *cycles*. The City's current Housing Element covers the planning period extending from 2013 to 2021, which is referred to as the "5th Housing Element cycle" in reference to the five required updates that have occurred since the comprehensive revision to State Housing Element law in 1980. Every city in the Southern California Association of Governments ("SCAG") region[3] is required to prepare a Housing Element update for the 6th planning cycle, which spans the 2021-2029 period, regardless of when the other elements of the General Plan were adopted.

State law[4] establishes detailed requirements for Housing Elements, which are summarized in California Government Code Section 65583:

> *The housing element shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. The housing element shall identify adequate sites for housing, including rental housing, factory-built housing, mobile homes, and emergency shelters, and shall make adequate provision for the existing and projected needs of all economic segments of the community.*

[1] California Government Code Sec. 65300 *et seq.*
[2] http://qcode.us/codes/malibu-general-plan/
[3] The SCAG region includes Los Angeles, Orange, Riverside, San Bernardino, Ventura and Imperial counties.
[4] California Government Code Sec. 65580 *et seq.*

2. What are the most important issues that must be addressed in the Housing Element?

The major issues that must be addressed in the Housing Element are: 1) how City policies, plans and regulations help to meet the region's housing needs for people at all income levels; and 2) how City land use regulations accommodate the special housing needs of persons with disabilities or other difficulties.

- **Accommodating Regional Housing Needs**. Every community is dependent on a variety of low- and moderate-income workers in jobs such as child and elder care, medical support, business and personal services, retail trade, and maintenance. While governmental programs provide funding assistance for affordable housing, city plans and regulations determine the type of housing that can be built. Therefore, a sufficient supply of affordable housing is dependent on both financial assistance and city development regulations.

  Under State law[5] all cities are required to plan for additional housing to accommodate population growth and existing housing problems such as overcrowding and high housing cost. State law recognizes that most housing is built by private developers, not cities. However, cities are required to adopt policies, plans, and development regulations to encourage a variety of housing types that are affordable for persons at all income levels, including multi-family rental housing and accessory dwelling units ("ADUs"). The Regional Housing Needs Assessment ("RHNA") is the process by which each jurisdiction's share of new housing needs is determined (see #4 below).

- **Housing for Persons with Special Needs**. Under State law[6] cities must also ensure that their plans and regulations encourage the provision of housing for persons with special needs including:

  ✓ Reasonable accommodation for persons with disabilities
  ✓ Transitional and supportive housing
  ✓ Residential care facilities
  ✓ Emergency shelters and "navigation centers"

3. What is "affordable" housing?

By definition, housing is considered "affordable" when total housing cost, including utilities, is no more than 30% of a household's gross income. State law describes five income categories, which are based on county median income as shown in Table 1.

Table 1. Household Income Categories

Income Category	% of county median income
Extremely low	Up to 30%
Very low	31-50%
Low	51-80%
Moderate	81-120%
Above moderate	Over 120%

Source: California Government Code Sec. 65584(f)

[5] California Government Code Sec. 65583
[6] California Government Code Sec. 65583(a)(5)

Affordable housing costs for all jurisdictions in Los Angeles County that correspond to these income categories are shown in Table 2. Affordability figures are adjusted each year and are based on family size.

Table 2. Income Categories and Affordable Housing Costs – Los Angeles County

Income Category	Maximum Income	Affordable Rent	Affordable Price (est.)
Extremely low	$35,450	$886	*
Very low	$59,100	$1,478	*
Low	$94,600	$2,365	*
Moderate	$96,000	$2,400	$375,000
Above moderate	>$96,000	>$2,400	>$375,000

Assumptions:
-Based on a family of 4 and 2021 State income limits
-30% of gross income for rent or principal, interest, taxes & insurance plus utility allowance
-10% down payment, 3.75% interest, 1.25% taxes & insurance, $350 HOA dues
* For-sale affordable housing is typically at the moderate-income level
Source: Cal. HCD; JHD Planning LLC

4. What is the "RHNA" why is it important?

Each California city is required to plan for new housing to accommodate a share of regional needs. The Regional Housing Needs Assessment ("RHNA") is the process established in State law[7] by which each city's housing needs are determined.

Prior to each Housing Element planning cycle the region's total housing need is determined by the California Department of Housing and Community Development ("HCD") based upon economic and demographic trends, existing housing problems such as overcrowding and overpayment, and additional housing needed to ensure reasonable vacancy rates and replace units lost due to demolition or natural disasters. The total housing need for the region is then distributed to cities and counties by SCAG based upon criteria established in State law.[8]

In 2019 HCD determined that the total new housing need for the entire SCAG region in the 6th Housing Element cycle is 1,341,827 units. SCAG then prepared a RHNA plan that allocates a share of the RHNA to each jurisdiction in the region.[9] Table 3 shows the RHNA allocations for Malibu, Los Angeles County, and the entire SCAG region.

Table 3. 6th Cycle RHNA – Malibu, Los Angeles County and SCAG Region

	Malibu	Los Angeles County	SCAG Region
RHNA allocation 2021-2029 (housing units)	79	812,060	1,341,827

Source: SCAG, 3/4/2021

The RHNA distributes each jurisdiction's total housing need among the income categories shown in Tables 1 and 2 above (the extremely-low and very-low categories are combined for RHNA purposes). The 6th cycle RHNA allocation for Malibu by income category is shown in Table 4.

[7] California Government Code Sec. 65584 et seq.
[8] California Government Code Sec. 65584(d)
[9] https://scag.ca.gov/housing

Table 4. 6th RHNA by Income Category – Malibu

Very Low	Low	Moderate	Above Moderate	Total
28	19	17	15	79

Source: SCAG, 3/4/2021

5. Is the RHNA a construction quota or mandate?

The RHNA allocation identifies the amount of additional housing a jurisdiction would require in order to have enough housing at all price levels to fully meet the needs of its existing population plus its expected population growth over the next 8 years while avoiding problems like overcrowding and overpayment. The RHNA is a planning requirement that identifies housing need, *not a construction quota or mandate*. Jurisdictions are not required to build housing or issue permits to achieve their RHNA allocations, but State law establishes specific requirements when housing production falls short of RHNA allocations. One such requirement is streamlined review of housing development applications that meet specific standards.[10] Other than requirements for streamlined permit processing, there are currently no legal or financial penalties imposed on cities that do not achieve their RHNA allocations.

6. What must cities do to comply with the RHNA?

The Housing Element must analyze the city's potential capacity for additional housing based on an evaluation of land use patterns, development regulations, development constraints (such as infrastructure availability and environmental conditions) and real estate market factors. The analysis must be prepared at a parcel-specific level of detail and identify properties where additional housing could be built consistent with current regulations. This evaluation is referred to as the "sites analysis" and State law requires the analysis to demonstrate that the city has adequate capacity to fully accommodate its RHNA allocation in each income category. If the sites analysis does not demonstrate that adequate capacity exists to fully accommodate the RHNA, the Housing Element must describe what steps will be taken to increase capacity commensurate with the RHNA – typically through amendments to land use and zoning regulations that could facilitate additional housing development.

Under State law, areas that are zoned to allow residential or mixed-use development at a density of at least 20 units/acre in small cities like Malibu are considered appropriate for affordable housing in the very-low and low income categories. Potential accessory dwelling units ("ADUs") can also accommodate future housing need in all income categories.

The City's preliminary analysis indicates that sufficient capacity exists for additional housing to accommodate Malibu's 2021-2029 RHNA allocation at all income levels. In 2013 an Affordable Housing Overlay Zone was adopted to allow multi-family residential development on approximately 9 acres of land with potential for approximately 150 units, which exceeds the RHNA allocation of 79 units.

[10] California Government Code Sec. 65913.4 (SB 35 of 2017)

7. Housing development is very expensive in Southern California. What happens if cities don't achieve their assigned housing needs?

Housing development is very expensive, particularly in coastal areas, and housing that is affordable to low- and moderate-income families typically requires large subsidies. While State housing law is based on the premise that every city has an obligation to use its governmental powers to encourage housing development at all income levels, it is recognized that available financial resources are not sufficient to produce all of the affordable housing needed. Therefore, if a city has adopted appropriate plans and regulations to encourage housing development commensurate with its RHNA allocation, it will not be penalized if actual production does not achieve assigned needs. However, under some circumstances State law requires that cities provide streamlined permit processing of housing developments if housing production falls short of RHNA goals.

8. What is "certification" of the Housing Element and why is it important?

The State Legislature has delegated authority to the California Department of Housing and Community Development ("HCD") to review Housing Elements and issue findings regarding the elements' compliance with the law.[11] If HCD issues a finding that the Housing Element is in substantial compliance with State law it is referred to as "certification" of the Housing Element. In 2013 HCD determined that Malibu's current Housing Element was in full compliance with State law. The City is now preparing a Housing Element update for the 2021-2029 period.

Housing Element certification is important for two main reasons:

- **Local control.** The General Plan establishes the foundation for the City's land use plans and regulations, and the Housing Element is part of the General Plan. If the City were challenged in court on a planning or zoning matter and the Housing Element were found by the court to be out of compliance, the court could order changes to City land use plans or regulations and assume control over some City land use decisions. HCD certification establishes a "rebuttable presumption of validity"[12] that the Housing Element complies with State law, which would support the City's legal defense. Recent laws also allow for courts to impose fines if a jurisdiction fails to adopt a compliant Housing Element.[13]
- **Eligibility for grant funds.** Some State grant funds are contingent upon Housing Element certification.

[11] California Government Code Sec. 65585
[12] California Government Code Sec. 65589.3.
[13] AB 101 of 2019

9. How can I find out more about the 2021 Housing Element update?

A webpage has been established on the City's website for the Housing Element update at:

https://www.malibucity.org/370/Housing-Element-Update

This webpage will be updated periodically with meeting notices, documents and other materials regarding the Housing Element update. In addition, interested persons are encouraged to submit questions or comments regarding the Housing Element update to Justine Kendall, Housing Element Project Manager at: jkendall@malibucity.org

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From: [redacted]
To: Justine Kendall
Cc: Bruce Silverstein
Subject: Housing Element update comments
Date: Monday, June 21, 2021 5:52:33 PM

Dear Justine,

I have a conflict on 6/23, so I am unable to attend the public workshop. So I'd like to provide my comments via email. Note that I can find nowhere on the City web site with connection or location information for that meeting.

I read through the FAQ available regarding the Housing Element plan. In essence, it seems that this plan, while required, is nothing but window dressing. I'm certain that this update will confirm sufficient capacity exists in the City for the required RHNA allocations. However, capacity is not housing. I challenge anyone to find a single housing unit today in Malibu within the targeted affordable rent, available or currently occupied. Prior to Woolsey there might have been some, but unlikely as many as the RHNA allocations. Between Woolsey and short-term rentals, there is little hope of anything close to "affordable" in Malibu.

There are many long-time Malibu residents, in previously affordable situations, who were dislocated due to Woolsey and now can't return due to the skyrocketing rents. I can think of at least 4 off the top of my head, whom I know personally. A one bedroom guest house generally rents for about $3000+/mo now. Single rooms with shared kitchen and/or shared bath rent for over $2000/mo. These figures are 2-4 times higher than pre-Woolsey rents. The lowest purchase price is over $700k.

While this is outside the scope of the current Housing Elements update, I would like suggest that the City adopt as a goal the actual conversion of capacity to units within the targeted maximum affordable rents in the plan, at the RHNA allocations as a bare minimum. The City would need to determine how to be accountable and measure success of such a goal. The actions to achieve this goal might include:

- streamlined permitting for ADU
- streamlined planning and permitting for ADU as part of Woolsey rebuilds
- incentivizing ADU development
- aggressive and proactive enforcement of the STRO
- establishing a means by which property owners can register their property as qualifying, which will help the City track units, and offer some incentive for doing so as well as means to verify long-term, and potentially support lessors in qualifying tenants as low income and a public list of available qualifying units
- establish rent controls (I said "might" - this needs serious consideration)
- proactively solicit multi-unit developers and incentivize units permanently registered as affordable
- where zoning allows, allow, incentivize, and streamline permitting of the conversion of a single-family unit to multi-family, with designation of some units as affordable

I don't have a ton of knowledge of the City ordinances, policies, procedures, and objectives. But I do know that the "maximum affordable rent" is laughable in Malibu and it's a big problem. Employers here have difficulty hiring help because they have to drive so far from where they can afford to live, and their pay gets eaten up by gas expenses. Children who've

grown up here have little hope of living here on their own salary, especially those children of families who moved here generations ago. Young families have no way to get a foothold here. Malibu used to be a very diverse community. The loss of housing due to Woolsey and STR has been devastating.

Thank you for your efforts, time, and consideration.

Barb Dijker

November 30, 2020

Mayor Mikke Pierson
City of Malibu
23825 Stuart Ranch Road
Malibu, CA 90265

Dear Mayor Pierson,

We are writing on behalf of **Abundant Housing LA** regarding Malibu's upcoming 6th Cycle housing element update. Abundant Housing LA is a pro-housing education and advocacy organization working to help solve Southern California's housing crisis. We support efforts to reform zoning codes and expand housing production, which are needed to reduce rents, improve access to jobs and transit, strengthen the local economy and job market, and combat segregation. We have a large and growing membership base throughout Los Angeles County.

California has a statewide housing shortage of nearly 3.5 million homes, and has the highest poverty rate in the nation after accounting for housing costs. Households at all levels of income face a historically high rent burden. Exclusionary zoning and longstanding constraints on denser housing have led to an undersupply of medium and high density housing near jobs and transit. This contributes to high rents and displacement of households.

Over the past few years, new state laws (e.g. AB 686 (2018), SB 166 (2017), AB 1397 (2017), SB 828 (2018), SB 35 (2017), etc.) have strengthened the Regional Housing Needs Assessment (RHNA), which sets a housing growth target for individual jurisdictions and requires jurisdictions to update their housing elements in order to achieve these targets.

These changes to state law have led to historically high jurisdiction-level housing growth targets in the upcoming 6th Cycle Housing Element Planning Cycle, and have empowered the state Department of Housing and Community Development (HCD) to enforce appropriately high standards for housing element updates. We are encouraged that Malibu was given a target of **79 new homes, of which 45 must be affordable to lower-income households.**

As jurisdictions start the housing element update process, AHLA seeks to provide guidance on how jurisdictions should fulfill both the letter and the spirit of housing element law. Unfortunately, some jurisdictions are already seeking to skirt their obligation to sufficiently plan to meet their housing needs. AHLA will scrutinize jurisdictions' housing elements, submit comments to HCD as needed, and collaborate closely with nonprofits that bring legal action against jurisdictions that fail to comply with state housing laws.

Of course, AHLA recognizes that the COVID-19 pandemic and resulting economic devastation have made it more difficult for jurisdictions to meet ambitious RHNA targets. But the pandemic has made it even more critical than ever for jurisdictions to solve the region's housing crisis and

encourage economic recovery. We seek to collaborate with you and your team on policy efforts to achieve the RHNA goals.

To that end, we have published a memo, **Requirements and Best Practices for Housing Element Updates: The Site Inventory**, explaining the key legal requirements, as well as HCD and AHLA's recommended best practices, for housing element updates. Additionally, **this checklist provides a summary of our core policy recommendations**. We respectfully encourage you to incorporate the concepts detailed in these documents into Malibu's housing element update.

As your team begins to develop Malibu's housing element update, we would like to draw particular attention to four critical components of the site inventory analysis:

1. Incorporating an estimate of the **likelihood of development** and the **net new units if developed** of inventory sites
2. Using an HCD-recommended "safe harbor" methodology for **forecasting future ADU production**
3. Prioritizing high-opportunity census tracts and well-resourced areas (e.g. near transit, jobs, schools, parks, etc.) when selecting sites for lower-income housing opportunities, in order to **affirmatively further fair housing**
4. Including the HCD-recommended buffer of at least 15-30% extra capacity in the site inventory, in order to **avoid violating the No Net Loss requirement**

Component #1: Housing elements should estimate and report both the **likelihood of development** and the **net new units if developed** of inventory sites.

Just because jurisdictions zone for more housing doesn't mean that the housing will actually be built. The economic cycle, uncertainty of market conditions, the current usage of nonvacant sites, and land use regulations all influence the extent to which rezoned parcels are built to their maximum theoretical capacity.

A parcel's maximum theoretical capacity is not the same as its realistic capacity. To draw a parallel to college admissions, when UCLA wants 2,000 students in its incoming class, they admit 4,000 students. Similarly, to achieve housing production targets, jurisdictions must increase zoned capacity well above the target number of new homes.

An accurate assessment of site capacity is necessary in order for the housing element to achieve sufficient housing production. The site capacity estimate should account for the following **two factors**:

- What is the likelihood that the site will be developed during the planning period?
- If the site were to be developed during the planning period, how many net new units of housing are likely to be built on it?

These are the **likelihood of development**[1] and **net new units if developed**[2] factors, as required by HCD guidelines. The portion of the jurisdiction's RHNA target that a site will realistically accommodate during the planning period is:

***(likelihood of development) x (net new units if developed) = realistic capacity*.**

In past planning cycles, the likelihood of development factor was not expressly considered; housing elements frequently assumed that most or all site inventory locations would be redeveloped to their maximum theoretical capacity. Since this generally did not happen, jurisdictions consistently fell short of their RHNA targets as a result. This is the case for Malibu, which is not on a path to achieving its 5th cycle RHNA targets for very low, low, and moderate income housing. Through 2019, it has permitted 0 homes that are affordable at these income levels, despite an extremely low RHNA target of 2 homes. Worse, the 2019 Woolsey fire caused the destruction of 480 homes in Malibu[3], leading to a net decrease in housing since the start of the 5th cycle.

5th Cycle RHNA Targets vs. Actual Housing Production (2014-19)

Income Bucket	RHNA Target	Homes Permitted
VLI	1	0
LI	1	0
MI	0	0
AMI	0	84
Total	**2**	**84**

According to Malibu's 5th cycle housing element, the city had theoretical capacity for roughly 1,099 more housing units.[4] Through 2019, Malibu permitted 84 housing units[5], which equates to 112 housing units permitted by the end of the 5th cycle (assuming that the same annual permitting pace continues in 2020 and 2021). This implies that in Malibu, excess zoned capacity has a **10% likelihood of being developed** (112 actual units divided by 1,099 theoretical units).

Malibu's 6th cycle housing element should incorporate this likelihood of development estimate into its site inventory analysis. This would be consistent with HCD guidelines,[6] while also ensuring that enough zoned capacity is available to encourage 79 housing units to be built by

[1] HCD Site Inventory Guidebook, pg. 20
[2] HCD Site Inventory Guidebook, pg. 21
[3] Los Angeles Times, August 5, 2019
[4] Malibu 5th Cycle Housing Element, pg. 71
[5] HCD Annual Progress Report dataset, 2020
[6] HCD Site Inventory Guidebook, pg. 20

the end of the 6th cycle. Assuming that zoned capacity has a 10% likelihood of being developed in the next 8 years, **the housing element must allow for 790 units of zoned capacity in order to achieve 79 actual housing units.** If Planning believes that a higher likelihood of development (and thus a smaller zoned capacity increase) is justified for certain parcels in the site inventory, persuasive data to support this assumption must be provided.[7]

Component #2: Housing element updates should use an HCD-recommended "safe harbor" methodology for forecasting future ADU production.

Local jurisdictions frequently use overly optimistic estimates of future ADU production to avoid necessary housing reform and rezoning. ADU development estimates must reflect actual on-the-ground conditions to ensure that they are realistic. Overly aggressive ADU production estimates set jurisdictions up for failure in providing the required housing for residents.

To that end, HCD has established two safe harbors for forecasting ADU production during the 6th Cycle[8]. One option ("Option #1") is to project forward the local trend in ADU construction since January 2018. The other, for use when no other data is available ("Option #2"), assumes ADU production at five times the local rate of production prior to 2018. Jurisdictions are also permitted to include programs that aggressively promote and incentivize ADU construction.

Where no other data is available, jurisdictions may assume an average increase of five times the previous planning period construction trends prior to 2018. Jurisdictions may also use regional ADU production trends, and include programs that aggressively promote and incentivize ADU construction. Jurisdictions should clearly and explicitly state their methodology and data sources for future ADU development forecasts.

According to HCD, Malibu issued permits for 1 ADU in 2017, 3 ADUs in 2018, and 7 ADUs in 2019. Under HCD's "Option #1", Malibu could take the average of the 2018 and 2019 ADU production trends, and forecast that 5 ADUs will be permitted per year during the 6th cycle. This would allow for a **total 6th cycle forecast of 40 ADUs.**

Under HCD's "Option #2", Malibu could multiply the 2017 ADU production trend by five, and forecast that 5 ADUs will be permitted per year during the 6th cycle. This also would allow for a **total 6th cycle forecast of 40 ADUs.**

Another, more aggressive, option would take the average of the 2018 and 2019 ADU production trends, and multiply that average by five. This methodology would forecast that 25 ADUs will be permitted per year during the 6th cycle. This would allow for a **total 6th cycle forecast of 200 ADUs.** Abundant Housing LA does not recommend this methodology, since it is not an HCD-defined safe harbor forecasting option.

[7] HCD Site Inventory Guidebook, pg. 20-21
[8] HCD Site Inventory Guidebook, pg. 31

Malibu should use HCD's Option 1 or 2 safe harbor when projecting annual ADU production. If it believes that higher ADU production forecasts are warranted, it must provide well-grounded estimates, based on the pace of ADU production in neighboring jurisdictions, and must explain programs or policy efforts that could lead to higher ADU production.

Finally, per HCD, the housing element "should also include a monitoring program that a) tracks ADU and JADU creation and affordability levels, and b) commits to a review at the planning cycle midpoint to evaluate if production estimates are being achieved."[9] Malibu's housing element should commit to mid-cycle rezoning if ADU production is lower than forecasted, and its midpoint review should be linked with immediate and automatic programs to increase housing production in the second half of the RHNA cycle. AHLA's recommended approach is to incorporate by-right density bonuses on inventory sites, which would automatically take effect mid-cycle if the ADU target is not met. The density bonus should be large enough, and apply to enough parcels, to fully make up for any ADU production shortfall.

Component #3: Housing elements must prioritize high-opportunity census tracts and well-resourced areas (e.g. near transit, jobs, schools, parks, etc.) when selecting sites for lower-income housing opportunities, in order to affirmatively further fair housing.

AB 686 (2018) requires housing element updates to "affirmatively further fair housing", which is defined as "taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and fosters inclusive communities free from barriers that restrict access to opportunity based on protected characteristics."

In our region, housing policy and land use regulations were once used to exclude members of minority groups. Redlining and restrictive covenants, which restricted where Black Americans could live, were once commonplace throughout Los Angeles County. Malibu remains segregated today, with white Americans making up nearly 80% of the city's population.[10] Exclusion also continues on the basis of income: the estimated median home value in Malibu is $3.3 million[11], and 24% of the city's renters are "rent-burdened" (i.e. they spend more than 30% of their income on rent)[12]. High housing costs place a disproportionate burden on lower-income communities of color, and have the effect of excluding them from the city altogether.

Jurisdictions must address this issue by accommodating the lower-income RHNA targets in a way that conforms with AFFH requirements. HCD's Site Inventory Guidebook offers recommendations for **how** jurisdictions should accomplish this. HCD is **likely to require jurisdictions to distribute lower-income housing opportunities throughout the**

[9] HCD Site Inventory Guidebook, pg. 31
[10] American Community Survey, 2014-18
[11] Zillow Home Value Index, Malibu
[12] American Community Survey, 2014-18

jurisdiction, and recommends that jurisdictions first identify development potential for lower-income housing in high-opportunity neighborhoods[13].

Given that single-family, exclusionary zoning predominates in Malibu, and that its single census tract is classified as "highest-opportunity" in the TCAC/HCD Opportunity Map, rezoning is required in order to accommodate the RHNA targets for lower-income households. Additionally, focusing rezoning in single-family zoned areas will expand housing opportunities while minimizing the impact on existing renters in multifamily-zoned areas.

In order to fairly distribute housing opportunities citywide, Malibu should develop a quantitative methodology for scoring neighborhoods, based on factors like housing costs, median income, access to transit, access to jobs, access to schools, and environmental quality. Neighborhoods that score higher on these dimensions should be allocated higher housing growth targets, and rezoning should be based on these neighborhood-level housing growth targets.

Finally, Malibu should identify funding sources, public resources, and density bonus programs to maximize the likelihood that housing projects with below market-rate units are actually built. Local measures like a real estate transfer tax and congestion pricing could help generate new funding to support affordable housing production and preservation.

Component #4: Housing elements should include the HCD-recommended buffer of at least 15-30% extra capacity in the site inventory, in order to avoid violating the No Net Loss requirement.

SB 166 (2017) requires adequate sites to be maintained **at all times** throughout the planning period to accommodate the remaining RHNA target by each income category.[14] This means that if a jurisdiction approves a development on a parcel listed in the site inventory that will have fewer units (either in total or at a given income level) than the number of units (either in total or at a given income level) anticipated in the site inventory, then the jurisdiction must identify and make available enough sites to accommodate the remaining unmet RHNA target for each income category.[15]

If additional sites with adequate zoned capacity don't exist, then the jurisdiction must rezone enough sites to accommodate the remaining unmet RHNA target within 180 days. If the jurisdiction fails to accomplish this rezoning in the required period, then the consequences will include decertification of the housing element and potential state legal action.

To ensure that adequate housing capacity at all income levels exists in the housing element through the 6th Cycle, HCD recommends that "the jurisdiction create a buffer in the housing

[13] HCD Site Inventory Guidebook, pg. 3
[14] HCD No Net Loss Law Memo, pg. 1
[15] HCD Site Inventory Guidebook, pg. 22

element inventory of at least 15-30% more capacity than required, especially for capacity to accommodate the lower income RHNA."[16] **Malibu should "overshoot" on total site capacity for each income level, in order to ensure that the City's RHNA target is achieved at all income levels.**

The City of Malibu has an obligation to sufficiently plan to meet current and future residents' housing needs. The housing element update affords Malibu, and the broader Southern California region, the chance to take bold action on lowering housing costs, reducing car dependency, strengthening the local economy, and guaranteeing access to opportunity for Californians of all racial and ethnic backgrounds. We urge you and your colleagues to fully embrace this opportunity to transform Malibu for the better.

Finally, it is worth noting that state law imposes penalties on jurisdictions that fail to adopt a compliant 6th cycle housing element update by October 15, 2021. On that date, noncompliant jurisdictions will forfeit the right to deny residential projects on the basis of local zoning, so long as projects include at least a 20% set-aside for below market-rate units[17]. Jurisdictions that want to maintain local control over new development should therefore plan to adopt a compliant housing element update on time.

We would be glad to engage with your office and with the Planning Department throughout the housing element update process. We look forward to a productive and collaborative working relationship with the City of Malibu on this critical effort. Thank you for your consideration.

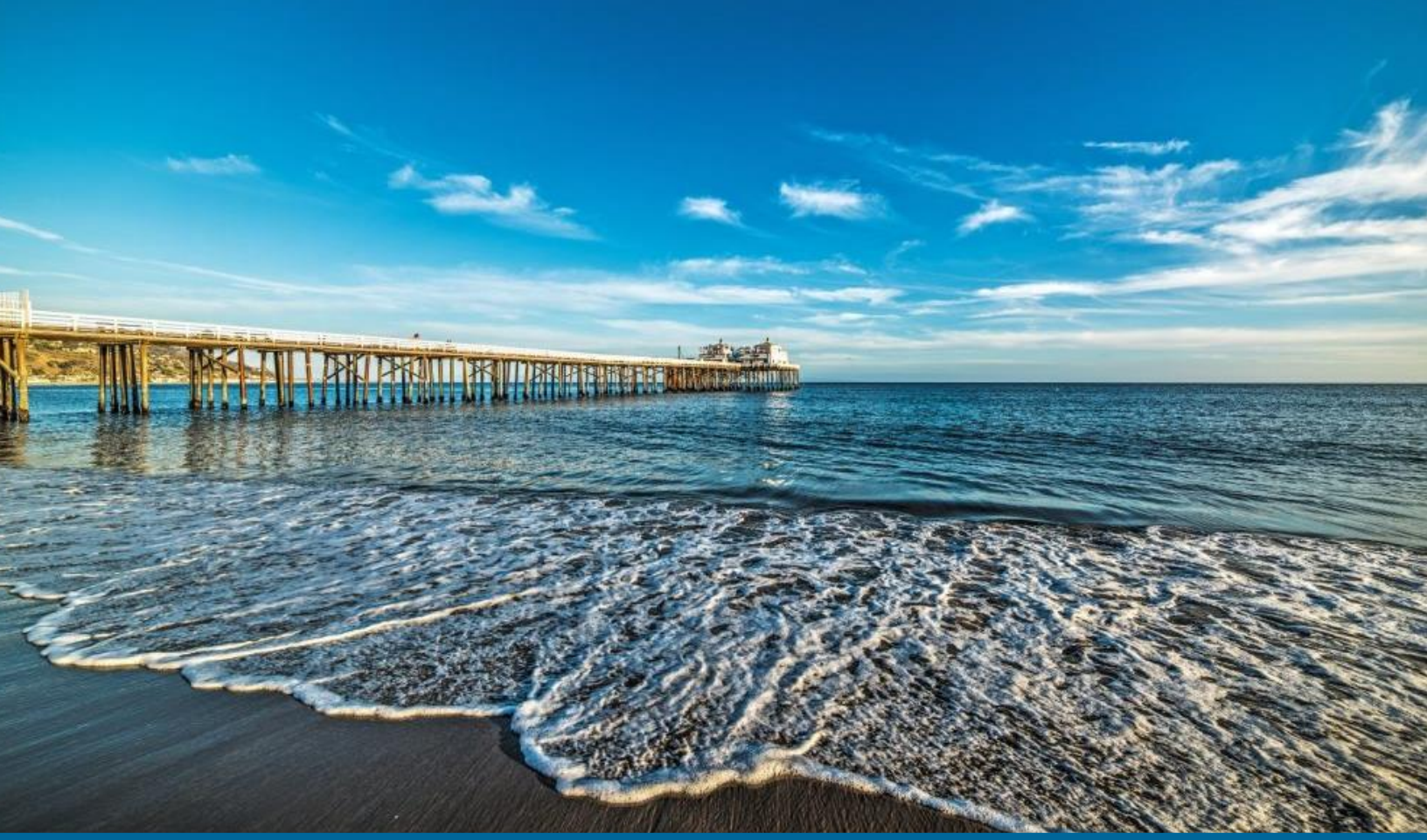
Sincerely,

Leonora Camner
Executive Director
Abundant Housing LA

Anthony Dedousis
Director of Policy and Research
Abundant Housing LA

[16] HCD Site Inventory Guidebook, pg. 22
[17] California Government Code 65589.5(d)(5)

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Appendix D
List of Acronyms

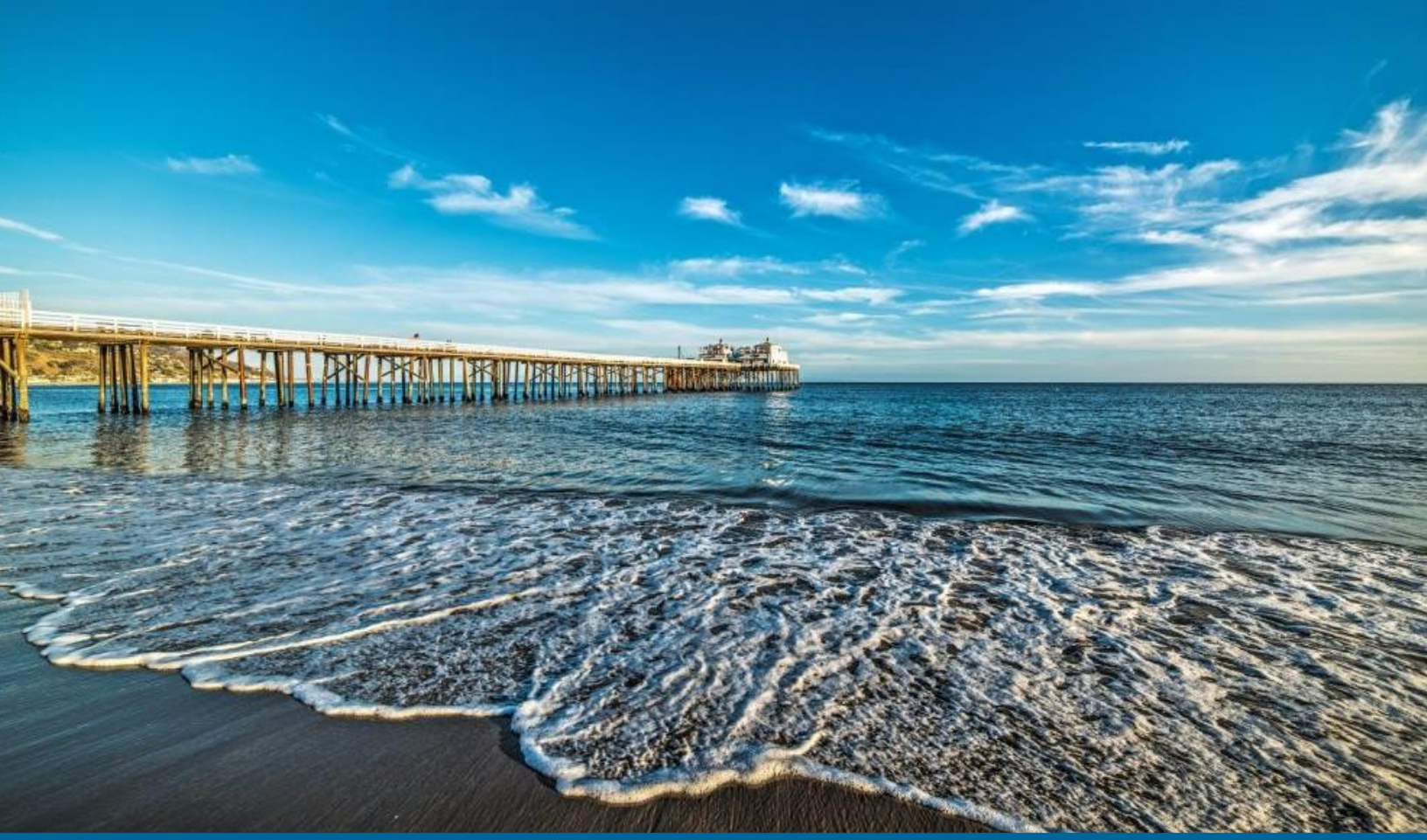




Appendix D – List of Acronyms

AB	Assembly Bill
AHO	Affordable Housing Overlay
AMI	Areawide Median Income
CCC	California Coastal Commission
CCRL	California Community Redevelopment Law
CDBG	Community Development Block Grant
CDP	Coastal Development Permit
CEQA	California Environmental Quality Act
CUP	Conditional Use Permit
DOF	California Department of Finance
DU	Dwelling unit
ELI	Extremely low income
ESHA	Environmentally Sensitive Habitat Area
FAR	Floor area ratio
FMR	Fair market rent
HCD	California Department of Housing and Community Development
HMDA	Home Mortgage Disclosure Act
HUD	U.S. Department of Housing and Urban Development
LCP	Local Coastal Program
LIP	Local Implementation Plan
MF	Multi-family
RHNA	Regional Housing Needs Assessment
SB	Senate Bill
SCAG	Southern California Association of Governments
SF	Single-family

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APPENDIX E
Contributing Factors to Fair Housing Issues





Appendix E
Contributing Factors to Fair Housing Issues

I. Executive Summary

Impediments/Contributing Factor	Priority	Justification	Service Area
Barriers to mobility	High	According to 2015 ACS data, an estimated 9.2 percent of persons in the Urban County had a disability. The ability for persons with disabilities to access infrastructure, public facilities, and housing units is limited by barriers to mobility, such as physical accommodations for access. Some 37.6 percent of survey respondents with a disability indicated that it was difficult or somewhat difficult getting about their neighborhood or housing complex. In addition, an estimated 10.5 percent of respondents in Los Angeles County indicated that there are problems with their home that create physical/accessibility issues for their households. Based on a survey of participating cities regarding their CDBG spending priorities, over 80% indicated that they will use CDBG funds if available during the next five (5) years to address accessibility improvements such as sidewalks, public facilities, or housing. Participating cities considered the needs identified through assessments and input from residents to set their CDBG spending priorities. Barriers to mobility limits access to opportunities, creating a disproportionate access and contributing to fair housing issues. As such, this factor has been rated as a high priority. While the CDC and HACoLA have made continued efforts in the past to increase access for persons with disabilities, the need remains. The CDC and HACoLA must establish goals to increase access in order to diminish any disproportionate access to opportunity that persons with disabilities in the Urban County experience.	Los Angeles Urban County HACoLA
Lack of affordable housing in a range of sizes	High	According to the 2017 HUD AFFH data, approximately 74 percent of family households with five or more members experience housing problems such as cost burdens or overcrowding. The high percentage of families that need appropriately sized housing makes this contributing factor a high priority. Almost a quarter of all households surveyed expressed severe cost burdens which impact racial and ethnic minorities at an even higher rate. The lack of affordable housing units available in a wide variety of household sizes is evident in the proportion of households with severe cost burdens. The 2017-18 Resident Survey found that countywide the need for housing for seniors and persons with disabilities, ranked out of a possible 4, were 3.36 and 3.28, respectively. Although the CDC has encouraged the development of affordable units for special needs and low income households, the need for additional housing options is striking compared to available units. As a high priority, the CDC will continue to direct efforts and resources to promoting affordable housing options that comply with federal and state fair housing requirements, including Section 504 of the Rehabilitation Act (Section 504), Title II of the Americans with Disabilities Act (ADA), and the Fair Housing Act.	Los Angeles Urban County
Lack of sufficient accessible housing in a range of unit sizes	High	While 2015 ACS data states that 9.2 percent of persons in the Urban County had a disability, according to the County's 2015 Health Survey, 22.6 percent had a disability countywide. Barriers to mobility are compounded with limited access to affordable housing to create a lack of accessible housing options. Service providers echo this sentiment, highlighting the need for additional accessible units for varying households. The 2017-2018 Resident Survey found that, countywide, the rated need for housing for persons with disabilities was 3.28 out of 4. Lack of sufficient accessible housing in a range of unit sizes is rated as a high priority due to its impact on persons with disability to access fair housing options. This factor is a core function of both the CDC and HACoLA to address fair housing issues in the County. HACoLA and the CDC have been increasing the number of accessible units in the County through various efforts over time. However, these efforts still do not meet the need of persons with disabilities to access housing. In establishing goals to meet this need, the CDC and HACoLA will help decrease the disparity in access to housing options and access to opportunity for persons with disabilities.	Los Angeles Urban County HACoLA

Impediments/Contributing Factor	Priority	Justification	Service Area
Lack of sufficient publicly supported housing for persons with HIV/AIDS	High	The HIV/AIDS population in Los Angeles County has seen 85,500 cumulative diagnosis of HIV/AIDS, according to the 2015 Annual HIV Surveillance Report, which also estimates that 60,000 persons are currently living in the County with HIV/AIDS. This report also suggests that the Hispanic population is disproportionately affected, as well as persons in San Fernando and San Gabriel Valley. The U.S. Department of Health and Human Services states that stable housing options for this population has been linked to better ability to access care and supportive services, as well as maintenance of treatment.[2] The continued need for housing options for persons with HIV/AIDS was emphasized during the AI process through service providers and public input. The lack of sufficient publicly supported housing for persons with HIV/AIDS limits access to housing options for this special needs population. This directly impacts access to opportunity and exasperates levels of segregation. Due to these impacts, this factor has been given a high priority. Housing efforts have been undertaken county-wide to increase housing option for person with HIV/AIDS. However, the need for additional housing options is still prominent for this special needs community. The CDC will Establish a goal to increase housing options to help diminish the dipartites in access for persons with HIV/AIDS.	Los Angeles Urban County
Land use and planning decisions restrict fair housing choice for persons with disabilities and affordable housing in general	High	The location of accessible and affordable housing units in the Urban County may indicate that land use and planning decisions are restricting the housing options for eligible households. Affordable housing options tend to be located in or adjacent to R/ECAP areas, as seen in the maps in Section F. Land use and planning decisions restricting fair housing choice for persons with disabilities and affordable housing in general plays an immediate impact on fair housing issues by limiting housing choices, diminishing access to opportunity, and further exacerbates segregations among minorities and for persons with disabilities. For these reasons, this factor has been places as a high priority. While the CDC and participating cities have reviewed and implemented Housing Elements and other plans, the need for additional review and revision exists in order to identify restrictions to accessible and affordable housing. Identifying and revising existing land use and planning decisions will expand housing options and increase access to fair housing options within the County.	Los Angeles Urban County
Presence of lead poisoning exposure	High	Lead poisoning exposure continues to be an issue for households, particularly for low income households. Between 2011 and 2015, over 15,000 children under the age of 6 test positive for lead.[3] However, the number of those children that have elevated blood lead levels is unclear, and under-testing appears to be a continued problem[4] According to the Response and Surveillance System for Childhood Lead Exposure (RASSSCLE), the highest levels of lead poisoning exposure can be found in Central and South Los Angeles. Elevated blood levels are more prevalent among low income households.[5] In addition, CDC studies have found that black populations have been found to be more likely to have elevated blood levels.[6] This heightened risk limits access to healthy neighborhoods and safe housing environments. It is selected as a high priority due to its impact of access to healthy housing options and increases disproportionate housing needs within R/ECAP areas. The CDC has funded lead abatement procedures, but the continued risk threatens the health and safety of households, especially those with children. The CDC will continue efforts to promote increased access to healthy and safe housing options through lead abatement efforts and review.	Los Angeles Urban County

[2] https://www.hiv.gov/hiv-basics/living-well-with-hiv/taking-care-of-yourself/housing-and-health
[3] "Lead's Hidden Toll", Joshua Schneyer, April 20, 2017. Reuters Investigates. http://www.reuters.com/investigates/special-report/usa-lead-la/.
[4] https://www.reuters.com/article/us-usa-lead-la/l-a-health-officials-misstated-some-cases-of-childhood-lead-exposure-idUSKBN18S66J
[5] http://www.epi.umn.edu/let/nutri/disparities/causes.shtm
[6] https://www.cdc.gov/mmwr/volumes/65/wr/mm6539a9.htm

Impediments/Contributing Factor	Priority	Justification	Service Area
Significant disparities in the proportion of members of protected classes experiencing substandard housing when compared to the total population	High	Housing problems impact a large proportion of households in LA County. Racial and ethnic minorities, people with disabilities, families with children, and other protected classes face housing problems at higher rates than the total population. For example, black and Hispanic households face housing problems at a rate of 58.7 and 66.5 percent, respectively, and families with 5 or more people face housing problems at a rate of 74.0 percent, according to HUD AFFH Data. The rate at which protected classes face housing problems compared to the general population exemplifies the disproportionate housing need in the County, particularly those in R/ECAPs. This is a high priority as it impacts the level of access to fair housing options for these households in the County. While the CDC has directed resources to address disparities in access to housing in at-need areas, continued efforts are needed in order to guarantee access to housing options. The CDC will continue to establish meaningful and impactful goals to increase access for protected classes to access housing and decrease disproportionate need.	Los Angeles Urban County
Noise Pollution due to plane traffic from Los Angeles International Airport	High	R/ECAPs in the Urban County are more likely to face environmental issues, such as noise pollution from LAX. There are an estimated 8,424 dwelling units impacted by noise from LAX.[7] Noise pollution continues to be a hazard for low income households and for R/ECAPs. Noise pollution decreases quality of life and limits access to healthy neighborhoods. This factor has been selected as a high priority due to the enormous need and its effect on persons living in R/ECAPs as well as the ability of the CDC to work with Federal Aviation Administration and Los Angeles World Airports to address the need. The CDC has recognized the impact of noise pollution on household access to healthy neighborhood, and is creating goals to help diminish the impact of noise pollution on access to healthy neighborhoods.	Los Angeles Urban County
Poor land use and zoning situating sources of pollution and environmental hazards near housing	High	The disparity in access to healthy neighborhoods shows a marked disparity for racial and ethnic minorities in accessing healthy neighborhoods. The location of housing adjacent to environmental hazards may continue to allow for disparities to exist and limit household access to lower pollution levels. R/ECAP areas in the Urban County tend to have higher levels of toxic emissions and environmental hazards, as seen in Map IV.110. Poor land use and zoning policies diminish access to opportunity and healthy neighborhoods. Siting decisions increase the disproportionate level of access to unhealthy neighborhoods for racial and ethnic minorities and low-income households, particularly those in R/ECAPs. These limiting factors to fair housing options, places this factor as a high priority. While the CDC and participating cities have reviewed and implemented Housing Elements and other plans, the need for additional review and revision exists in order to identify restrictions to accessible and affordable housing. Identifying and revising existing land use and planning decisions will expand housing options and increase access to fair housing options within the County. In addition, the CDC will continue its policy in the Notice of Funding Availability for affordable housing that applicants that propose projects within 500 feet of a freeway will not qualify for funding such as HOME Partnerships Investment and other applicable funding. Participating cities will also be trained on the policy and encouraged to implement it within their jurisdictions	Los Angeles Urban County

[7] http://www.lawa.org/uploadedFiles/LAX/pdf/3q17_20171115_Quarterly_Report.pdf

Impediments/Contributing Factor	Priority	Justification	Service Area
Access to quality healthcare	Low	Healthy Neighborhoods focus groups highlighted the poor access to quality healthcare in areas with higher concentrations of poverty. The 2015 LA County Health Survey found that 43.0 percent of persons below the Federal Poverty Line had difficulty accessing medical care. Racial and ethnic minorities also have more difficultly accessing medical care, with 31.2 percent of Hispanic and 26.8 percent of Asian adults having difficulty, compared to 12.7 percent of white adults. While this issue remains vital to the overall well-being of Urban County households and impacts the ability of households to access healthy neighborhoods, the CDC has limited capacity to make effective change with its available resources to provide access to quality healthcare. The Department of Public Health and other agencies throughout Los Angeles County are responsible for healthcare and the CDC partners with these agencies where possible. The CDC has funded community efforts to promote access to community health services. The CDC will continue these efforts by establishing goals to create more access to healthcare and healthy neighborhoods.	Los Angeles Urban County
Food insecurity - Access to healthy and nutritious food options	Moderate	Food insecurity continues to be an issue for many households in Los Angeles County. The 2015 County Health Survey found that 41.1 percent of households below the FPL had low or very low food security. In addition, Latino, black, and American Indian households had a markedly higher rate of low or very low food security.[8] Many areas experience limited access to fresh food, particularly R/ECAPs in the County, as shown by USDA food atlas.[9] This sentiment was echoed by the Healthy Neighborhoods Focus Groups. Limited access to food options and food insecurity are directly impactful to access to healthy neighborhoods. Since the County is seeing disproportionate access for R/ECAPs and low-income and minority populations in food security, the priority for this factor is moderate. It is rates as a moderate priority as the CDC will focus more resources on issues directly related to fair housing choice. Increasing access to food options will reduce the level of disparity that low-income and minority populations face in access to healthy neighborhoods. In light of this, although it's a moderate priority, HACoLA and the CDC can establish goals to help increase access to food options and social services with its limited resources.	Los Angeles Urban County HACoLA
Location and access to local businesses, especially in economically depressed areas	Moderate	Access to local businesses may limit job proximity and labor force engagement. As seen in the Opportunity Indices. Labor force engagement for some racial and ethnic minorities is markedly lower than for white Urban County residents. Labor market index scores for black and Hispanic households were 44.4 and 34.9, respectively, while those for white households were 69.4. Location and access to local businesses, especially in economically depressed areas such as R/ECAPs, limits access to opportunity. This is directly connected to fair housing issues and the CDC continues to invest in business assistance in R/ECAPs. However, it is rated as a moderate priority as the CDC will focus more resources on issues directly related to fair housing choice. Areas with high concentrations of racial and ethnic minorities and poverty, or R/ECAPs, are inundated with lower level of access to opportunity and access to local businesses. The CDC will implement activities to increase access to increased business activity in R/ECAPs in order to decrease disparities in access to opportunity.	Los Angeles Urban County

[8] http://www.publichealth.lacounty.gov/ha/LACHSDataTopics2015.htm
[9] https://www.ers.usda.gov/data-products/food-access-research-atlas/go-to-the-atlas.aspx

Impediments/Contributing Factor	Priority	Justification	Service Area
Lack of Information on Affordable Housing	High	Public input brought to light the limitation of current outreach practices that do not provide sufficient reach for eligible households to access information regarding affordable housing opportunities in the Urban County. Limited access to information on affordable housing directly impacts access to housing options. Disparities in access to housing options relates directly to fair housing issues and is placed as a high priority. Efforts to increase access to information have been on-going throughout the County. Efforts by the CDC to increase knowledge about federal and state fair housing requirements will decrease disparities in access and increase the accessibility of fair housing options.	Los Angeles Urban County
Increasing measures of segregation	High	The Urban County has seen moderate to high levels of segregation since the 1990s. Most of these levels have remained high into 2015, with Black/White segregation and Hispanic/White segregation remaining virtually unchanged since 2000 at 67.21 and 62.72, respectively, in 2015, according to AFFH Table 3. These areas of segregation continue to limit access to high opportunity areas, as well as compounding housing problems in R/ECAPs. The rate of segregation is a direct limiting factor in access to fair housing opportunities. As the rate of segregation in the Urban County remain high, the priority of this contributing factor remains high as well. The CDC will increase access to housing in low minority and high opportunity areas through the introduction of pertinent goals, such as developing housing outside of areas of minority concentrations with low opportunities. Increasing access to low minority areas will impact the rate of segregation.	Los Angeles Urban County
Discrimination in private rental and homes sales markets	High	According to Fair Housing public input and HMDA data, racial and ethnic minorities, as well as other protected classes, face discrimination in private rental and homeowner markets. HMDA data shows that some racial and ethnic minorities are more likely to be denied a mortgage. In addition, HUD Fair Housing Complaint Data showed over 2,600 complaints between 2008 and 2016. The basis of these complaints was most likely to be disability, race, or familial status. Discrimination in the private rental and home sales market has been selected as a high priority affecting the fair housing issues of disparities in access to opportunity, discrimination, and segregation. It is selected as a high priority because it directly relates to fair housing choice and restricts a person's ability to secure housing based on protected class status or some other arbitrary reason. The CDC also has the ability to contract with a fair housing service provider to address this contributing factor. Although the CDC has contracted with a fair housing service provider to investigate alleged violations of fair housing law in the past, the complaints still remain each year so there needs to be enhanced, on-going enforcement as well as fair housing education. In addition, to adequately determine and address patterns of discrimination, more specific complaint data needs to be collected such as where the resident currently lives, where the alleged infraction occurred, protective class, and issue code (type of discrimination). As a high priority, the CDC will need to set goals to ensure meaningful actions are implemented so that discrimination in the private rental and homes sales market can be decreased or eliminated.	Los Angeles Urban County
Access to Financial Services	Moderate	The Fair Housing survey found that 9.3 percent of respondents indicated that their home loan application was denied in the past five years. According to HMDA data, between 2008 and 2015, black mortgage applicants are denied at a rate more than 7 percentage points higher than white applicants, and Hispanic applicants are denied at a rate more than 5 percentage points higher than non-Hispanic applicants. Access to financial services is related directly to housing options, and contributes to segregation, R/ECAPs, disparities in access to opportunities, and disproportionate housing needs. While this factor contributes to fair housing issues, it is rated as a moderate priority as the CDC is not able to address this issue on a large scale due to funding as well as the fact that state and regulatory agencies are in a better position to ensure compliance. Although this factor is rated as a moderate priority, the CDC will conduct outreach and education services through a fair housing service provider to help additional households access financial services in the Urban County.	Los Angeles Urban County

Impediments/Contributing Factor	Priority	Justification	Service Area
Lack of coordination with other Planning Processes and Programs to address contributing factors	Moderate	Throughout the planning and evaluation process, the CDC acknowledges gaps in coordination and planning processes that may limit the impact of programs and resources that are used to address fair housing. The size of the Urban County, and coordination among the numerous cities and unincorporated areas is limited by scale and resources to implement large scale planning efforts. Lack of coordination contributes to a number of fair housing issues including segregation, R/ECAPs, disparities in access to opportunity, and disproportionate housing needs. At the time of preparing the AI, there were initiatives that were in process that could address some of these fair housing issues such as a County tenant protection ordinance. However, the role of the CDC was not defined. The CDC will continue to participate in various meetings to define these roles and will take active steps to coordinate with the agencies taking the lead in applicable planning and programming efforts. While this factor is important to reducing these fair housing issues, the role of the CDC is undefined at this point. As such, it is rated as moderate. In spite of the fact that this factor is rated as moderate, the CDC will address this factor with steps to increase coordination across agencies through active participation in the planning and development of future programs and policies to address fair housing issues as well as implementation of these initiatives where appropriate..	Los Angeles Urban County

Impediments/Contributing Factor	Priority	Justification	Service Area
Public safety concerns	High	Crime data reported by LA County, as well as public sentiment, pointed to a high level of need for public safety measures. This is particularly striking in R/ECAPs. According to the 2017 Fair Housing Survey, an estimated 37 percent of residents in R/ECAPs felt unsafe in their neighborhood at night, compared to 20 percent for the Urban County overall. Safety is a primary concern for promoting access to healthy neighborhoods. The diminished access to safety also diminishes access to healthy neighborhoods, and therefore establishes this factor as a high priority. Efforts to increase public safety, particularly for those households in R/ECAPs will increase access to healthy neighborhoods and decrease public safety concerns. The CDC's and HACoLA's efforts will promote community involvement and crime prevention through annual goals.	Los Angeles Urban County HACoLA
Violent and drug related crime in public housing	High	Violence and crime in public housing is a real concern for residents because it impacts their quality of life, particularly those in R/ECAPs. Violent crimes continued to grow and had jumped for a third time by 2016.[10] Increased incidents of crime and drug related offences have been linked to areas with higher concentrations of poverty. According to the Fair Housing Survey, only 46.7 percent of public housing residents felt safe or very safe in their public housing development at night, and 38.6 percent felt safe or very safe in their neighborhood at night. Violent and drug related crime in public housing directly impacts access to healthy neighborhoods. Residents in R/ECAPs are facing diminished access to healthy neighborhoods, and therefore this factor is rated as a high priority. HACoLA has engaged in crime and safety programs, including the Community Policing Team (CPT) Program, and Crime Prevention through Environmental Design. However, crime and safety are a continued issue for public housing residents. Continued efforts are necessary to reduce the number of violent and drug related crime incidents in public housing.	HACoLA
Minority and low-income communities experience higher rates of crime and violence	High	As demonstrated by higher levels of crime in R/ECAP areas, access to safe neighborhoods are limited for low-income household. The perception of neighborhood safety is markedly lower for low income and minority households. Only 68.9 percent of households below the Federal Poverty Line (FPL) felt their neighborhoods were safe, compared to almost 80 percent of households between 100 and 199 percent FPL.[11] In addition, Latino and African American households were more than 15 percentage points lower in perceived neighborhood safety than white households. The Portrait of Los Angeles County report found that areas in Los Angeles County, including Cudahy, Westmont, Lennox, East Rancho Dominguez, and Florence-Graham, have higher crime rates.[12] Disproportionate rates of violence and crime create disproportionate access to healthy neighborhoods. The factor is selected as high priority because of the impact on minority and low-income communities, and the disparities in access to safe neighborhoods and environments. The CDC and HACoLA's efforts to address crime and violence in minority and low-income communities will increase access to healthy neighborhoods. The CDC and HACoLA will establish goals to increase resources to combat the disproportionate rate of violence and crime for these communities.	Los Angeles Urban County HACoLA

[10] http://www.latimes.com/local/lanow/la-me-crime-stats-20161227-story.html
[11] http://www.publichealth.lacounty.gov/ha/LACHSDataTopics2015.htm
[12] https://ssrc-static.s3.amazonaws.com/moa/PoLA%20Full%20Report.pdf

Impediments/Contributing Factor	Priority	Justification	Service Area
Criminal activity in public housing facilities	High	Crime data reported by Los Angeles County, as well as public sentiment, pointed to a high level of need for public safety measures. This is particularly striking in R/ECAPs. According to the 2017 Fair Housing Survey, an estimated 37 percent of residents in R/ECAPs felt unsafe in their neighborhood at night, compared to 20 percent for the Urban County overall. According to the Fair Housing Survey, only 46.7 percent of public housing residents felt safe or very safe in their public housing development at night, and 70.6 percent felt safe or very safe in their development during the day. Criminal activity in public housing facilities not only impacts the residents' quality of life but also access to healthy neighborhoods. This impact on fair housing issues places this factor as a high priority. HACoLA has engaged in a variety of efforts to decrease criminal activity. Continued efforts are necessary to increase access to safe and healthy neighborhoods and diminish disparities in access to opportunity.	HACoLA
Juvenile crime activity	High	The rate of juvenile crime, echoing the rate of the crime statistics, is prevalent in lower income communities. In 2015, the juvenile felony arrest rate was 513 per 100,000 county-wide.[13] This rate has lowered over the past couple years for the County. Disproportionate rates of juvenile crime activity not only affects the residents' quality of life but also creates disproportionate access to healthy neighborhoods. The factor is selected as high priority because of the impact on minority and low-income communities, and the disparities in access to safe neighborhoods and environments. HACoLA has undertaken the Juvenile Justice Crime Prevention Act (JJCPA) Program to encourage lower rates of juvenile crime. The CDC also funds a gang and drug intervention program for youth in the RECAP areas. While rates are lowering county-wide, they still remain a crucial issue for neighborhood safety and access to healthy neighborhoods. Continued efforts to combat juvenile crime may help lower the dipartites in access to safe and healthy neighborhoods.	Los Angeles Urban County HACoLA
Increase independence for the elderly or families with disabilities	High	The 2015 County Health survey found that 22.6 percent of the population had a disability and 41.9 percent of those over 65 had a disability. In addition, those under the FPL had a higher disability rate than average, at 28.6 percent. Independence is reliant on access to a variety of components, including accessibility and services. Barriers to mobility and access to accessible housing are two primary hurdles to increasing independence. Limited independence for the elderly or families with disabilities is a primary barrier for access to housing options and opportunity. This factor contributes directly to fair housing issues, such as disparity in access to opportunity, and is therefore rated as a high priority. Efforts to increase independence will help integrate households with disabilities and negate any disparities in access to opportunity. HACoLA's established goals to encourage independence will support overarching fair housing goals and provide more equitable access to housing.	HACoLA
People with disabilities becoming homeless	High	Homelessness continues to be a major issue in Los Angeles County, and increased by 23 percent between 2016 and 2017 to 57,794 county-wide.[14] In 2016, more than 15 percent of the homeless population had a physical disability, and more than 3 percent had a developmental disability.[15] Homelessness is a critical issue throughout Los Angeles County, particularly for households with disabilities. This contributing factor limits access to housing options and is considered a high priority. Identifying people with disabilities at risk of becoming homeless will decrease the number of persons who enter homelessness each year. HACoLA will address the growing need for affordable and accessible housing by setting goals that target at-risk persons with disabilities.	HACoLA

[13] http://casi.cjcj.org/Juvenile/Los-Angeles
[14] https://www.lahsa.org/documents?id=1385-2017-homeless-count-results-los-angelescounty-presentation.pdf.
[15] https://www.lahsa.org/dashboards?id=18-2016-greater-los-angeles-homeless-count-demographic-summary

Impediments/Contributing Factor	Priority	Justification	Service Area
Lack of mental health services for school age children of public housing	High	Mental health concerns continue to be a crisis for public housing residents, impacting school age children. An estimated 7.4 percent of children in LA County attempted to access mental health care.[16] The incidence of violence and poverty have a documented impact on mental health for children, coupled with limited access to mental health services has continued to keep child mental health as a high priority.[17] Access to mental health services is an essential part of a healthy household and community, and limited access is a part of limited access to healthy communities. This factor is set as a high priority because of its impact on households' ability to access healthy neighborhoods and vital services. Although HACoLA has promoted mental health activities in the past, there is a continued need within public housing to promote access to mental health, particular for school aged children. Efforts to increase access must be implemented in order to eliminate any disparities in access to these services.	HACoLA
Access to affordable internet	Moderate	Data and public input have revealed a digital divide for low income households that do not have equitable access to affordable internet options. Areas with higher concentrations of poverty in LA County are the least connected to internet options.[18] About a third of low-income households do not have internet, more than double the general population.[19] This digital divide may have far reaching consequences, including limitations to service information, and limited access to educational and employment opportunities. This creates disparities in access to opportunity, but is rated as a moderate priority due to a lack of HACoLA resources to address the factor on a wide scale. Efforts to decrease the digital divide will help eliminate the disparities in access to educational and employment opportunities. HACoLA efforts must attempt to bridge this divide in order to establish more equitable access to opportunities in the County.	HACoLA
Industries not in compliance with health regulations - Pollution in Neighborhoods	Moderate	Access to healthy neighborhoods is markedly diminished in low income areas and R/ECAPs from industry practices. However, industry practices are not within the authority of HACoLA. The highest rates of pollution were found in areas of high poverty, and according to the Portrait of LA County report, were in Cudahy, Westmont, Lennox, East Rancho Dominguez, and Florence-Graham.[20] In addition, Latino, black, Native Hawaiian or other Pacific Islander (NHOPI) and Native American households were more likely to be in areas with high pollution levels.[21] Pollution directly impacts health and access to healthy neighborhoods. Disproportionate access to healthy neighborhoods for low-income and minority population creates a significant need. However, the ability of HACoLA to address industry policy is limited, and therefore this factor is weighed as moderate. Efforts by HACoLA to diminish disparities in access to healthy neighborhoods may be achieved through increased access and dissemination of information to residents. HACoLA goals to decrease exposure to pollution will help increase access to healthy neighborhoods.	HACoLA

[16] http://publichealth.lacounty.gov/ha/LACHSDataTopics2015.htm#Child
[17] https://www.urban.org/urban-wire/povertys-toll-mental-health
[18] http://arnicusc.org/wp-content/uploads/2017/07/Policy-Brief-2.pdf
[19] http://arnicusc.org/wp-content/uploads/2017/07/Policy-Brief-2.pdf
[20] https://ssrc-static.s3.amazonaws.com/moa/PoLA%20Full%20Report.pdf
[21] https://ssrc-static.s3.amazonaws.com/moa/PoLA%20Full%20Report.pdf

Impediments/Contributing Factor	Priority	Justification	Service Area
Illegal Dumping - Proximity to environmental hazards, especially in communities of color	High	Environmental hazards are more likely to impact low-income households and R/ECAPs, as shown by the Environmental Health Index, the CalEnviroScreen, and the consultation process. Latino, black, NHOPU, and Native American households were more likely to be in areas with high pollution levels.[22] These hazards limit access to healthy neighborhoods and increase health hazards in vulnerable communities. This diminished access to healthy neighborhoods is a contributing factor to fair housing issues and is rated as a high priority. Efforts by HACoLA to diminish disparities in access to healthy neighborhoods may be achieved through increased monitoring and information. HACoLA goals to decrease exposure to pollution will help increase access to healthy neighborhoods.	HACOLA
Enhance adequacy of life skills (e.g. Housekeeping, healthy eating, financial management)	Moderate	The 2015 LA County Health survey indicated that households below the FPL may have less access to support for enhancing life skills. Additionally, public involvement and consultation provided insight on inadequacy of life skills for many households throughout the County. These may include housekeeping, healthy eating, and financial management. The impact of life skills on quality of life and access to healthy neighborhoods is a contributing factor to fair housing issues and disproportionate access to opportunity. The capacity of HACoLA to impact these skills may be minimal on a large scale, and is therefore rated as a moderate priority. Efforts to increase the adequacy of life skills may impact the disparity in access to opportunity by increasing access to healthy neighborhoods. HACoLA will enhance current programs to increase life skills.	HACOLA
Enhance air quality within housing development sites	Low	Studies have found that public housing residents nationwide are twice as likely to have asthma as the general population, advocating for the elimination of smoking in public housing units.[23] In December, 2016, HUD published a final rule requiring public housing agencies to initiate a smoke-free policy by July, 2018. Diminished access to healthy air limits access to healthy neighborhoods. While enhancing air quality within housing development sites is of high importance, HACoLA has already made great strides in improving air quality and rates it as a priority of low. Between 2013 and 2014, HACoLA implemented a smoke-free policy for its housing developments to protect the residents, including families, youth, and the elderly and disabled. HACoLA continues to make strides to protect the air quality within housing development sites, and promote the health of all public housing residents.	HACOLA
Instances of absentee/bad landlords	Low	The cases of bad and absentee landlords, as established by public input, diminish the quality of housing options for many low-income households throughout the Urban County. Over 19 percent of respondents to the Fair Housing survey indicated that they were not able to communicate with their landlord; and 21 percent of public housing residents were not able to communicate with their landlord. For the public housing program, HACoLA will improve the perception of absentee landlords by effectively communicating and meeting with the residents. The impact of these landlords on sub-par conditions is important in establishing equal access to housing, however, may be difficult to monitor on a County-wide scale, especially in the private rental market. While this may impact access to housing options, this factor has been rated as a low priority. Efforts to increase the responsibility of landlords will help encourage access to housing options. Establishing goals may be limited by the capacity of HACoLA, but may be focused on public housing residents to increase access to opportunity.	HACOLA

[22] https://ssrc-static.s3.amazonaws.com/moa/PoLA%20Full%20Report.pdf
[23] https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4716462/

Impediments/Contributing Factor	Priority	Justification	Service Area
Lack of opportunities for residents to obtain housing in higher opportunity areas	High	As seen in the Disparities in Access to Opportunity section of this document, R/ECAPs have a markedly lower level of access to education, employment, and healthy neighborhoods. A lack of affordable housing options in higher opportunity areas, with access to transportation, jobs, and education, limit access to these areas for low income and racial and ethnic minority households. Lack of opportunities for residents to obtain housing in higher opportunity areas directly contributes to fair housing issues of dipartites in access to opportunity. This contributing factor has been rated as a priority due to the level of disparate impact on fair housing choice for minority and low income households. Efforts to increase access to high opportunity areas have not mitigated the disparity in access to opportunity faced by households in low opportunity areas. Increasing housing options in high opportunity areas, through measureable goals, will help establish higher levels of access to minority and low income households.	HACOLA
Lack of knowledge of Fair Housing, Section 504 and ADA laws	High	The Fair Housing survey indicated that 39 percent of respondents were not aware of their right to request accommodations. Fair housing outreach indicated a lack of knowledge of fair housing, Section 504 and ADA laws throughout the Urban County. In addition, some 30.9 percent of public housing resident respondents were not aware of their rights to request accommodations. Limited knowledge limits access to services for eligible households. This limited access is a contributing factor to fair housing in limiting access to opportunity. This factor is rates as a high priority. HACoLA efforts to increase knowledge of fair housing laws will continue and increase access to opportunities and decrease disparities for households with disabilities.	HACOLA
Disconnect in matching people with disabilities with the right housing resources	High	The Fair Housing survey indicated that 39 percent of respondents were not aware of their right to request accommodations, and 11 percent were in need of a housing accommodation. Additionally, consultation with agencies and public input indicated that eligible households were not effectively matched with appropriate resources, especially accessible housing options. Persons with disabilities that are not matched with appropriate services are contributing factors to fair housing issues and decreasing access for persons with disabilities to housing options. This factor is a rated as a high priority due to its impact of fair housing. HACoLA has increased efforts to match persons with disabilities with services, but are not currently meeting the existing need. Establishing goals to remediate this factor through increased services will help close the gap in disparate access.	HACOLA
Discrimination in the private accessible rental markets	High	According to Fair Housing public input and HMDA households with disabilities face discrimination in private rental and homeowner markets. HUD Fair Housing Complaint Data showed over 2,600 complaints between 2008 and 2016 for Los Angeles County, with the most common basis of these complaints being a disability. Discrimination in accessible units has been selected as a high priority because it related directly to fair housing and access to opportunity. Although efforts had been made to investigate violations of fair housing law in the past, discrimination still remains an on-going continuing factor that limits access to fair housing. As a high priority, HACoLA will continue efforts to enhance access to housing options and resources to encourage fair housing practices in the marketplace.	HACOLA

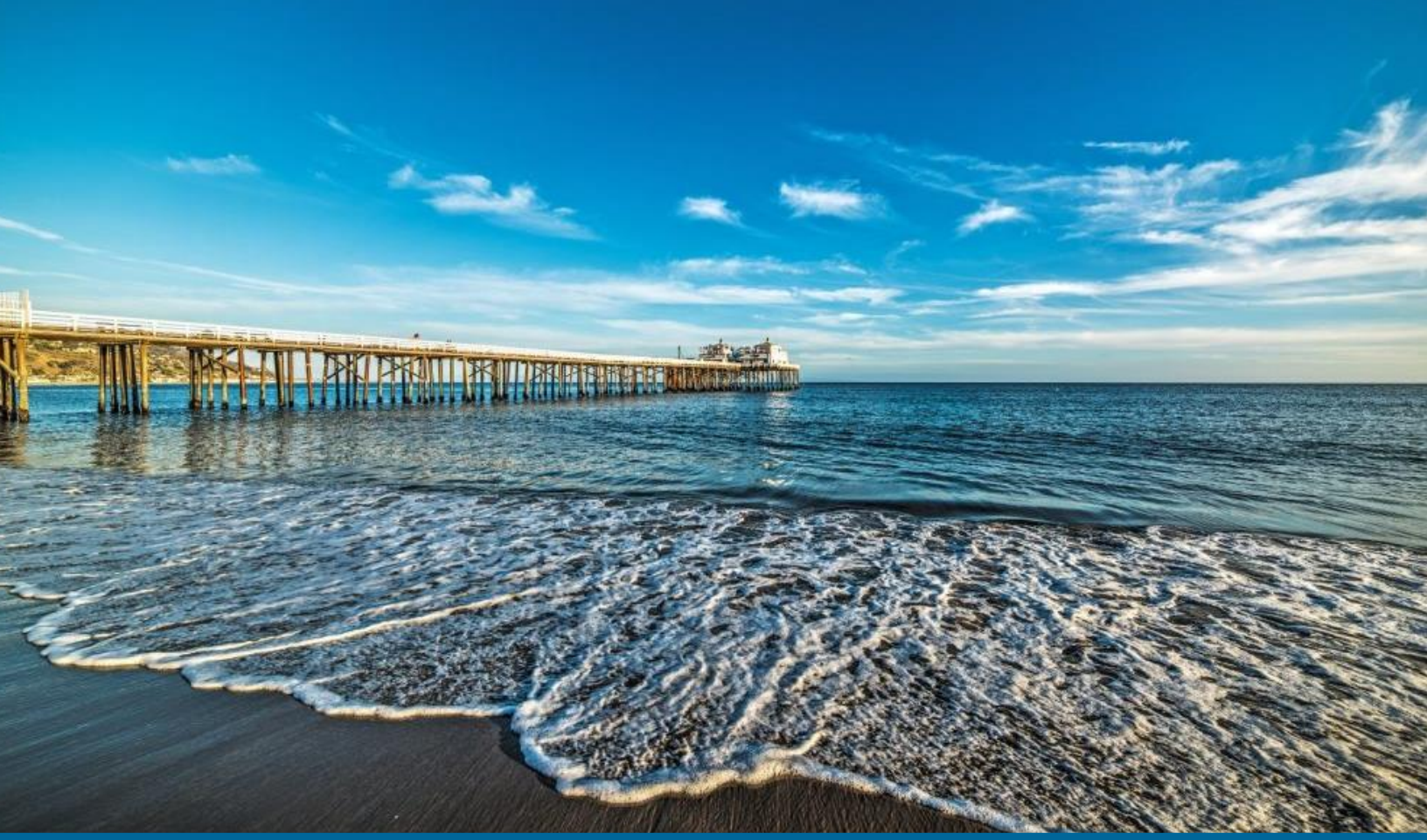
Impediments/Contributing Factor	Priority	Justification	Service Area
Disparities in job readiness and educational achievement	High	The Education index as well as other data sources, indicated a marked disparity in school proficiency. While white households had a school proficiency index of 73.65, black and Hispanic household indices were 44.24 and 44.35, respectively. This disparity in job readiness has far reaching consequences, including future economic opportunities. Disparities in job readiness and educational achievement has been placed as a high priority due to its impact on fair housing issues and access to opportunity. This factor limits access to fair housing choice and economic security. Since disparities in access still exist in the County, particularly for racial and ethnic minorities, HACoLA will set goals to ensure meaningful actions are implemented to increase job readiness and educational achievement, so disparities in access can be reduced.	HACOLA
Availability of scholarships	Moderate	Limited availability of scholarships create a barrier for households to access proficient educational opportunities. As seen in the School Proficiency Index, some racial and ethnic minorities overall, and R/ECAPs experience lower levels of school proficiency compared to white households in the Urban County. Black and Hispanic households have a school proficiency index of 44.2 and 44.4, respectively, compared to 73.7 for white households. The limited availability of scholarships limits access to education opportunities. This factor is related to the fair housing issue of access to opportunity, but is not within the capacity of HACoLA to impact on a wide scale, and is therefore rated as a moderate priority. Efforts to increase access to educational opportunities will decrease the disparities in access to educational opportunities for low income households. R/ECAPs with particularly low school proficiency and educational achievement levels can be directly impacted by efforts to increase access to sustained educational opportunities.	HACOLA
Enhance programs to help at-risk homeless population	High	Homelessness continues to be a major issue in Los Angeles County, and increased by 23 percent between 2016 and 2017 to 57,794 county-wide.[24] More than 74 percent of the counted homeless population in 2017 were unsheltered. The growing rate of homelessness places this factor as a high priority in the County. While HACoLA have taken substantial efforts to combat homelessness, it continues to be a growing problem in the County. In an effort to help stabilize and even reduce homelessness, HACOLA will establish goals to provide services for at-risk households. Any effort to help reduce the growth of the homeless population will help decrease disparities in access to housing options.	HACOLA
Access to transportation	Low	A 2017 Metro study found that 84 percent of bus riders did not have a car, and that the median income for riders in 2016 was $15,620.[25] Public input and consolation activities reiterated the fact that many households with children struggle to access transportation options, limiting access to opportunity. Limited access to transportation is a key component in access to fair housing and disparities in access to opportunities. Limited access to transportation for families, including parents and children is rated as a low priority for addressing fair housing issues in the County due to a lack of capacity for HACoLA to address this factor. However, HACoLA has undertaken programs to increase access to transportation services, but the gap in access persists. Increasing the availability of transportation options for parents and children will help close this gap in access to opportunity.	HACOLA

[24] https://www.lahsa.org/documents?id=1385-2017-homeless-count-results-los-angelescounty-presentation.pdf.
[25] https://www.metro.net/about/metro-disparity-study/

Impediments/Contributing Factor	Priority	Justification	Service Area
Lack of resources and services for working families (e.g., helping find housing for minorities)	High	Resources and services for working class families are essential to bridge the gap in access to housing and other services. 2015 Health Survey data suggest that low income households have lower knowledge about where to turn for support when compared to higher income households. A lack of these resources acts as a barrier in access, and remains a high contributing factor to access to fair housing. This factor has been rated as a high priority due to its impact on access to opportunity. Increasing access to resources and services will help decrease any disparities in access to opportunities for low income households. Efforts by HACoLA can be achieved in measurable goals to connect working families with applicable resources.	HACOLA
Access to affordable childcare	Moderate	Affordable childcare is a barrier for many households to enter or remain in the workforce, with an estimated 31.6 percent of LA County housing facing difficulties finding childcare.[26] The rate was even higher for those living below the FPL, at 41.9 percent. Public involvement and outside consultation reiterated the importance of affordable childcare that acts as a barrier to economic opportunities for low income households. Access to affordable childcare is directly linked with access to employment. Inequitable access to childcare create disproportionate access to opportunity and therefore is a contributing factor to fair housing issues. While it is vital for households to have access to childcare options, it is not within the ability of HACoLA to impact change on a wide scale. Therefore, this factor is rated as moderate. While there have been past efforts to increase access to childcare, it still remains a critical issue for many households. Any efforts by HACoLA to increase access to services will decrease disparities in access to opportunity for low-income households.	HACOLA
Enhance place based investments	Moderate	The availability of services and access to opportunities varies for protected classes in Los Angeles County. This is exemplified by the opportunity index, such as access to low poverty areas. While non-Hispanic white households have a low poverty index of 70.81, black households have an index of 48.72, and Hispanic households have an index of 41.00. Disparities in access to opportunity are directly linked to limiting access to fair housing. Enhancing place based investments will increase access to opportunity and is therefore rated as a moderate priority. HACoLA will increase place based investments through the use of additional funding for rental assistance, resident service programs, and addressing homelessness.	HACOLA
Facilitate Access to proficient schools	Moderate	Minority populations in the Urban County have significantly lower school proficiency indices than white non-Hispanic households. While white households have index ratings at 73.66 for school proficiency, black households have 44.24, and Hispanic households have 44.35. Disparities in access to opportunity, such as disparities in access to proficient schools are a significant issue for the Urban County. However, due to the lack of control over the education system, facilitating access to proficient schools has been rated as a moderate priority. HACoLA will continue to increase access to educational opportunities for public housing residents in an effort to increase access to proficient schools, and decrease disparities in access to opportunity.	HACOLA

[26] http://publichealth.lacounty.gov/ha/LACHSDataTopics2015.htm#Child

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APPENDIX F
AFFIRMATIVELY FURTHERING FAIR HOUSING (AFFH)





Appendix F – Affirmatively Furthering Fair Housing (AFFH)

The following section is new text subsequent to City Council adoption on January 10, 2022 and has not been denoted with formatting (underlines, strikethroughs, highlighting) to improve readability.

Introduction

Government Code § 8899.50 requires local agencies to affirmatively further fair housing (AFFH). Under California law, AFFH 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." California law requires Housing Elements to include an assessment of fair housing that addresses the following components:

- A summary of fair housing issues and assessment of the jurisdiction's fair housing enforcement and outreach capacity
- An analysis of segregation patterns and disparities in access to opportunities
- An assessment of contributing factors
- An identification of fair housing goals and actions.

Analysis of Fair Housing Methodology

Government Code Section 65583(c)(10)(A)(ii) requires the City of Malibu to identify integration and segregation patterns and trends, racially or ethnically concentrated areas of poverty, disparities in access to opportunity, and disproportionate housing needs, including displacement risk.

Resources

To conduct this analysis, the City utilized data from a variety of sources, including Housing and Community Development's (HCD) AFFH Viewer, Urban Displacement Project (UDP), CalEnviroScreen, California Tax Credit Allocation Committee (TCAC), and the 2018 Analysis of Impediments to Fair Housing Choice (AI) for the Community Development Commission and Housing Authority of the County of Los Angeles.

Housing and Community Development's AFFH Viewer

The AFFH Data Viewer is a tool developed by HCD that features census block group and tract level data from an expansive collection of sources including the American Community Survey (ACS), US Department of Housing and Urban Development (HUD) Comprehensive Housing Affordability Strategy (CHAS), TCAC, and Urban Displacement Project (UDP). The Data Viewer tool serves as a resource for local and regional governments and provides the ability to explore spatial data patterns concerning fair housing enforcement, segregation, and integration, racially and ethnically concentrated areas of poverty, and disparities in access to opportunities and housing. The Data Viewer is intended to assist in the creation of policies that alleviate disparities, combat discrimination, and increase access to safe and affordable homes.

Urban Displacement Project (UDP)

The UDP was developed as a research initiative by the University of California, Berkeley in partnership with the University of California, Los Angeles. The tool was developed to track neighborhood change and identify areas that are vulnerable to gentrification and displacement in California. Indicators of gentrification and displacement are measured at the census tract level based on data from the 2017-2021 ACS. UDP indicators examine census tracts to identify areas that qualify as disadvantaged neighborhoods. Additionally, census tracts qualifying as disadvantaged neighborhoods per UDP's criteria are further analyzed to explore changes in the percentage of college educated residents, non-Hispanic white population, median household income, and median gross rents over time to determine levels of gentrification and displacement risk.

CalEnviroScreen

The California Office of Environmental Health Hazard Assessment (OEHHA) developed a screening methodology to help identify California communities disproportionately burdened by multiple sources of pollution. This tool is called the California Communities Environmental Health Screening Tool (CalEnviroScreen). CalEnviroScreen utilizes existing environmental, health, and socioeconomic data to rank census tracts based on 20 distinct indicators. In general, the higher the score, the more impacted a community is by pollution burdens and population vulnerabilities. Designated disadvantaged communities are those communities that scored within the highest 25 percent of census tracts across California (CalEnviroScreen percentile scores of 75 or higher).

California Tax Credit Allocation Committee (TCAC)

To assist in the analysis of integration and segregation in the context of race and income status, HCD and TCAC convened the California Fair Housing Task force to "provide research, evidence-based policy recommendations, and other strategic recommendations to HCD and other related state agencies/departments to further the fair housing goals (as defined by HCD)." The Task force created opportunity maps to identify resource levels across the state to accompany new policies aimed at increasing access to high opportunity areas. These opportunity maps are made from composite scores of three different domains (economic, environmental, and education) with each including a set of indicators. Table F-1 shows the full list of indicators. The opportunity maps include a measure or "filter" to identify areas with poverty and racial segregation. To identify these areas, census tracts were first filtered by poverty and then by a measure of racial segregation. The criteria for these filters were:

- Poverty: Tracts with at least 30 percent of the population under the federal poverty line
- Racial Segregation: Tracts with location quotient higher than 1.25 for Black, Hispanic, Asian, or all people of color in comparison to the county

Table F-1 Domains and List of Indicators for Opportunity Maps

Domain	Indicator
Economic	Poverty, Adult Education, Employment, Job Proximity, Median Home Value
Environmental	CalEnviroScreen 3.0 pollution Indicators and Values
Education	Math proficiency, Reading proficiency, High school Graduation Rates, Student Poverty Rates

Source: California Fair Housing Task Force, Methodology for the 2020 TCAC/HCD Opportunity Maps, December 2020

2018 Analysis of Impediments to Fair Housing Choice for the Community Development Commission and Housing Authority of the County of Los Angeles

As part of the Community Development Block Grant (CDBG) program certification process, participating jurisdictions must prepare an analysis of impediments to fair housing choice every five years (See Appendix E). This analysis and the AI provide an assessment of the regional laws, ordinances, statutes, and administrative policies, as well as local conditions that affect the location, availability, and accessibility of housing. This analysis also considers the conditions in the private market and public sector that may limit the range of housing choices or impede a person's access to housing and provides solutions and measures that will be pursued to mitigate or remove identified impediments. The AI assesses the extent of housing needs among specific income groups and evaluates the availability of a range of housing choices for residents. Regionally, the AI identifies the following contributing factors to fair housing pertaining specifically to the cities located within Los Angeles County:

- Barriers to mobility
- Lack of affordable housing in a range of sizes
- Lack of sufficient accessible housing in a range of unit sizes
- Lack of sufficient publicly supported housing for persons with HIV/AIDS
- Land use and planning decisions restrict fair housing choice for persons with disabilities and affordable housing in general
- Presence of lead poisoning exposure
- substandard housing when compared to the total population
- Noise pollution due to plane traffic from Los Angeles International Airport
- Poor land use and zoning
- Sources of pollution and environmental hazards near housing
- Access to quality healthcare
- Food insecurity – Access to healthy and nutritious food options
- Location and access to local businesses, especially in economically depressed areas

Approach to Analysis

Appendix F is an assessment that evaluates fair housing issues. An assessment of fair housing identifies and analyzes patterns, trends, conditions, and practices that result in less fair housing choice. This Appendix F was prepared consistent with HCD's *Affirmatively Furthering Fair Housing Guidance for All Public Entities and for Housing Elements* (AFFH

Guidance Memo).[1] The AFFH Guidance Memo was prepared in response to Assembly Bill 686, which amended Government Code § 8899.50 to require housing elements to include an assessment of fair housing. Government Code § 8899.50 stipulates that an assessment of fair housing include the following components:

i. A summary of fair housing issues in the jurisdiction and an assessment of the jurisdiction's fair housing enforcement and fair housing outreach capacity.
ii. An analysis of available federal, state, and local data and knowledge to identify integration and segregation patterns and trends, racially or ethnically concentrated areas of poverty, disparities in access to opportunity, and disproportionate housing needs within the jurisdiction, including displacement risk.
iii. An assessment of the contributing factors for the fair housing issues identified under clause (ii).
iv. An identification of the jurisdiction's fair housing priorities and goals, giving highest priority to those factors identified in clause (iii) that limit or deny fair housing choice or access to opportunity, or negatively impact fair housing or civil rights compliance, and identifying the metrics and milestones for determining what fair housing results will be achieved.
v. Strategies and actions to implement those priorities and goals, which may include, but are not limited to, enhancing mobility strategies and encouraging development of new affordable housing in areas of opportunity, as well as place-based strategies to encourage community revitalization, including preservation of existing affordable housing, and protecting existing residents from displacement.

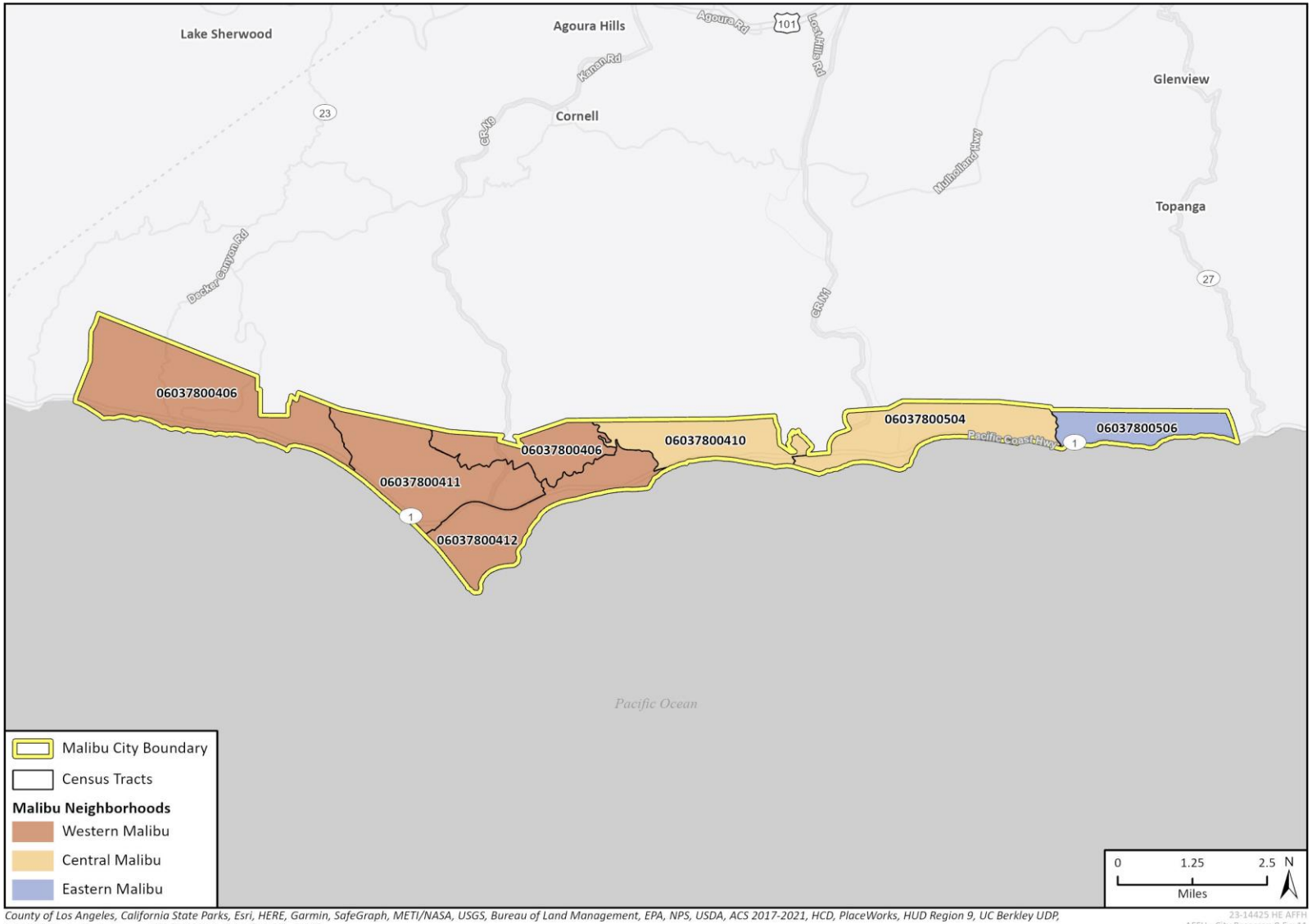
Appendix F provides a fair housing assessment organized along the following topics:

1. Fair Housing Enforcement and Outreach Capacity
2. Integration and Segregation Patterns and Trends
3. Racially and Ethnically Concentrated Areas of Poverty
4. Disparities in Access to Opportunity
5. Disproportionate Housing Needs
6. Local Data and Knowledge
7. Other Relevant Factors, including historical disinvestment, lack of infrastructure improvements, and presence of older affordable housing units that may be at risk of conversion to market-rate housing.

For each topic, trends are presented at the regional scale and locally at the city scale. Trends for overlapping issues were noted in the discussion for each topic and are referenced geographically by area or by census tract (see Figure F-1 for census tracts and neighborhoods within the city). Fair housing priorities, goals and actions are also provided specific to Malibu to address as implementation actions for the Housing Element. The goals and actions address the contributing factors for each theme itemized above.

[1] HCD, AFFH Guidance, p 7. April 2021 Update. https://www.hcd.ca.gov/community-development/affh/docs/affh_document_final_4-27-2021.pdf#page=23

Figure F-1 City of Malibu Census Tracts and Neighborhoods



Malibu contains seven census tracts. Portions of Census Tracts 8004.06, 8004.11, and 8004.12 comprise western Malibu, Census Tracts 8004.10 and 8005.04 comprise central Malibu, and a portion of Census Tract 8005.06 comprises eastern Malibu. For the purposes of this analysis, areas are referred to by western, central, and eastern Malibu.

Fair Housing Enforcement and Outreach Capacity

Fair housing enforcement and outreach capacity relates to the ability of public jurisdiction and fair housing entities to disseminate information related to fair housing and provide outreach and education to assure community members are informed of fair housing laws and tenants' rights. In addition, enforcement and outreach capacity includes the ability to address compliance with fair housing laws, such as investigating complaints, obtaining remedies, and engaging in fair housing testing.

Regionwide Fair Housing Services

Throughout the County of Los Angeles, there are a variety of organizations that provide fair housing services (see Table F-2). These organizations helped to coordinate the development of the Los Angeles County Consolidated Plan for 2018 – 2023 (organizations shown in Table F-2). The Consolidated Plan assesses the county's affordable housing and community development needs by analyzing housing markets; articulating priorities, goals, and strategies to address identified needs; and describing the actions that need to be taken to implement strategies for affordable housing.

Table F-2 Organizations Active in Los Angeles County

Organization	Activities and Capacity
1736 Family Crisis Center	Outpatient services and emergency shelters
Housing Rights Center	Fair housing services
Helpline Youth Counseling	Individual and community wellness services
Shelter Partnership, Inc.	Affordable housing services
YWCA of Greater Los Angeles	Health related wellness services
Affordable Living for the Aging	Senior living housing services
Quality of Life center	Mental health services
Volunteers of East Los Angeles	Community wellness services
East Los Angeles Women's Center	Individual and community wellness services
WINTER	Education and career development services
St. Joseph Center	Educational and vocational services

Source: Los Angeles County Consolidated Plan 2018 – 2023.

Enforcement

The Housing Rights Center (HRC) is a large non-profit civil rights organization dedicated to securing and promoting fair housing. HRC services all of Los Angeles County, including Malibu. HRC investigates housing discrimination and offers free, confidential housing counseling to assist tenants with housing discrimination issues, rent increases, notices and evictions, repairs, security deposits, disability accommodations, and other fair housing concerns.

Fair housing testing and enforcement services are also provided by the State of California's Department of Fair Employment and Housing (DFEH), which has the authority to investigate and prosecute violations of state civil rights laws on a state-wide basis, including the use of discriminatory language in housing advertisements. Fair housing testing is a technique used to uncover evidence of discrimination in rental housing. Initiated by the Department of Justice's Civil Rights Division in 1991, fair housing testing involves the use of an individual or individuals who pose as prospective renters for the purpose of determining whether a landlord is complying with local, state, and federal fair housing laws. Enforcement actions may be taken when investigations yield evidence of a pattern or practice of illegal housing discrimination. Testing may be initiated following the filing of a specific housing discrimination complaint or, as is the case when testing for disability discrimination, as part of an overall effort to determine whether the design or architectural features of a specific rental facility comply with state and federal accessibility requirements. In Los Angeles County, fair housing testing is used to identify unlawful housing discrimination practices based on the race, color, religion, sex, national origin, disability, familial status, marital status, age, ancestry, sexual orientation, and source of income of prospective renters.

HUD's Office of Fair Housing and Equal Opportunity maintains a record of all housing discrimination complaints filed. These grievances can be filed on the basis of race, color, national origin, sex, disability, religion, familial status and retaliation. Between January 5, 2010, and June 26, 2020, 2,881 housing discrimination cases were filed within Los Angeles County by the Office of Fair Housing and Equal Opportunity. Overall, disability-related discrimination was the most reported—comprising 53 percent of all cases. Other complaints concerned race (21 percent), retaliation (15 percent), and familial status (16 percent).

Outreach

HRC organizes an annual fair housing conference and resource fair for housing providers. Housing rights workshops are offered to landlords, property managers, and community members. Information on federal and state fair housing laws, common forms of housing discrimination, protected characteristics, unlawful practices, and fair housing liability is presented to workshop participants. Bilingual media outlets (primarily English and Spanish) and social media platforms are used to promote the conference and scheduled workshops and provide general information on fair housing. Information on rental housing options gathered from various classified and rental property sources is published on a monthly basis and distributed to the public and to social services representatives throughout Los Angeles County. Individual assistance is provided to landlords and tenants, with a focus on low- and moderate-income households.

Local Enforcement and Outreach

The City of Malibu is a participating city in the Los Angeles Urban County, which is a consortium of 48 cities that was formed to be eligible to receive HUD entitlement grants. The Los Angeles County Development Authority (LACDA) administers the Los Angeles County's CDBG programs for the Los Angeles Urban County. The CDBG programs include fair housing assistance programs through the Housing Rights Center, including legal

counseling, discrimination complaints investigation, and landlord/tenant counseling. Services are provided throughout the County.

Enforcement and Compliance with Existing Fair Housing Laws

The City of Malibu is subject to state and federal laws related to fair housing. These laws include the following:

- California Fair Employment and Housing Act (FEHA) (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2)
- FEHA Regulations (California Code of Regulations (CCR), title 2, sections 12005-12271)
- Government Code section 65008 covers actions of a city, county, city and county, or other local government agency, and makes those actions null and void if the action denies an individual or group of individuals the enjoyment of residence, landownership, tenancy, or other land use in the state because of membership in a protected class, the method of financing, and/or the intended occupancy.
    - For example, a violation under Government Code section 65008 may occur if a jurisdiction applied more scrutiny to reviewing and approving an affordable development as compared to market-rate developments, or multifamily housing as compared to single family homes.
    - Government Code section 65008, subdivision (e), authorizes preferential treatment of affordable housing
- Government Code §8899.50 requires all public agencies to administer programs and activities relating to housing and community development in a manner to affirmatively further fair housing and avoid any action that is materially inconsistent with its obligation to affirmatively further fair housing.
- Government Code §11135 et seq. requires full and equal access to all programs and activities operated, administered, or funded with financial assistance from the state, regardless of one's membership or perceived membership in a protected class.
- Density Bonus Law (Gov. Code, §65915.)
- Housing Accountability Act (Gov. Code, § 65589.5.)
- No-Net-Loss Law (Gov. Code, § 65863)
- Least Cost Zoning Law (Gov. Code, § 65913.1)
- Excessive subdivision standards (Gov. Code, § 65913.2.)
- Limits on growth controls (Gov. Code, § 65302.8.)
- Housing Element Law (Gov. Code, § 65583, esp. subds. (c)(5), (c)(10).)

The City of Malibu complies with these laws through the City's daily operations, The City complies with the California Fair Employment and Housing Act (FEHA), prohibiting discrimination based on marital status, ancestry, source of income, sexual orientation, and arbitrary discrimination in addition to the groups protected under federal fair housing legislation. The City does not have local ordinances that relate to fair housing.

Any complaints are referred to the City Attorney and/or the City Manager for investigation and action, as appropriate. According to HUD data, the City had three fair housing discrimination cases between 2013 and 2022. One complaint was on the basis of disability, one on the basis of sex, and one on the basis of retaliation. HRC did not receive calls from Malibu residents from July 2022 through June 2023.[2] Further analysis of the City's compliance with fair housing laws is also provided in the Constraints chapter of this Housing Element. Outreach

The City advertises fair housing services through the placement of fair housing service brochures at the public counter and at the Malibu Senior Center. Apartment owners and managers are provided with current information about fair housing issues, rights and responsibilities. The Apartment Association of Greater Los Angeles conducts seminars on state, federal and local fair housing laws and compliance issues. Program 5.2 Fair Housing Community Outreach aims to provide community outreach to increase participation from all sectors in the community in developing the City's housing policies and overall planning process.

Integration and Segregation Patterns and Trends

To inform priorities, policies, and actions, the housing element must include an analysis of integration and segregation, including patterns and trends, related to people with protected characteristics. Integration generally means a condition in which there is not a high concentration of persons of a particular race, color, religion, sex, familial status, national origin, or having a disability or a particular type of disability when compared to a broader geographic area. As defined in Title 24 Code of Federal Regulations (CFR) Section 5.151, segregation generally means a condition in which there is a high concentration of persons of a particular race, color, religion, sex, familial status, national origin, or having a disability or a type of disability in a particular geographic area when compared to a broader geographic area. In order to adequately assess the patterns of both integration and segregation, trends at the regional scale are presented for the greater Los Angeles region and at the local scale for the City of Malibu.

Race and Ethnicity

The ethnic and racial composition of a region relates to fair housing concerns such as household size, locational preferences, and economic opportunity.

Regional Trends

In the Southern California region, Hispanic/Latino populations are most concentrated in and around South Los Angeles, to the north of Los Angeles near the City of San Fernando, and in central Orange County near the City of Santa Ana. Asian American populations are most prevalent in Downtown Los Angeles, East Los Angeles, near the cities of Alhambra, Monterey Park, and Chino Hills, and in Orange County near the cities of Cerritos, Westminster, and Irvine. The largest concentration of Black/African American populations is in South Los Angeles and the nearby unincorporated county communities of Athens-Westmont and View Park/Windsor Hills. White populations tend to have highest

[2] Communication with Javier Beltran, HRC. September 2023.

prevalence near the coast, including in Malibu, and along the Interstate 210 Corridor south of the San Gabriel Mountains. Los Angeles County has the one of the highest percent of non-white population in the Southern California Association of Governments (SCAG) region, second to Imperial County.[3]

The areas with highest percentage of non-white residents in the region are in South Central Los Angeles, near the city of San Bernadino, eastern San Fernando Valley, and in central Orange County near the city of Garden Grove. These areas have at least 80 percent of non-white residents, as shown in Figure F-2. Comparatively, the less urbanized areas of the region and along the coast have a significantly lower percentage of non-white populations.

HUD utilizes the racial/ethnic dissimilarity index to measure segregation levels across a defined geographic boundary. The racial/ethnic dissimilarity index ranges from 0-100, where 0 represents perfect integration between racial groups and 100 representing perfect segregation.[4] According to the most recent HUD data, segregation levels in Los Angeles County are roughly similar to the Los Angeles-Long Beach-Anaheim region (as defined by HUD). Over the past three decades, the racial/ethnic segregation index score in Los Angeles County fluctuated (Table F-3). Since 2010, segregation increased between non-white and white residents; and between Asian American/Pacific Islander, Hispanic/Latino, and /white residents. Segregation between Black/African American and white residents decreased during this time.

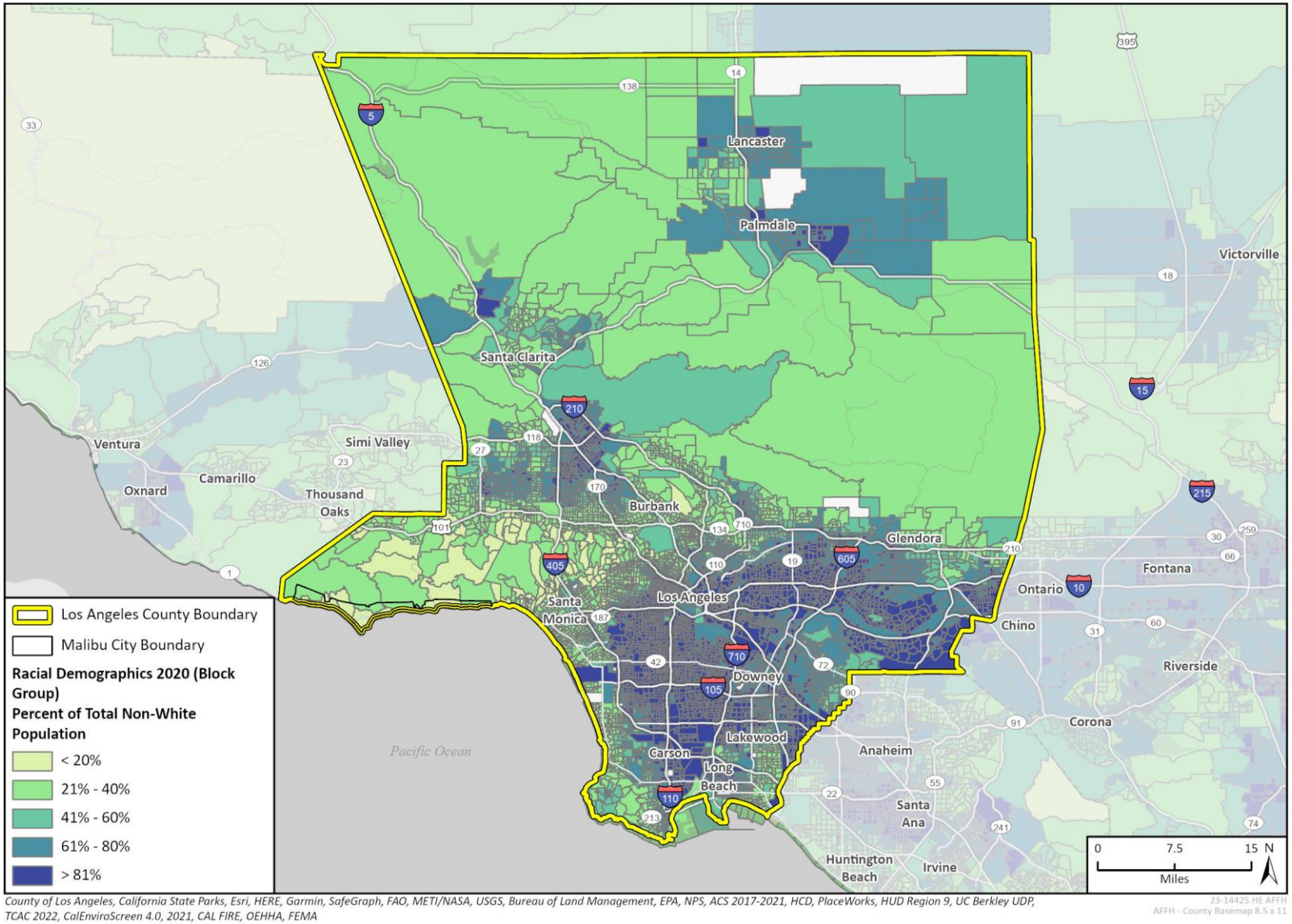
Table F-3 Racial Dissimilarity Index Values for Segregation (Los Angeles County and Los Angeles-Long Beach-Anaheim Region)

	Los Angeles County				Los Angeles-Long Beach-Anaheim Region			
Race	1990	2000	2010	Current	1990	2000	2010	Current
Non-White/White	53.33	53.62	53.85	55.87	55.32	55.50	54.64	56.94
Black/White	68.29	63.51	60.24	64.21	72.75	68.12	65.22	68.85
Hispanic or Latino/White	62.81	64.99	64.38	65.12	60.12	62.44	62.15	63.49
Asian or Pacific Islander/White	41.58	48.57	49.62	52.79	43.46	46.02	45.77	49.78

Source: HUD, 2023, Table 3 – Racial/Ethnic Dissimilarity Trends

[3] SCAG. Racial Equity Baseline Conditions Report. 2022. https://scag.ca.gov/sites/main/files/file-attachments/2022racialequitybaselineconditionsreport_final.pdf#:~:text=People%20of%20color%20currently%20comprise,2024%20RTP%2FSCS%20Projection), accessed August, 2023.
[4] HUD, 2020. https://www.hud.gov/sites/dfiles/FHEO/documents/AFFH-T-Data-Documentation-AFFHT0006-July-2020.pdf

Figure F-2 Percentage Total Non-White Population (Los Angeles County)



Source: AFFH Viewer, 2023

Local Trends

According to the 2020 Census, white residents comprised the most prevalent racial/ethnic group in Malibu. Table F-4 shows the population by racial category for Malibu in 2010 and 2020 and compares the 2020 population to the composition of the Southern California region in 2020.

Malibu's racial composition has a higher percentage of white, non-Hispanic residents than the Southern California region and a lower percentage of non-white residents. Malibu's population has become more diverse during the past decade, but most of the city is designated an area of high segregation by HUD, as shown in Figure F-3.

Areas with higher percentages of non-white residents are primarily located within the census tracts that overlap with unincorporated Los Angeles County (Figure F-4). However, the majority of residential development within these Census Tracts 8004.06, 8004.10, and 8005.06) is located within the boundaries of Malibu.

Table F-4 Share of Population by Racial/Ethnic Group, City of Malibu and the Southern California Region

	Malibu (Percent of Population)		Southern California Region (Percent of Population)
Race	2010	2020	2020
Hispanic/Latino	6.7	12.0	46.7
Non-Hispanic White	82.0	77.1	30.3
Black/African American	1.4	0.5	6.2
Asian American/Pacific Islander	4.5	2.8	13.5
Other or Multiple Races	0.0	0.5	3.1

Source: US Census, 2020. ACS Demographic and Housing Estimates, Table DP05; SCAG. Racial Equity Baseline Conditions Report. 2022. https://scag.ca.gov/sites/main/files/file-attachments/2022racialequitybaselineconditionsreport_final.pdf

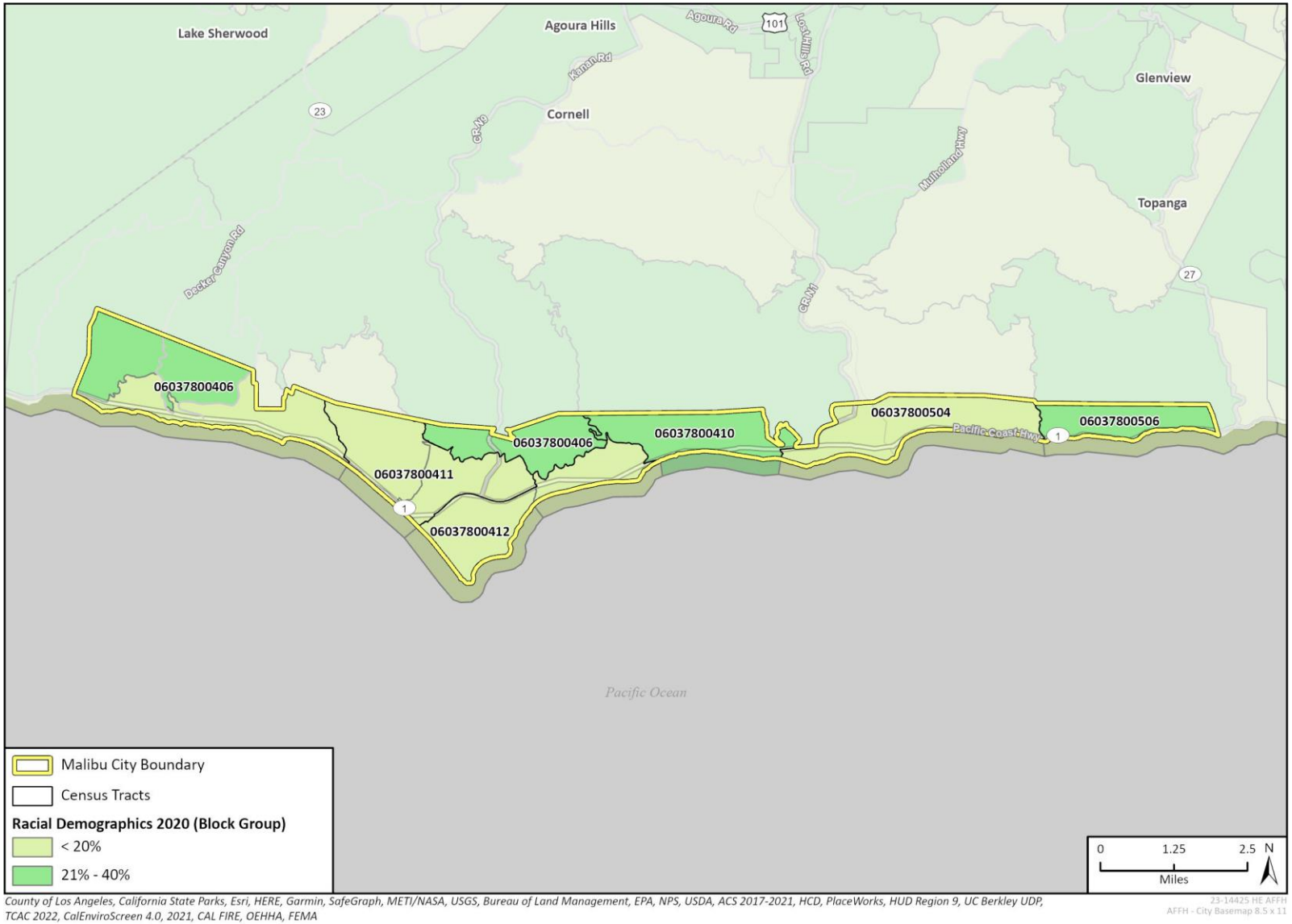
Figure F-5 shows the predominance of white populations in the city. White residents are the predominant racial/ethnic group in all census tracts in the city.

Figure F-3 Neighborhood Segregation (Malibu)



Source: AFFH Viewer, 2023

Figure F-4 Percent of Total Non-White Population (Malibu)



Source: AFFH Viewer, 2023.

Figure F-5 Predominant Populations (Malibu)



Source: AFFH Viewer, 2023

Persons with Disabilities

Physical, mental, and/or developmental disabilities may prevent a person from working, restrict one's mobility, or make it difficult to care for oneself. Disabled persons often have special housing needs related to limited earning capacity, a lack of accessible and affordable housing, and higher health costs associated with a disability. The living arrangement of persons with disabilities depends on the severity of the disabilities and the available resources. Many people with disabilities live at home in an independent arrangement or with other family members. To maintain independent living, people living with disabilities may need assistance. Four factors – affordability, design, location, and discrimination – significantly limit the supply of housing available to households of people with disabilities.

Regional Trends

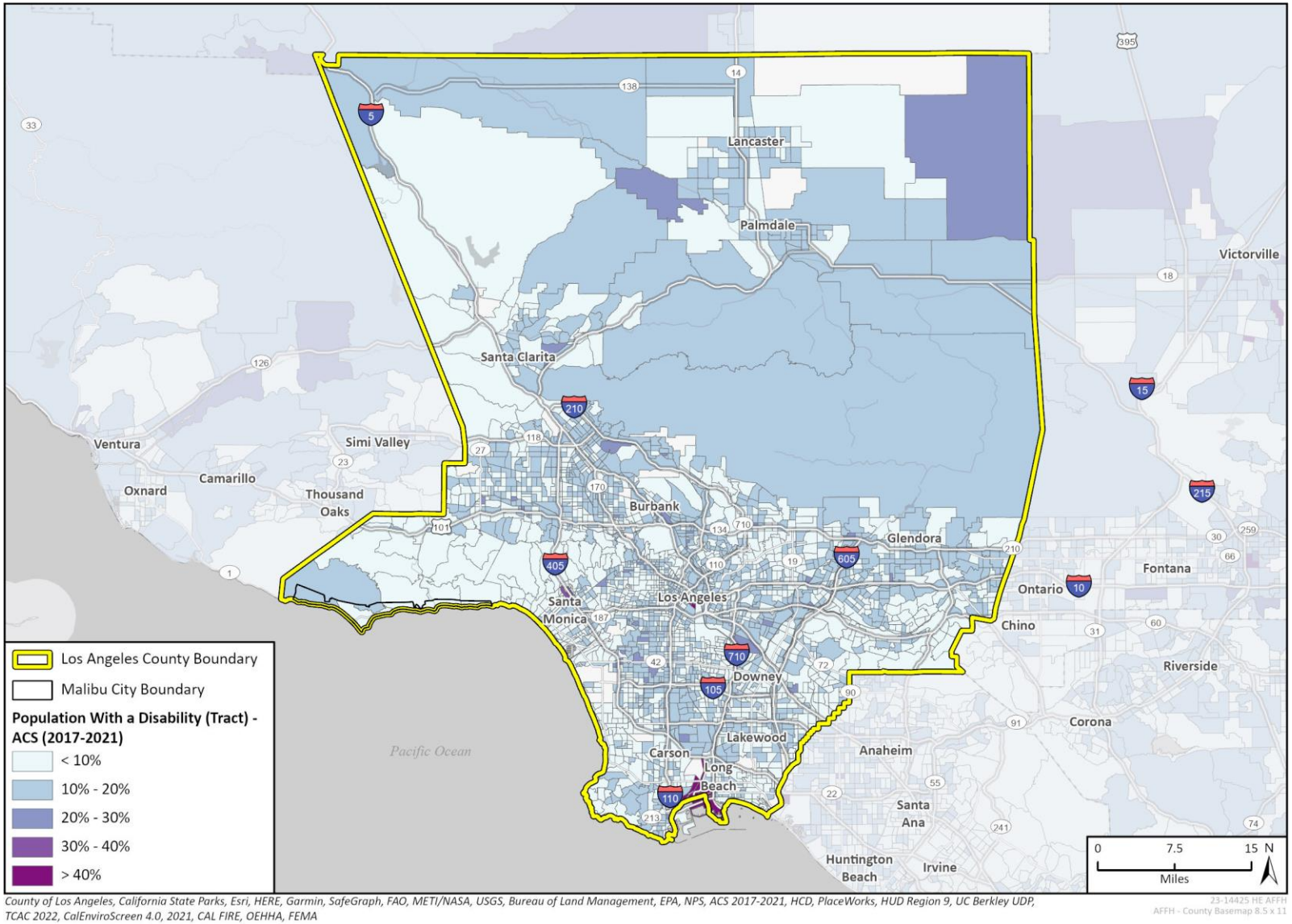
According to 2021 ACS estimates, 1,004,632 Los Angeles County residents have one or more disabilities, or 10.1 percent of the total population. Most of this population are seniors: 4.7 percent are aged 18 or younger, 13.8 percent are between the ages of 18 and 64, and 73.7 percent are 65 and older. Figure F-6 shows the percent of population living with a disability for each census tract in Los Angeles County. In most of the county, less than 20 percent of the population has one or more disabilities. There are small areas with more than 40 percent of the population with a disability in Long Beach, Santa Monica, and Downtown Los Angeles.

Local Trends

Approximately 883 residents (8.1 percent) of Malibu's population live with one or more disabilities. This is lower than the county average of 10.1 percent. According to 2021 ACS estimates shown in Figure F-8, cognitive difficulty was the most common disability reported by Malibu residents.

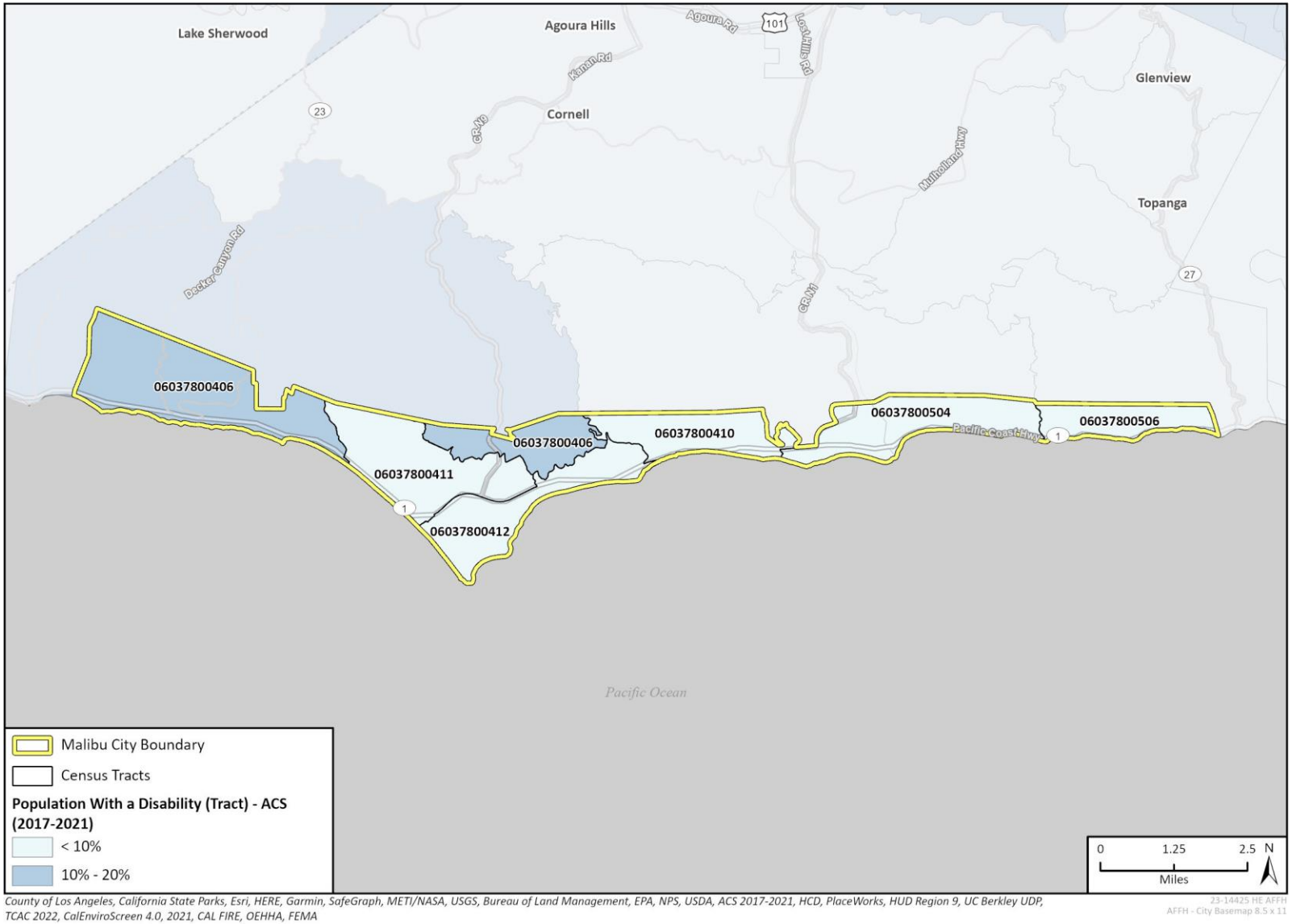
Figure F-7 shows the percentage of the population living with one or more disabilities in the city by census tract. In most areas of the city, less than 10 percent of residents live with a disability. The census tract that makes up the majority of western portion of the city has between 10 to 20 percent of residents reporting living with one or more disability.

Figure F-6 Percent of Population with a Disability (Los Angeles County)



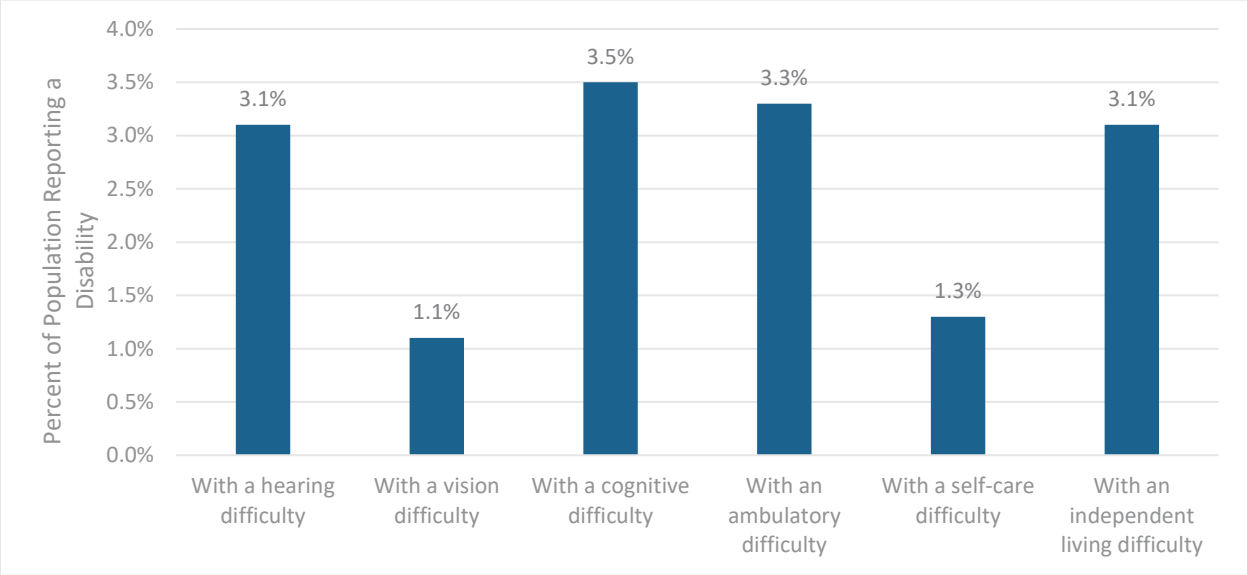
Source: AFFH Viewer, 2023

Figure F-7 Percentage of Population with One or More Disabilities (Malibu)



Source: AFFH Viewer, 2023

Figure F-8 Disability by Type (Malibu)



Notes: These disabilities are counted separately and are not mutually exclusive, as an individual may report more than one disability. These counts should not be summed.

Source: U.S. Census Bureau, American Community Survey 1-Year Estimates (2021), Table S1810

Familial Status

According to the Fair Housing Act, familial status refers to the presence of children under the age of 18 in a household with a legal guardian or designee of such guardian.[5] HUD provides examples of familial discrimination as (a) refusing to rent to families with children; (b) evicting families once a child joins the family through, e.g., birth, adoption, custody; (c) requiring families with children to live on specific floors or in specific buildings or areas; (d) imposing overly restrictive rules about children's use of the common areas (e.g., pools, hallways, open spaces); and (e) advertising that prohibits children.[6] Single parent households are protected by Government Code § 65583(a)(7). Because of their relatively lower incomes and higher living expenses, single-parent households can have limited options for affordable, decent, and safe housing. As a result, single parents are considered to be among the groups most at risk of experiencing poverty.

In addition to barriers to fair housing for single-parent households, large families can also experience housing discrimination as property owners impose occupancy limitations that can preclude large families with children. HUD data shows that familial status discrimination ranks third in discrimination of protected classes, behind discrimination due to disability and race.[7]

[5] 42 U.S. Code sections 3601, *et seq.*, the Fair Housing Act.

[6] https://www.hud.gov/program_offices/fair_housing_equal_opp/discrimination_against_families_children#_Who_Is_Protected?

[7] U.S. Department of Housing and Urban Development. "Annual Report on Fair Housing FY 2017."

Regional Trends

About 35 percent of all households within Los Angeles County are family households, consisting of two or more individuals who are related by birth, marriage, or adoption, although they also may include other unrelated people. Non-family households consist of people who live alone or who share their residence with unrelated individuals. Approximately 15 percent of households are characterized as female-headed, single-parent households, as shown in Figure F-9. There are areas with a higher concentration of households with children who reside in female-headed, single-parent households in the neighborhoods of South Central and San Pedro in Los Angeles, and the cities of Inglewood and Huntington Park.

Table F-5 shows a breakdown of each household type in the county. Countywide, 58.4 percent of owner-occupied households are married couple families while 23.3 percent are categorized as non-family households. In contrast, non-family households constitute the majority of renter-occupied households, with 41.9 percent as non-family households and 30.3 percent as married-couple families. Figure F-10 highlights the percentage of children residing in married-couple households. There are greater percentages of children in married-couple households in relatively less urbanized communities of the county. Highly urbanized neighborhoods within and surrounding the City of Los Angeles have lower percentages of children in married-couple households compared to cities near the coastal region and the county periphery.

Additionally, 12.0 percent owner-occupied households are headed by a female-headed householder with children present, while 6.1 are headed by a male-headed householder with children present. Approximately 17.1 percent of renter-occupied households are female-headed compared to 8.6 percent that are male-headed household.

Table F-5 Household Type by Tenure (Los Angeles County)

	Owners		Renters	
Household Type	Households	Percent	Households	Percent
Married couple family	917,264	58.4%	548,495	30.3%
Male householder, no spouse present	96,698	6.1%	157,039	8.6%
Female householder, no spouse present	188,337	12.0%	309,816	17.1%
Non-family households	365,710	23.3%	792,228	41.9%
Total Households	1,568,009	100.0%	1,807,578	100.0%

Source: U.S. Bureau of the Census, American Community Survey (ACS), Table B25011 Tenure By Household Type (Including Living Alone) and Age of Householder, 2021 5-yr Estimates.

Local Trends

Table F-6 shows household type by tenure in the City of Malibu. Owner-occupied households are predominantly married-couple households. Approximately 68 percent of owner-occupied households in Malibu are family households, 32 percent are categorized as non-family households. Of the family households, 57.8 percent of owner-occupied households in Malibu are married-couple families. In contrast, family households comprise 49.6 percent of renter-occupied households, while non-family households comprise 50.1 percent. Of the family households, married-couple families comprise 40.5 percent of renter-occupied.

Of all owner-occupied households, female-headed households comprise approximately 6.3 percent male-headed households comprise 3.7 percent. Of all renter households, female-headed comprise 4.9 percent and male-headed households comprise 4.2 percent. As shown in Figure F-11, children in female-headed households comprise less than 20 percent of all households with children present in all areas of the city.

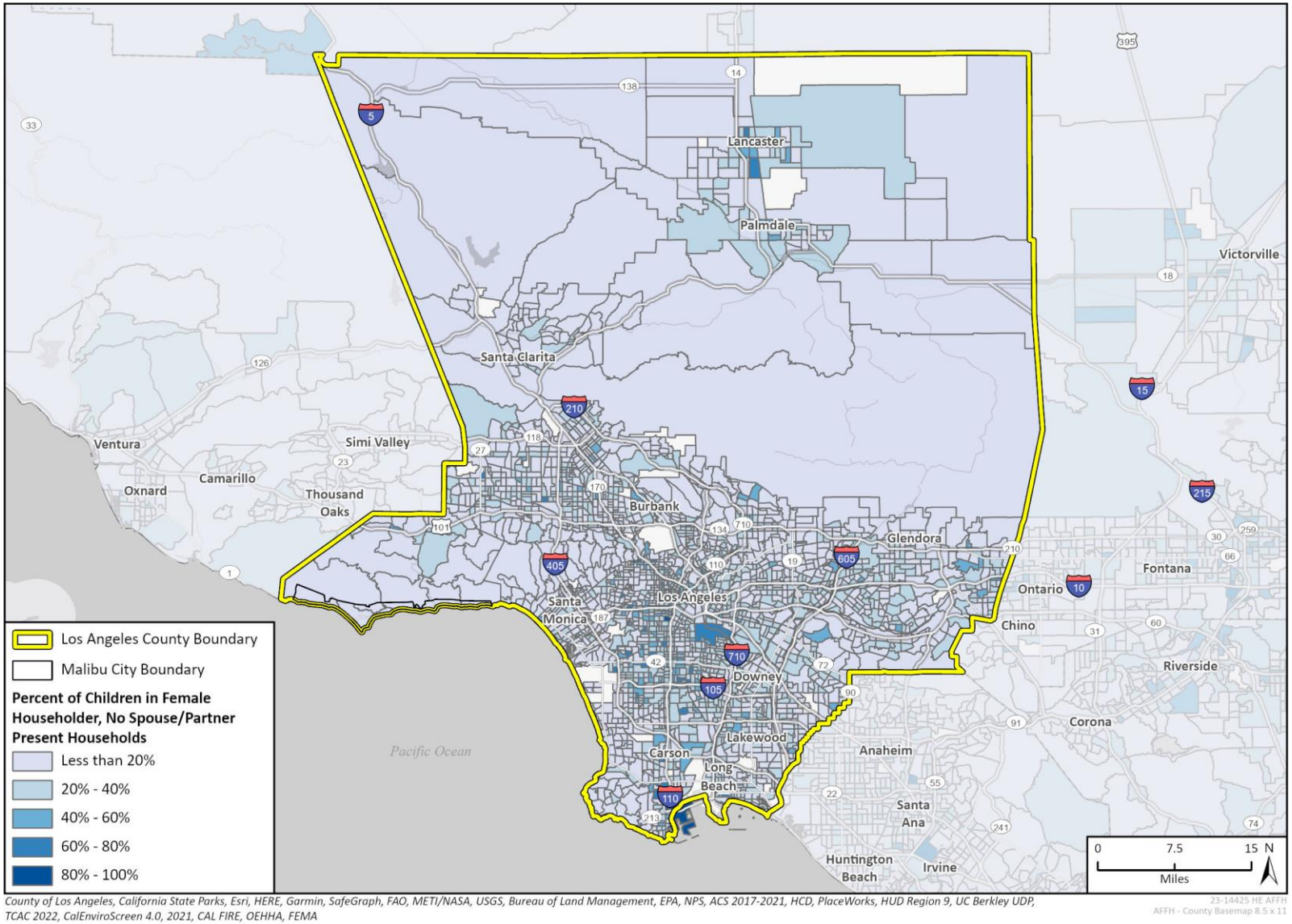
As shown in Figure F-12, the east Malibu has a higher percentage of children in married couple households than western Malibu.

Table F-6 Household Type by Tenure (City of Malibu)

	Owner		Renter	
Household Type	Households	Percent	Households	Percent
Married couple family	1,965	57.8%	425	40.5%
Male householder, no spouse present	128	3.7%	45	4.2%
Female householder, no spouse present	215	6.3%	52	4.9%
Non-family households	1,087	32.0%	525	50.1%
Total Households	3,395	100.0%	1,047	100.0%

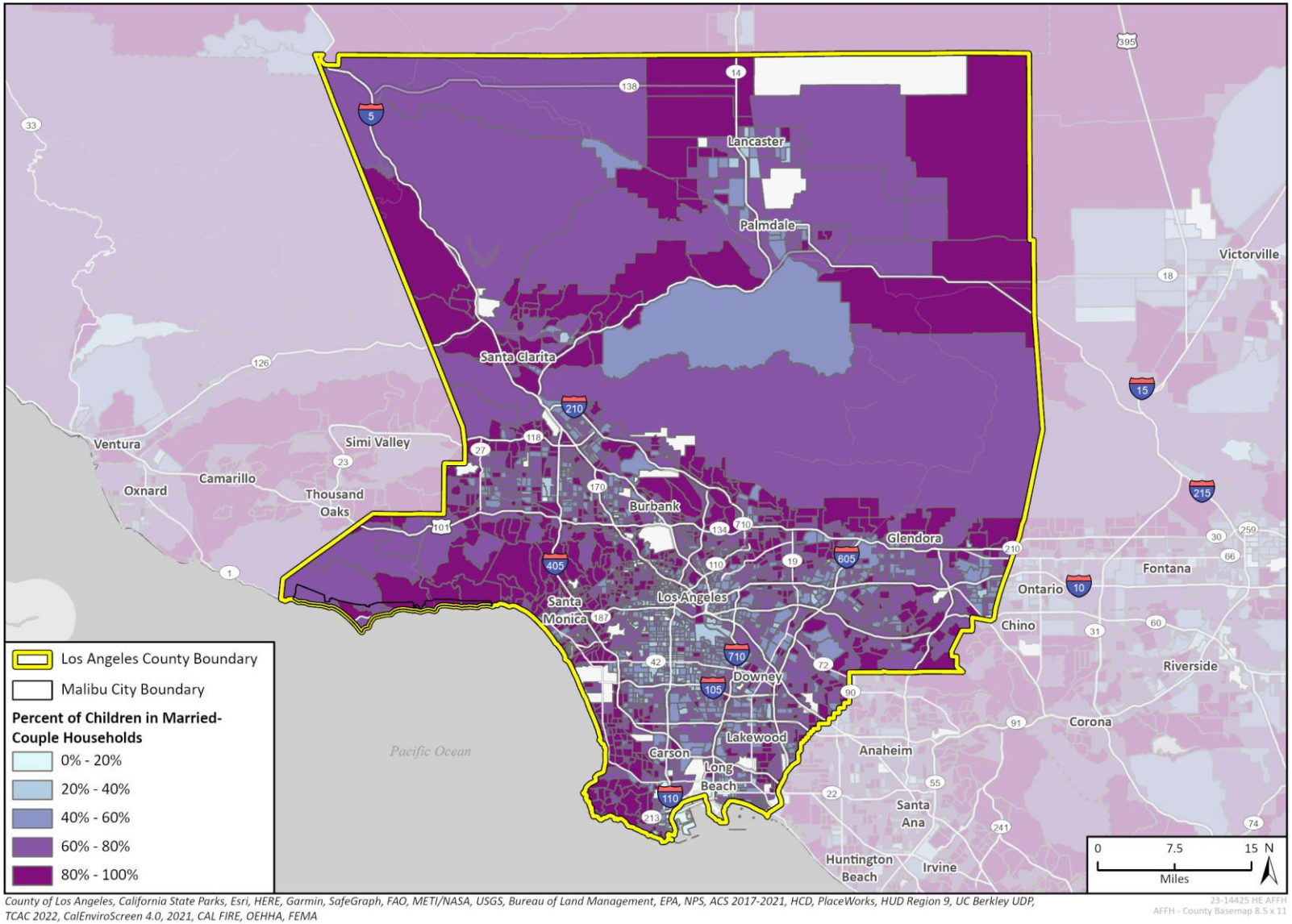
Source: U.S. Bureau of the Census, American Community Survey (ACS), Table B25011 Tenure By Household Type (Including Living Alone) and Age of Householder, 2021 5-yr Estimates.

Figure F-9 Female Headed Households with Children, No Spouse/Partner Present (Los Angeles County)



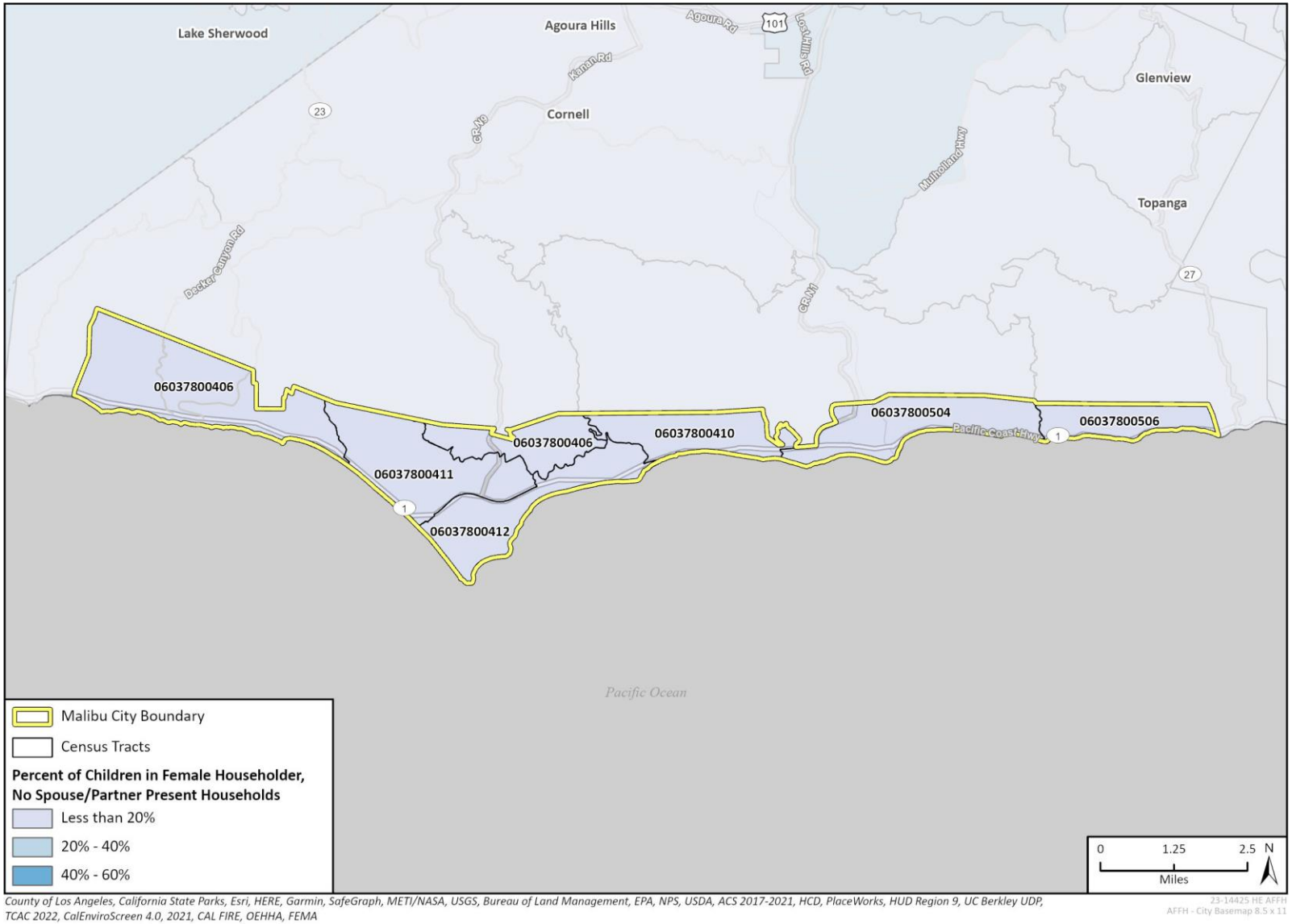
Source: AFFH Data Viewer, 2023

Figure F-10 Percent of Children in Married-couple Households (Los Angeles County)



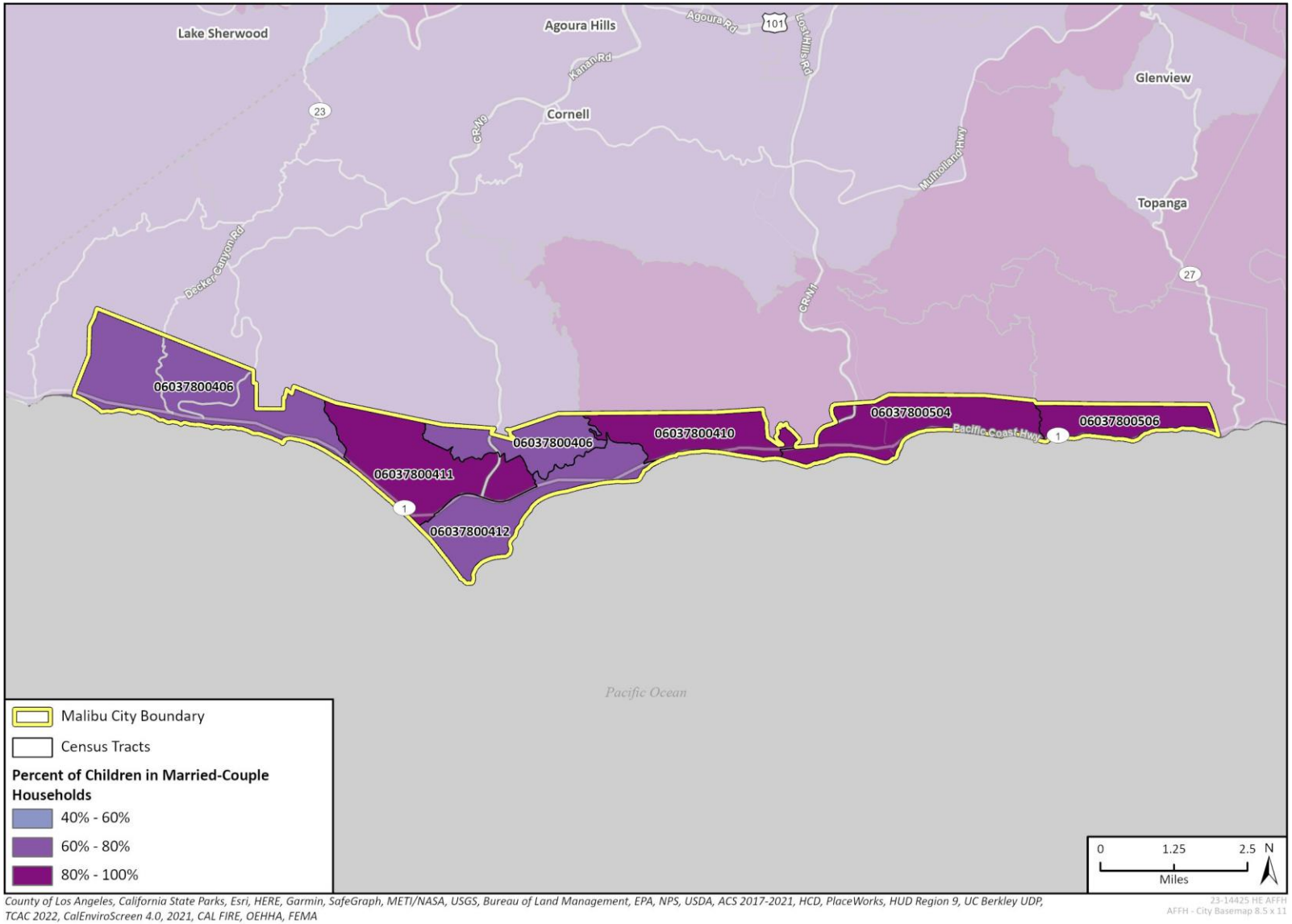
Source: AFFH Data Viewer, 2023

Figure F-11 Female Headed Households with Children, No Spouse/Partner Present (Malibu)



Source: AFFH Data Viewer, 2023

Figure F-12 Percent of Children in Married-couple Households (Malibu)



Source: AFFH Data Viewer, 2023

Household Income

Household income is directly connected to the ability to afford housing. Higher-income households are more likely to own rather than rent housing. As household income decreases, households tend to pay a disproportionate amount of their income for housing and the number of persons occupying unsound and overcrowded housing increases. To achieve fair housing objectives, people in low-income households must have a choice in housing opportunities—that is, when they are able to locate units that are affordable and well maintained in all parts of a jurisdiction and region.

This section identifies household income disparities using data based on median household income and low or moderate income (LMI) geographies. HUD defines an LMI area as a census tract or block group where over 51 percent of the population is LMI. The definition of low or moderate income is based on HUD income definitions of up to 80 percent of the AMI.

Regional Trends

According to 2021 ACS estimates, Los Angeles County has a median household income of $77,456, which is similar to the Southern California regional median household income of $77,430.

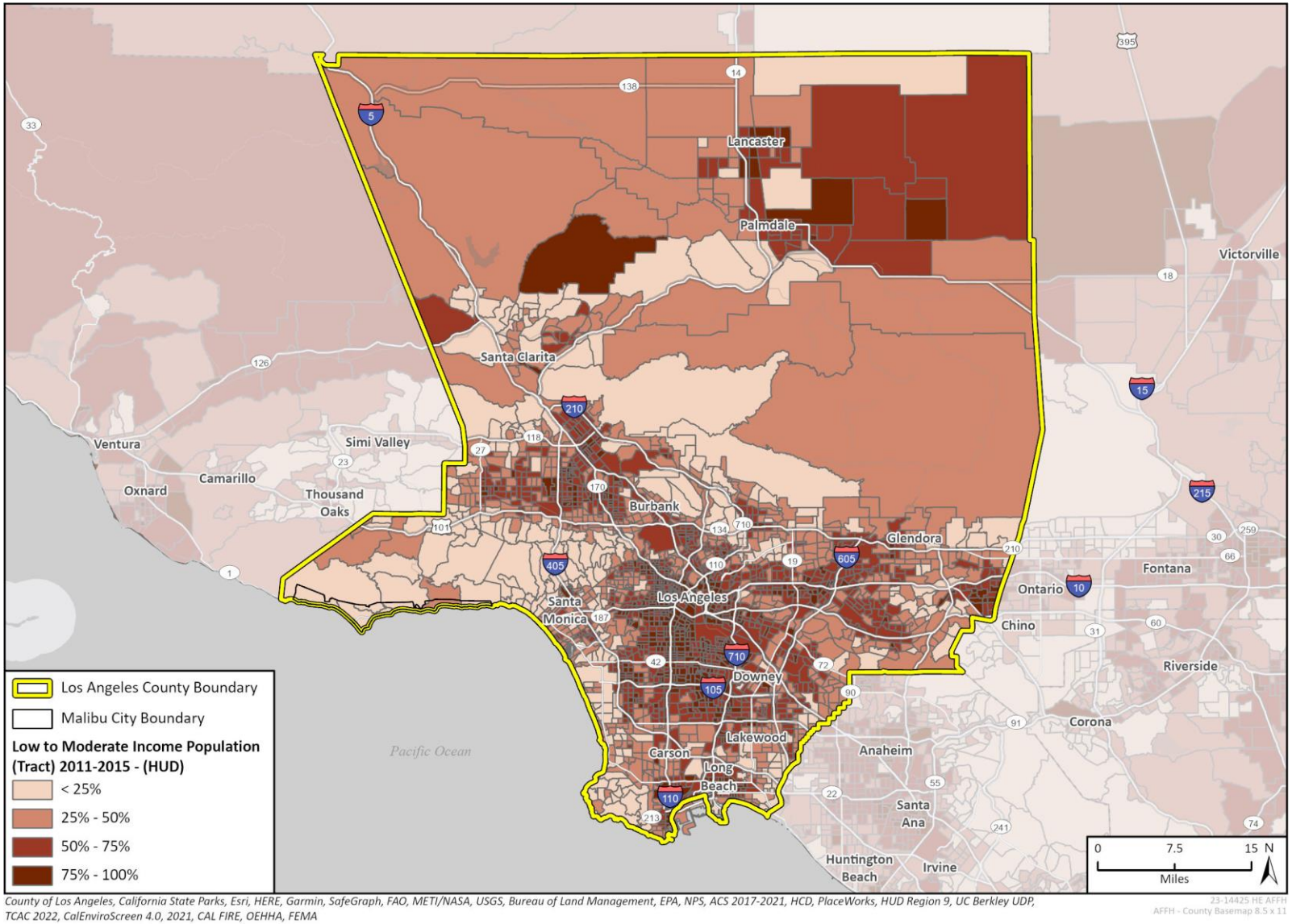
As shown in Figure F-13, there are concentrations of low and moderate income (LMI) households throughout Los Angeles County, centered within and around the City of Los Angeles and scattered throughout cities in the San Fernando Valley and San Gabriel Valley. The largest concentration of LMI households is in the Downtown and South-Central neighborhoods of the City of Los Angeles. In most of these areas, between 75 and 100 percent of households are LMI households. Regionally, coastal cities such as Malibu generally have a lower percentage of LMI households (less than 25 percent), except for the cities of Long Beach and Santa Monica.

Local Trends

According to 2021 ACS estimates, Malibu has a median household income of $178,594, approximately 130 percent higher than Los Angeles County's median income of $77,456. Figure F-14 shows the median household income in Malibu by census tract.

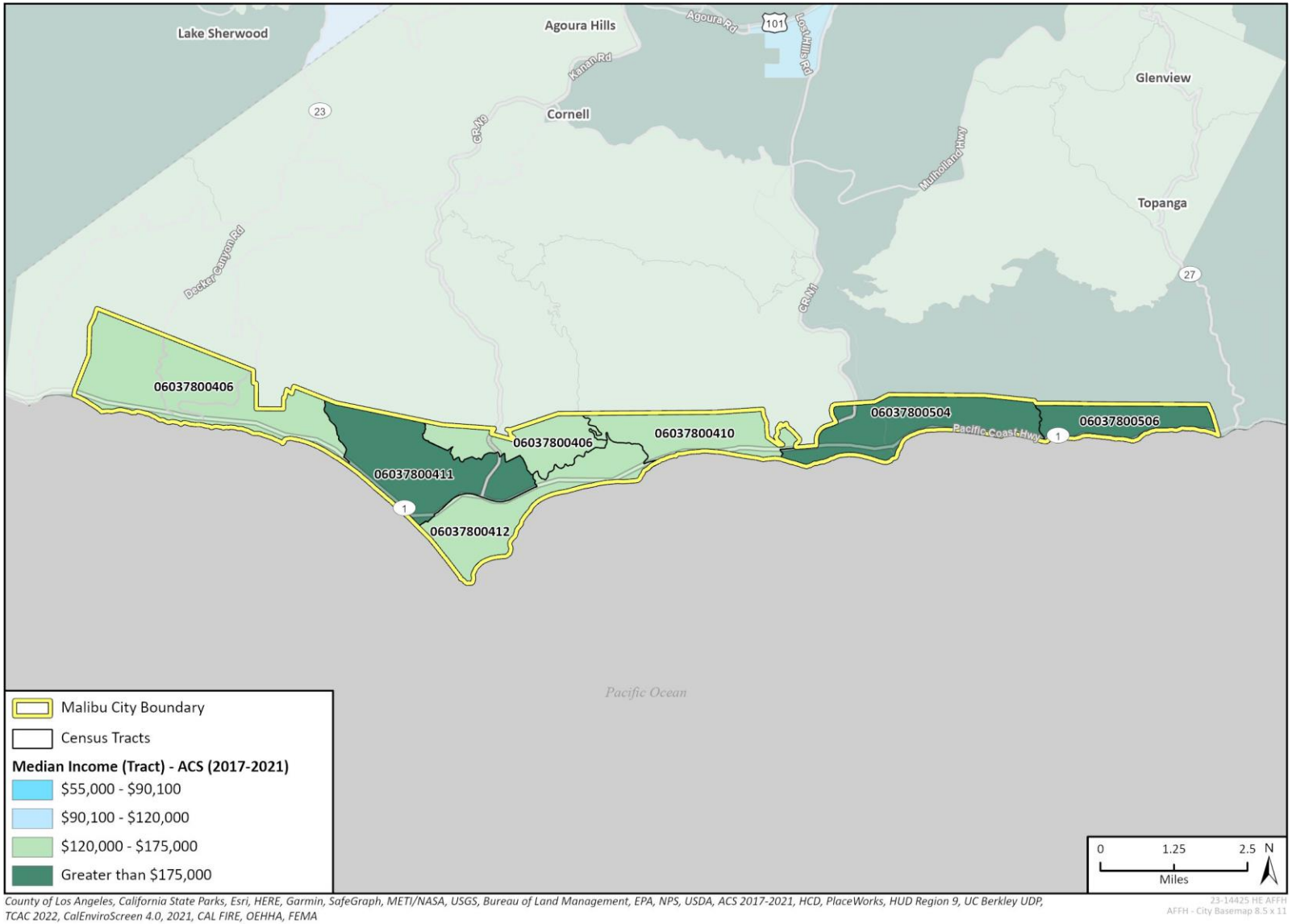
Figure F-15 shows the percent of households that are LMI households, by census tract. The percentage of LMI households is higher in the western portion of the city, where some neighborhoods have an LMI household concentration between 25 and 50 percent. The eastern part of the city has a lower concentration of LMI residents (less than 25 percent of households). No census tract within the city qualifies as a LMI area (with 51 percent or more LMI households).

Figure F-13 Low to Moderate Income Population (Los Angeles County)



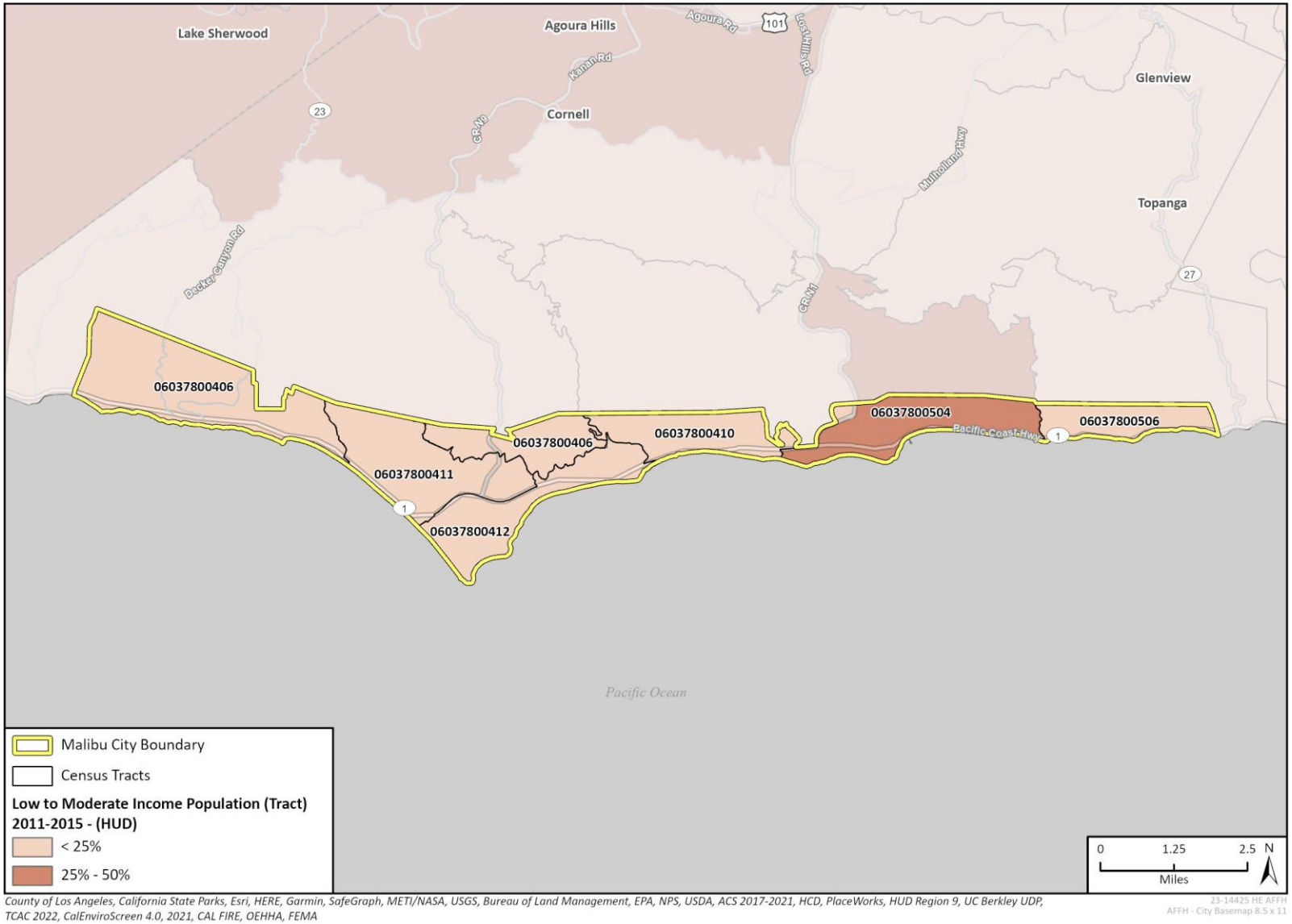
Source: AFFH Viewer, 2023.

Figure F-14 Median Household Income (Malibu)



Source: AFFH Data Viewer, 2023

Figure F-15 Low to Moderate Income Population (Malibu)



Source: AFFH Data Viewer, 2023

Table F-7 displays income level by household type. According to 2017-2021 ACS data, married-couple families in Malibu have significantly higher incomes than non-family households. Approximately 85.3 percent of married couple families earn an income above $100,000 per year, compared to 48.4 percent of nonfamily households and 71.4 percent of total households. Approximately 24 percent of all households earn an annual income of less than $75,000 per year (approximately the County median household income). More than 40 percent of households in Malibu earn an annual income of $200,000 or more.

Table F-7 Income Level by Household Type (Malibu)

Income Level	Total Households	Married-Couple Families	Nonfamily Households
Less than $10,000	7.5%	5.9%	9.7%
$10,000 to $14,999	0.7%	0.0%	2.0%
$15,000 to $24,999	4.3%	0.0%	11.8%
$25,000 to $34,999	3.6%	1.4%	6.3%
$35,000 to $49,999	1.9%	1.0%	3.3%
$50,000 to $74,999	5.9%	3.5%	8.5%
$75,000 to $99,999	4.8%	2.8%	10.0%
$100,000 to $149,999	11.6%	11.8%	13.0%
$150,000 to $199,999	16.6%	17.9%	11.5%
$200,000 or more	43.2%	55.6%	23.9%
Median income	$178,594	$129,862	$58,271

Source: U.S. Bureau of the Census, American Community Survey (ACS), Table S1901, Income in the Past 12 Months (Inflation-Adjusted Dollars), 2017-2021 Estimates

Racially and Ethnically Concentrated Areas of Poverty

To identify racially and ethnically concentrated areas of poverty (known as R/ECAPs), TCAC includes a poverty concentration and racial segregation filter that aligns with HUD's R/ECAP methodology but is intended to reflect the level of racial and ethnic diversity more effectively. TCAC categorizes census tracts that have both a poverty rate of over 30 percent and that are designated as being racially segregated (overrepresentation of people of color relative to the region) as areas of high segregation and poverty.

Poverty and Segregation

Regional Trends

Countywide, concentrations of poverty and segregation may exasperate existing impediments to fair housing such as lending discrimination and overcrowded housing conditions. Approximately 14 percent of the population in Los Angeles County earns an income below the poverty line, higher than the state average of 12.2 percent. Figure F-16 shows areas of high segregation and concentrated poverty in Los Angeles County. The most prominent areas of high segregation and poverty are in the South-Central area of the City of Los Angeles and East Los Angeles. Areas of high segregation and poverty are

also present in the San Fernando Valley in the neighborhoods of Panorama City, Pacoima, and Van Nuys. In North Los Angeles County, high segregation and poverty areas are present within the cities of Palmdale, Lancaster, and Victorville.

Local Trends

Areas of high segregation and poverty are not present within the city of Malibu. Therefore, Malibu does not have census tracts that meet the HUD definition of a R/ECAP. However, Malibu does have census tracts with populations that appear to experience poverty. Approximately 8.6 percent of the population of Malibu earns an income below the poverty line. As shown in Figure F-17, this population is present within census tracts located south of the Pacific Coast Highway in the neighborhood of Point Dume, and the area between Latigo Canyon Road and Malibu Canyon Road in western Malibu (Census Tracts 8004.12 and 8004.10). In these areas, between 10 and 20 percent of residents earn an income below the poverty line. While lower incomes are generally associated with poverty, it is likely that many low-income households in Malibu are retired elderly households who are "income-poor" but "asset-rich", as home values in these census tracts are comparable to citywide home values[8].

Concentrated Areas of Affluence

While R/ECAPs have long been the focus of fair housing policies, racially concentrated areas of affluence (RCAAs) must also be analyzed. RCAAs are defined as affluent, white communities.[9] According to a policy paper published by HUD, white residents are the most racially segregated group in the United States and typically more affluent than majority non-white communities. RCAAs have not been studied extensively, nor has a standard definition been adopted by HCD or HUD. Therefore, this assessment uses the percent white population and median household income as thresholds to identify potential RCAAs. In addition to having a higher median income, areas of affluence typically experience less overcrowding, less housing cost burden on renters, and are generally less susceptible to displacement compared to areas of high segregation and poverty.

HCD's AFFH Data Viewer identifies RCAAs as census tracts that have a white population that is 1.25 times higher than the county and a household median income 1.5 times higher than the county AMI.

Regional Trends

The areas characterized as RCAAs in Los Angeles County are shown in, Figure F-18,and are located throughout the county. Many coastal cities, including the cities of Malibu, Santa Monica, Redondo Beach, and Rancho Palos Verdes, as well as the cities of Pasadena, Burbank, and Monrovia in eastern Los Angeles County. The communities of Palos Verdes Peninsula, Hollywood Hills, Santa Monica Mountains, and La Canada/Flintridge are also characterized as RCAAs.

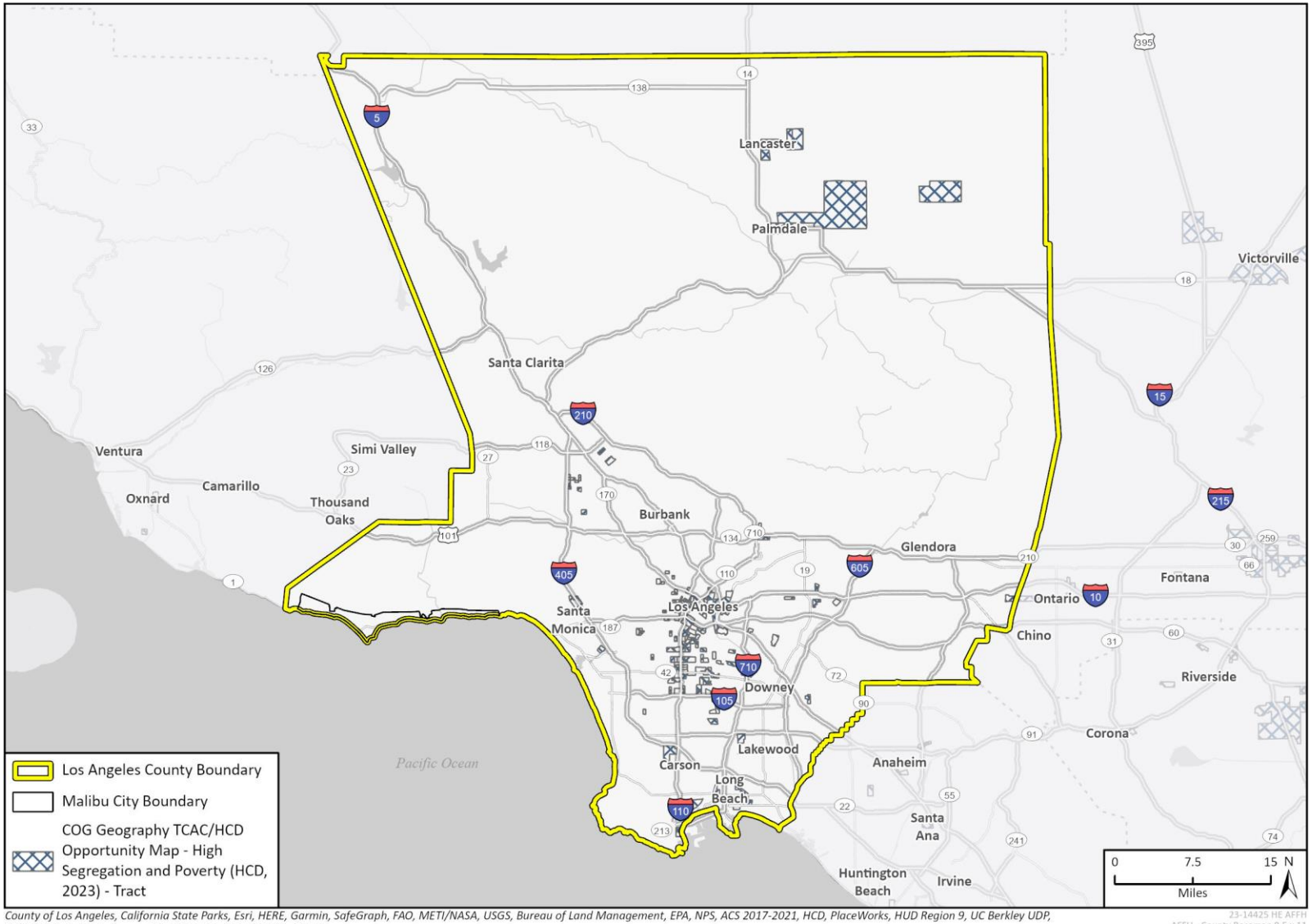
[8] Zillow. https://www.zillow.com/ Accessed 16 November 2023

[9] Goatz, Damanio and Williams, 2019.
https://www.huduser.gov/portal/periodicals/cityscpe/vol21num1/ch4.pdf

Local Trends

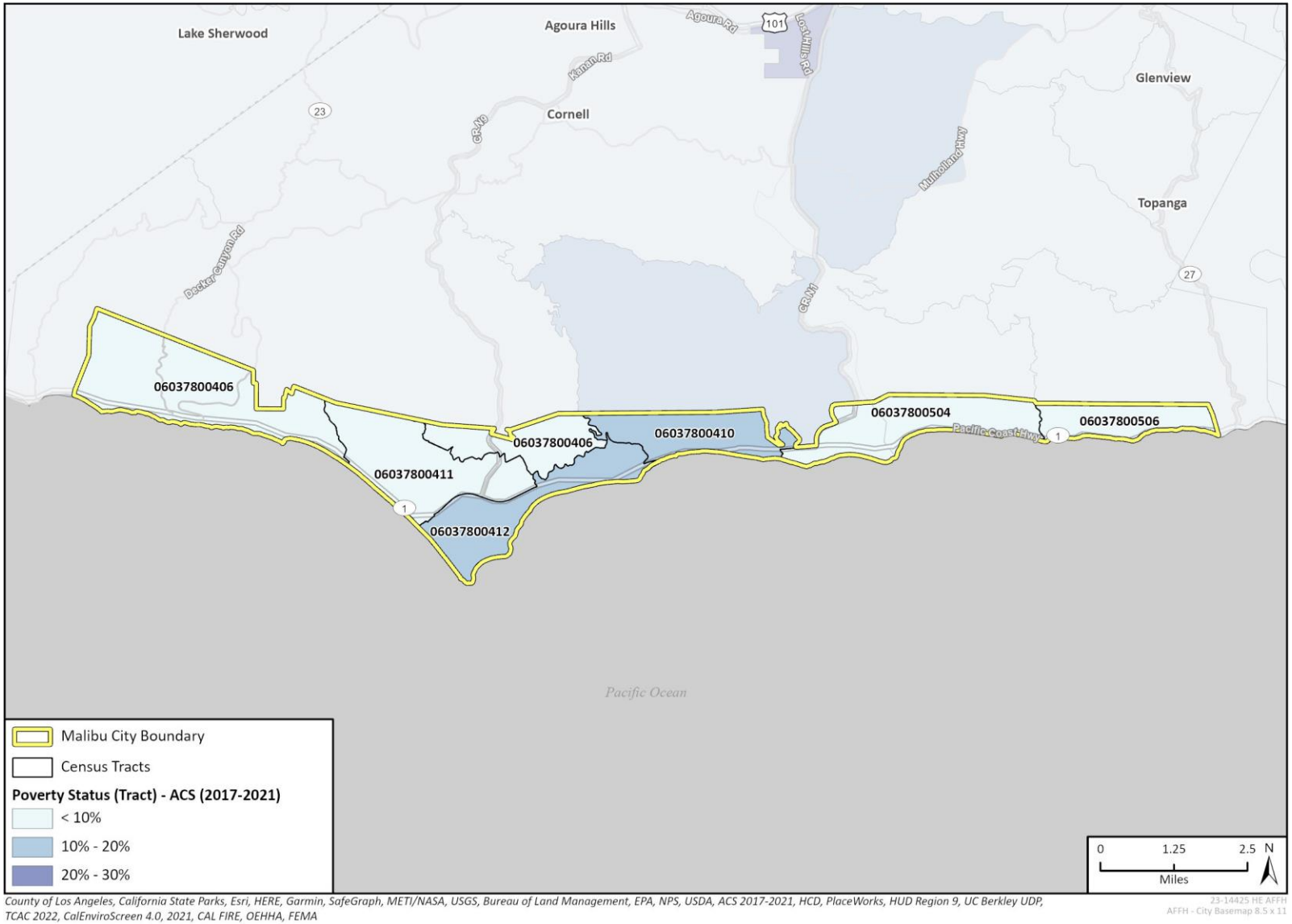
The entire city of Malibu is designated as RCAA as shown in Figure F-19. The city has a large proportion of white residents and a median income that is 130 percent higher than the median income of Los Angeles County. This is likely due to redlining practices and racial covenants established around the 1930s that promoted exclusion on the basis of race (See Local Knowledge). Program 5.1 and Program 5.2 aim to provide fair housing services and community outreach to decrease segregation within the city.

Figure F-16 Areas of High Segregation and Poverty (Los Angeles County)



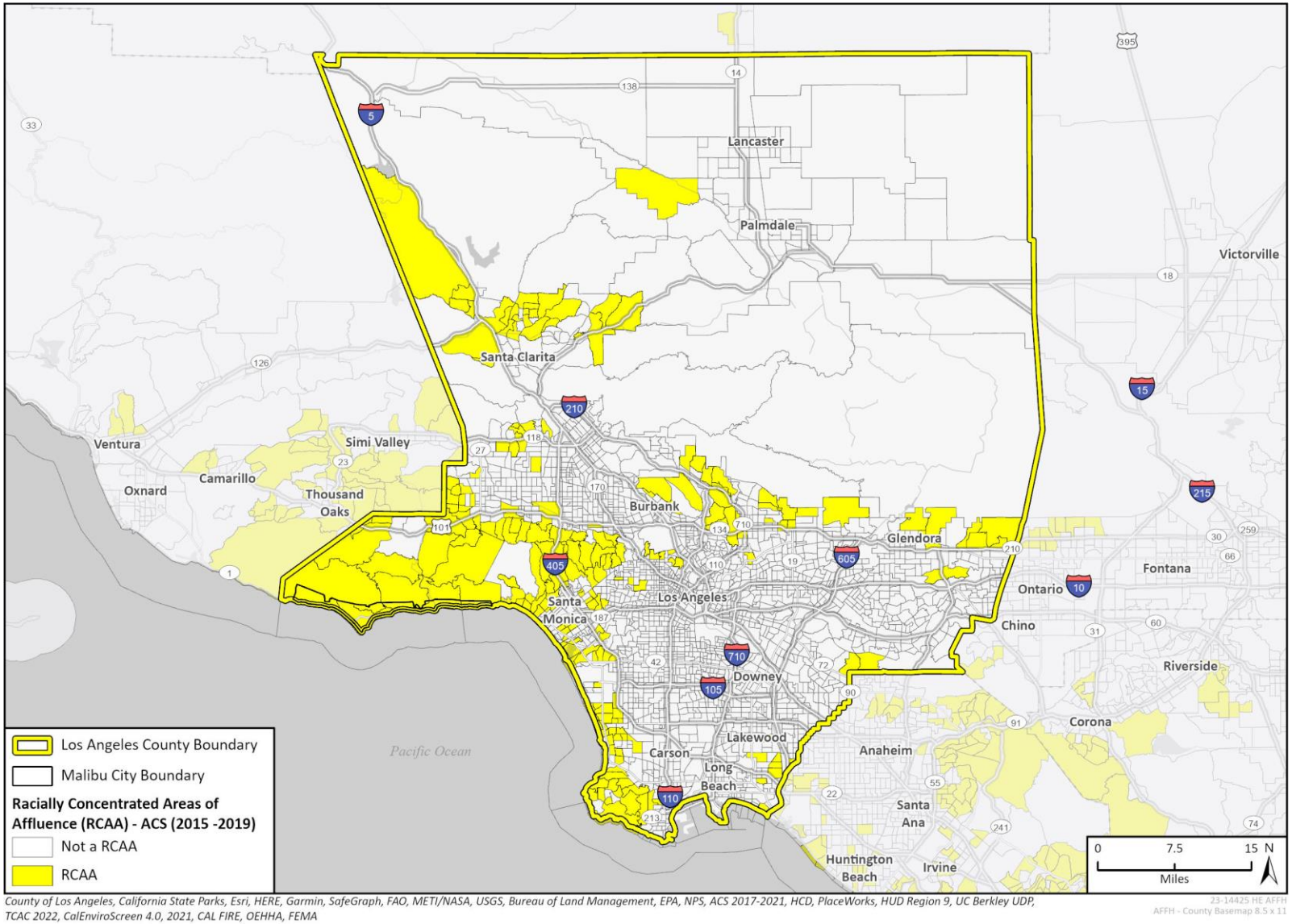
Source: AFFH Data Viewer, 2023

Figure F-17 Poverty Status (Malibu)



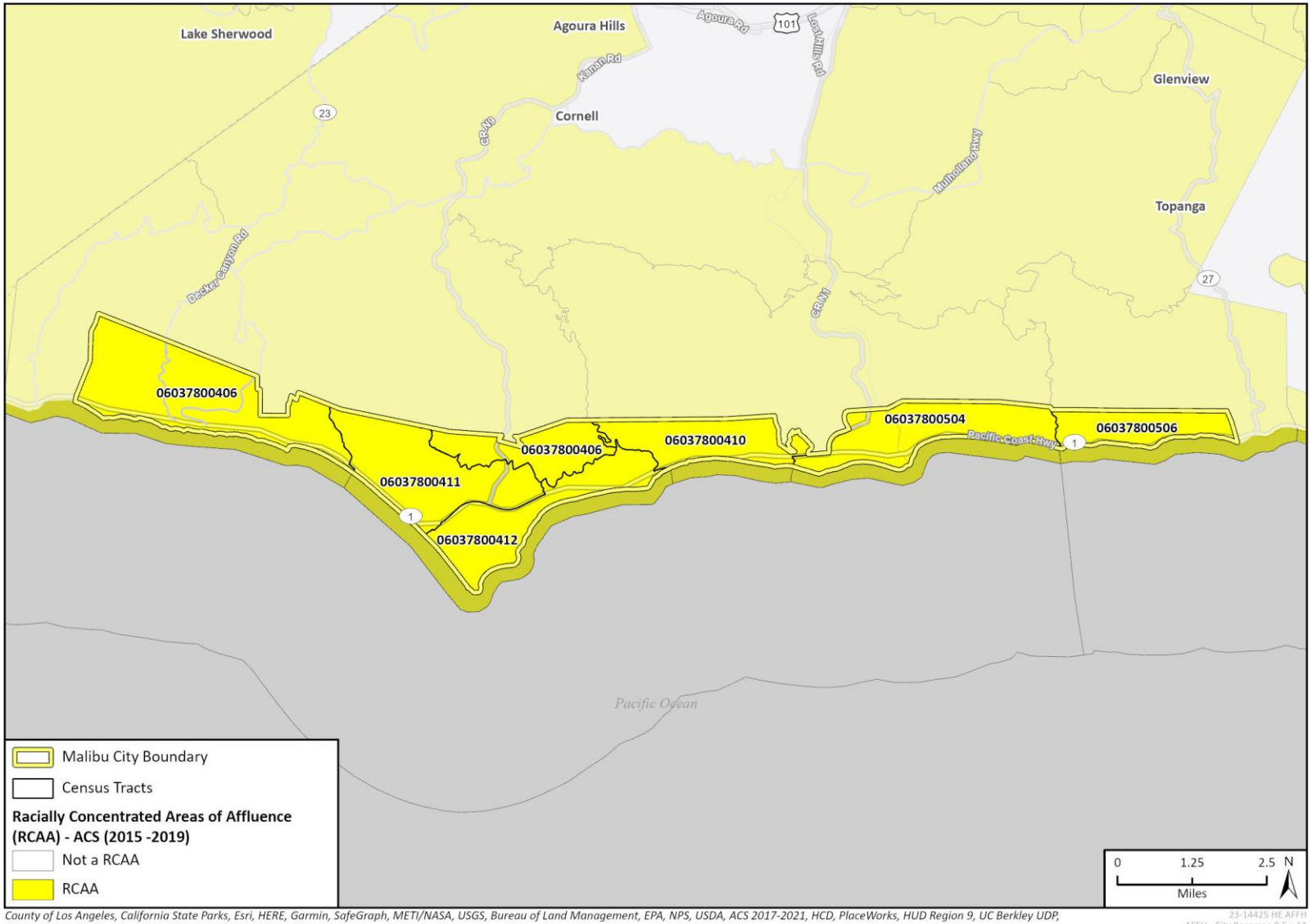
Source: AFFH Data Viewer, 2023

Figure F-18 Concentrated Areas of Affluence (Los Angeles County)



Source: AFFH Data Viewer, 2023

Figure F-19 Concentrated Areas of Affluence (Malibu)



Source: AFFH Data Viewer, 2023

Disparities in Access to Opportunity

Access to opportunity, including access to education, employment, economic development, safe and decent housing, low rates of violent crime, transportation, recreation, and food and healthy environment (including clean air and water, safe neighborhoods, safety from environmental hazards, and access to social services and cultural institutions) influences health and economic outcomes. According to the California Fair Housing Taskforce, a group convened by HCD, "opportunity," can be thought of as pathways leading to better lives, including through health, education, and employment.[10] Improving access to opportunity can include supporting low-income communities with mobility and access to neighborhoods considered by TCAC to be 'high resource.'[11]

HUD's Opportunity Indices were created to inform communities about racial/ethnic segregation and disparities in access to opportunity.[12] Indicator index scores range from 0-100, with 100 representing the most positive outcomes). Measured at the neighborhood level, the index scores are intended to inform communities about segregation and disparities in access to opportunity in their jurisdiction and compare the opportunity indicators rankings across racial/ethnic groups. Generally, higher index scores are indicative of greater access to opportunity. For example, the "low poverty index" captures the poverty rate within a given neighborhood; the higher the index score means the less exposure to poverty. A higher "jobs proximity" score means that residents have greater accessibility to employment locations within the larger region.[13] Each index is measured using the following variables:

- Economic Opportunity Index: a composite of poverty rate by census tract, percentage of adults with a bachelor's degree, percentage of adults employed, and number of jobs for persons without a bachelor's degree that fall within a given radius of each census tract.
- Environmental Opportunity Index: exposure to pollution burden shown in CalEnviroScreen.
- Educational Opportunity Index: the percentage of fourth-grade students testing proficient in reading and math within three miles of a census block group.
- Low Transportation Cost Index: the cost of transportation and proximity to public transportation by neighborhood.
- Transit Index: How often low-income families in a neighborhood use public transportation.

[10] California Fair Housing Task Force. 2020. Methodology for the 2020 TCAC/HCD Opportunity Map. June 2020. https://www.treasurer.ca.gov/ctcac/opportunity/2020-tcac-hcd-methodology.pdf
[11] Ibid.
[12] HUD, 2020. https://www.hud.gov/sites/dfiles/FHEO/documents/AFFH-T-Data-Documentation-AFFHT0006-July-2020.pdf
[13] Urban Institute, 2018.
https://www.urban.org/sites/default/files/publication/98674/place_and_opportunity_brief_3.pdf

Transit

Access to public transit is of paramount importance to lower-income households. Limited transportation options reduce access to jobs, public spaces (such as parks, plazas, and campuses), and goods and services.

Regional Trends

Mass transportation in Los Angeles County consists of regional bus systems, city bus systems, ADA paratransit services, heavy rail, light rail, and subways. Service operations include:

- Los Angles Metro: Multiple commuter rail lines connecting to cities located throughout the greater Los Angeles Region
- San Fernando Valley Transit Services: Antelope Valley Transit, Burbank Bus, Glendale Beeline, LADOT Dash/Commuter Express, La Canada Flintridge Shuttle, Pasadena Transit, Santa Clarita Transit, Simi Valley Transit
- San Gabriel Valley Transit Services: Alhambra Community Transit, Baldwin Park Shuttle, Commerce Municipal Bus, Duarte Transit, El Monte Transit, Glendale Beeline, Glendora Mini Bus, La Puente LINK, LADOT DASH, Monterey Park Spirit, Omnitrans, OCTA, Pasadena Transit, Rosemead Explorer, Go West / West Covina, Foothill Transit
- South Bay, Gateway Cities and Central/West Side Los Angeles Transit Services: Long Beach Transit, Torrance Transit, Gardena G-Trans, Norwalk Transit, Montebello Bus Lines, Santa Monica Big Blue Bus, Culver CityBus, Foothill Transit
- Metrolink Line: multiple Commuter rail lines connecting to cities located throughout the greater Los Angeles Region and cities within the Counties of Ventura, Orange, San Bernardino and Riverside
- Amtrak: Interstate train service serving coastal and inland areas of California

Transit use is higher in parts of the Los Angeles region where the greatest investment in transit service has been made, including the north coastal, central, and south bay regions of Los Angeles. Almost all major employment centers in Los Angeles County are served by some form of public transit. However, low-income employees, especially female heads of household with children, have unique travel patterns that may prevent them from obtaining work far from home, regardless of access to public transit. Generally, women are disproportionately responsible for household-supporting activities such as trips to grocery stores or accompanying young children to and from schools and day care.

According to 2021 ACS data 70 percent of county residents drive alone to work and 4.9 percent used public transportation. Furthermore, county residents have a longer average commute time (29.2 minutes) than the statewide averages (27.6 minutes).

Local Trends

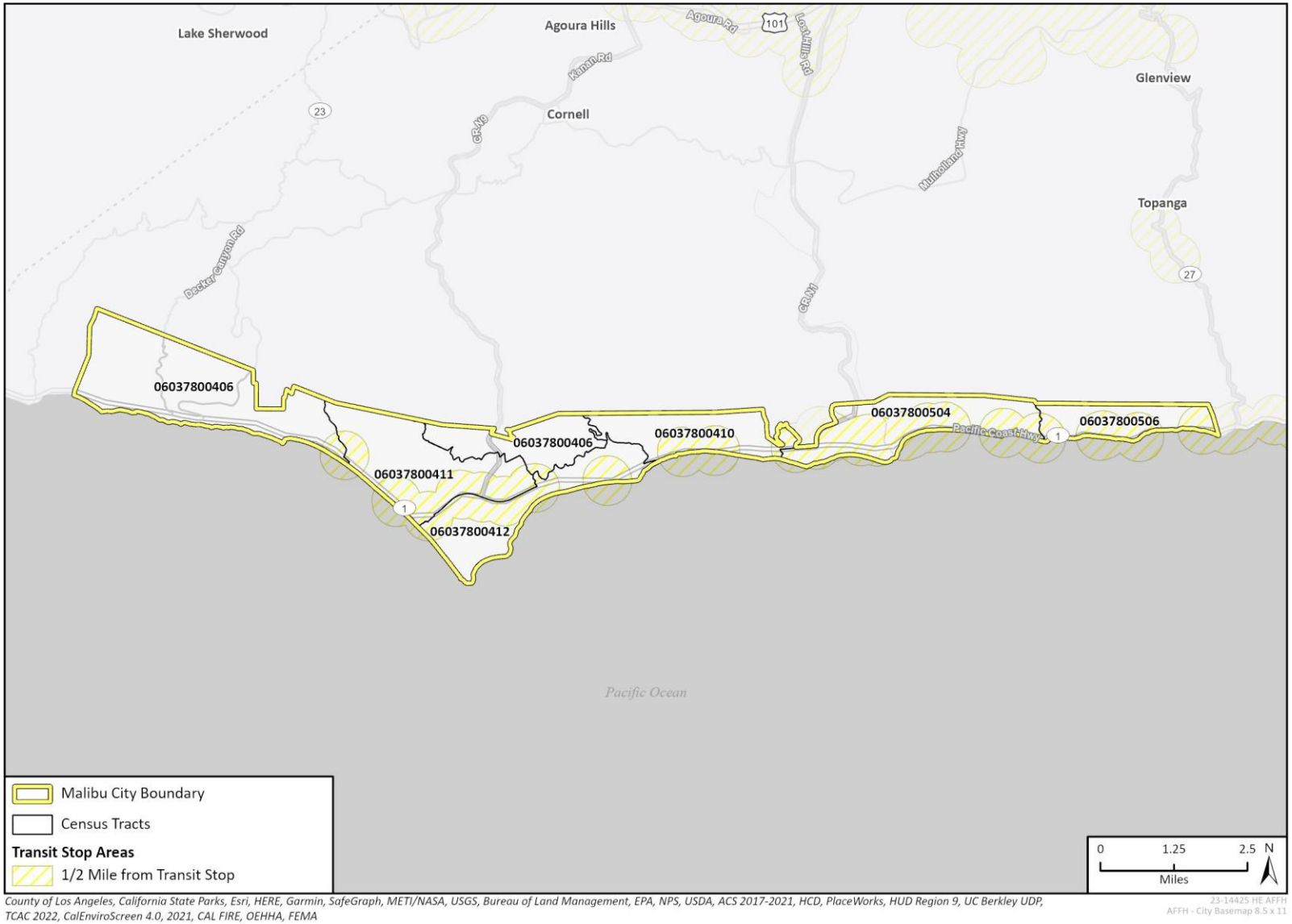
AllTransit is an online database that provides details on transit opportunity throughout the United States. The website uses metrics to understand the social and economic impact of transit, specifically looking at connectivity, access to jobs, and frequency of service. According to Alltransit.com, Malibu has an overall performance score of 3.1, suggesting a low combination of trips per week and number of jobs accessible enabling few people to take transit to work. There is one bus route that runs along the Pacific Coast Highway (Route 134). Figure F-20 shows areas of the city within a one-half mile to transit. The eastern portion of Malibu has greater transit access than the western portion.

According to 2021 ACS data, 1.7 percent of residents used public transportation to commute to work, 59.8 percent drove alone, and 29.6 percent worked at home. Compared to Los Angeles County, Malibu has a lower percentage of residents that drive alone and use public transportation when commuting to work, and a higher percentage of residents who work from home.

The Environmental Protection Agency (EPA) has a walkability index that ranks Census block groups.[14] The EPA walkability map, shown in Figure F-21, shows that most of the city has a walkability score below the national average, but the area surrounding Point Dume and the southeastern corner of the city have an above average walkability score.

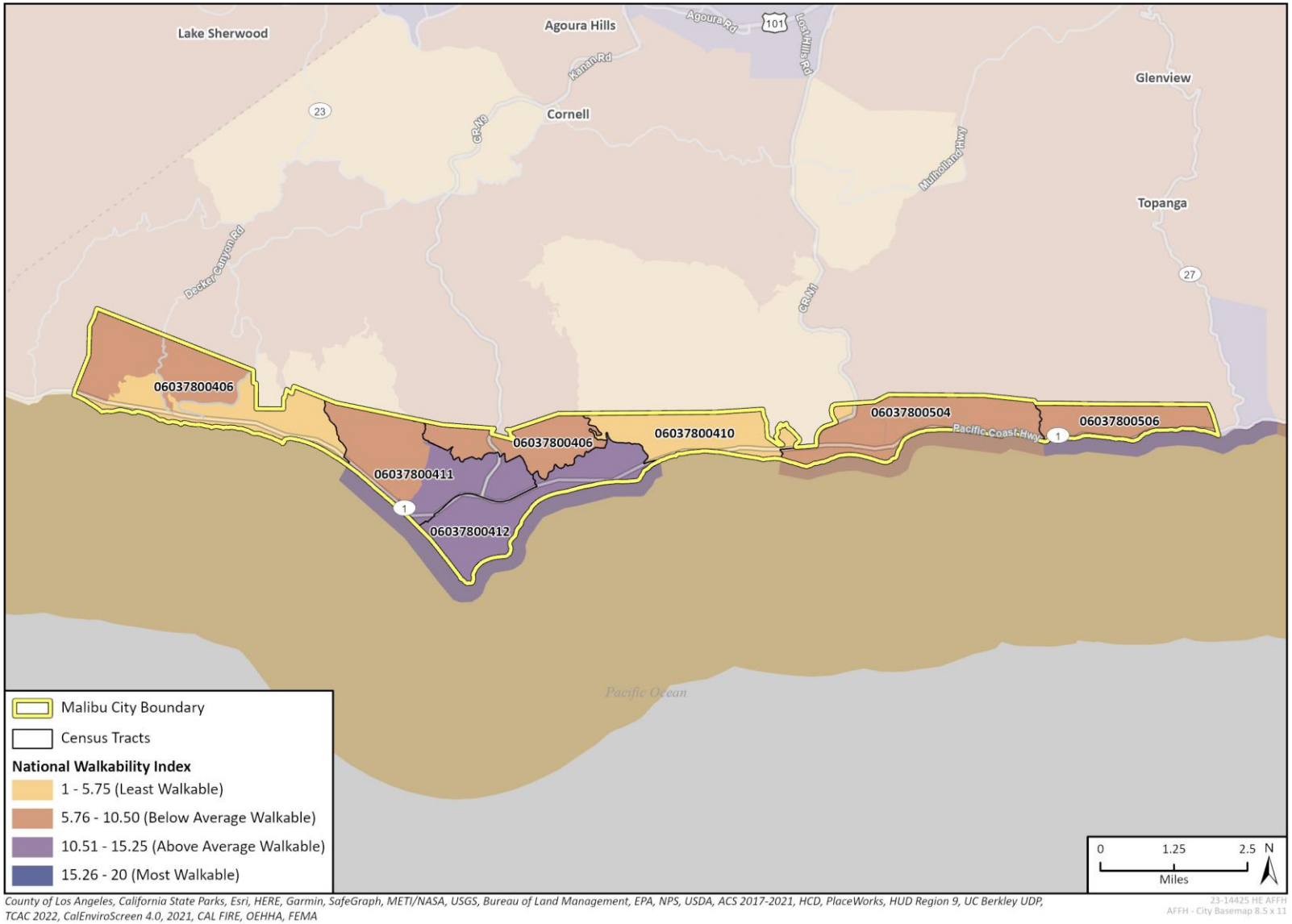
[14] EPA, 2021. https://www.epa.gov/smartgrowth/national-walkability-index-user-guide-and-methodology

Figure F-20 Access to Transit Within a Quarter Mile (Malibu)



Source: County of Los Angeles, 2023.

Figure F-21 Walkability Index (Malibu)



Source: National Walkability Index, 2023.

Educational Opportunity

Economics literature has consistently found about a 10 percent increase in wages/salary with each additional year of education.[15] Therefore, educational attainment is directly linked to housing opportunities. To assess educational opportunities by geography, this analysis uses TCAC education domain scores, which incorporate a variety of indicators including math and reading proficiency scores, high school graduation rates, and student poverty rates at the census tract level.

Regional Trends

An overview of education outcomes across Los Angeles County is illustrated in Figure F-22. Educational outcomes vary across Los Angeles County. In general, urban areas within Central Los Angeles, Long Beach, and northwestern areas of the county, including the cities of Lancaster and Palmdale, had less positive education outcomes compared to the rest of the county. The coastal communities, including the cities of Santa Monica, Malibu, and Rancho Palos Verdes, as well as areas northeast of Downtown Los Angeles, and the northeastern portion of Los Angeles County, have higher educational outcomes.

According to Kidsdata.org, a data compilation program of the Lucile Packard Foundation for Children's Health, Los Angeles County had a high school graduation rate of 82.4 percent. High school graduation rates were highest among Asian-American and Filipino students (94 percent) and white, non-Hispanic students (87 percent). American Indian/Alaska Native students (63 percent) and African American/Black students (73 percent) had lower graduation rates.[16]

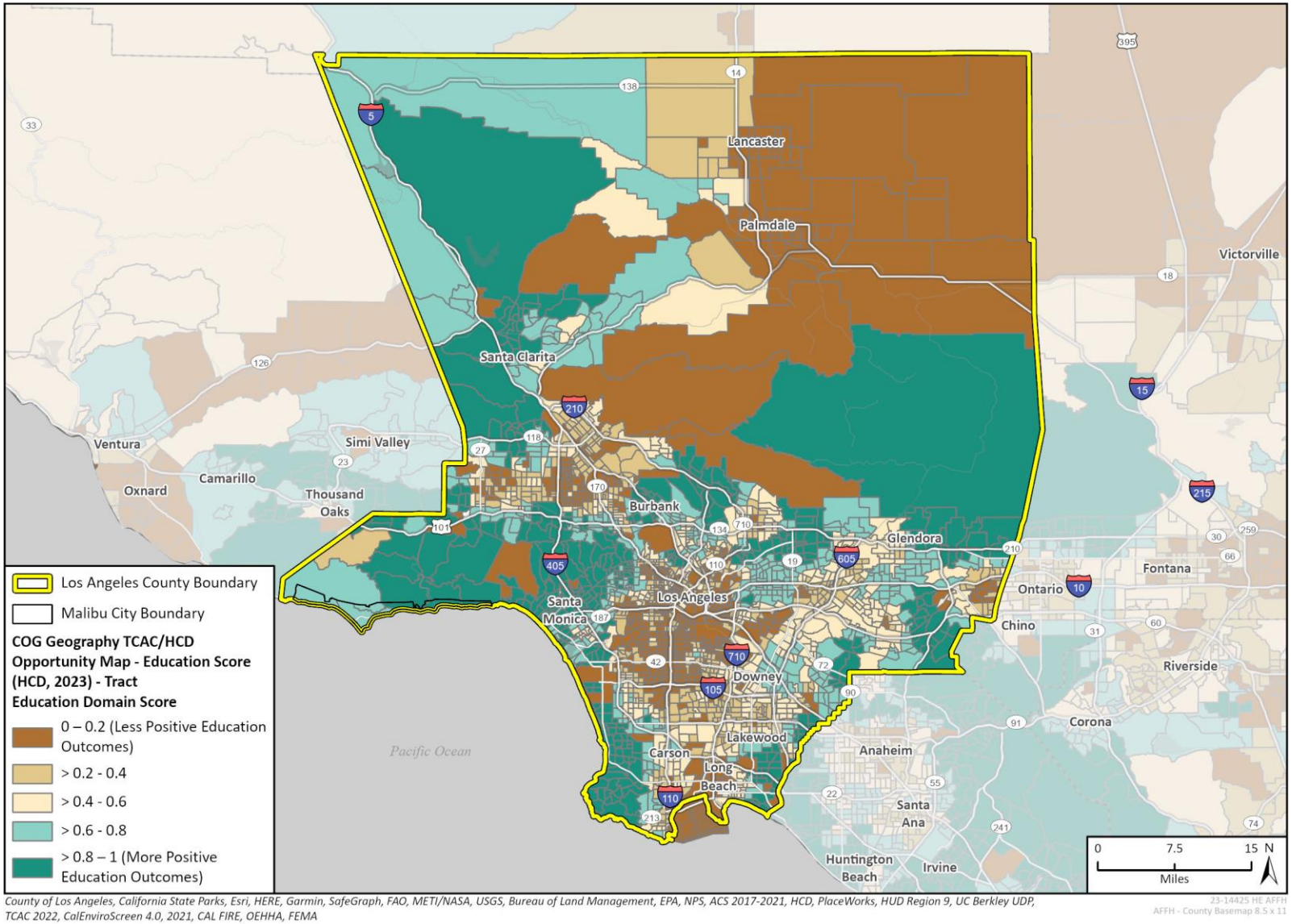
Local Trends

Public schools in Malibu are part of the Santa Monica-Malibu Unified School District (SMMUSD). In addition to Malibu High School (Grades 9-12) and Malibu Middle School (Grades 6-8), which share a campus, Malibu has two public elementary schools (Grades K-5): John L Webster Elementary School and Malibu Elementary School.

While all areas in Malibu have positive educational outcomes, the eastern portion of the city has slightly higher positive educational scores than the western portion, as shown in Figure F-19. The Santa Monica-Malibu Unified School District had an overall high school graduation rate of 96.1 percent in 2021, higher than the county average.[17]

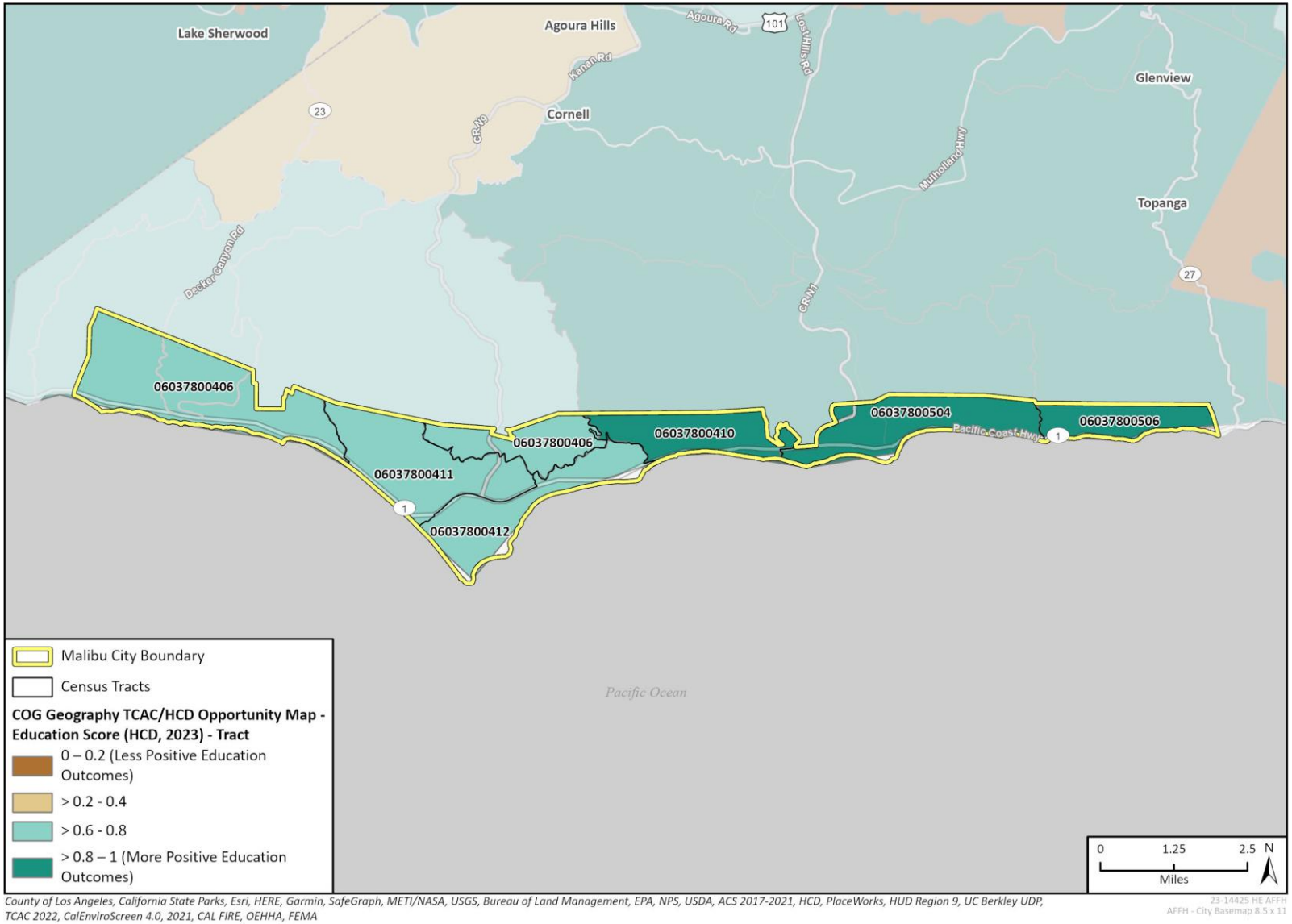
[15] Annual Disability Statistics Compendium, 2020. https://disabilitycompendium.org/annualreport
[16] Kids Data. 2021. All Data: Los Angeles County. https://www.kidsdata.org/region/364/los-angeles-county/results#ind=&say=&cat=18
[17] Kids Data. 2021. All Data: Malibu. https://www.kidsdata.org/region/720/malibu/results#ind=&say=&cat=18

Figure F-22 TCAC Opportunity Areas – Education Outcomes (Los Angeles County)



Source: AFFH Viewer, 2023

Figure F-23 TCAC Opportunity Areas - Education Outcomes (Malibu)



Source: AFFH Viewer, 2023

Employment

Housing opportunities are directly related to economic opportunities. Access to high quality employment close to desired and affordable housing results in more housing opportunities and shorter commute times. The analysis for economic opportunities uses TCAC economic indicators, employment participation data from the ACS and the HUD Jobs Proximity Index.

TCAC economic opportunities are measured by census tract and considers poverty, adult education, employment, job proximity, and median home values. A higher economic index score reflects more positive economic outcomes. The HUD Jobs Proximity Index assesses the accessibility to job opportunities at the census block group level.

Regional Trends

Economic outcomes vary across Los Angeles County as shown in Figure F-24. Areas with more positive economic outcome scores were identified along the coastal communities and portions of east Los Angeles County. Conversely, similar to educational outcomes, the urban areas in Central Los Angeles, Long Beach, and northwestern areas of the county had less positive economic outcomes.

According to 2021 ACS estimates, Los Angeles County has an employment rate of 90.8 percent, a decrease of two percent from 2019. Table F-8 shows employment status by disability status estimates for Los Angeles County for ACS 2015-2019 and 2017-2021. Overall, the percentage of all employed residents aged 16 remained the same, but unemployment increased slightly.

Table F-8 Employment Status by Disability Status (Los Angeles County)

Disability Status	Employed 2015-2019	Unemployed 2015 -2019	Employed 2017-2021	Unemployed 2017-2021
No Disability	4,502,627 (96.4%)	274,277 (91.5%)	4,187,832 (95.5%)	396,066 (87.7%)
With a Disability	169,322 (3.6%)	25,535 (8.0%)	197,504 (3.2%)	45,578 (8.0%)
Total	**4,671,949 (93.9%)**	**299,812 (6.0%)**	**4,385,336 (90.8%)**	**441,644 (9.2%)**

Source: U.S. Bureau of the Census, American Community Survey (ACS), Table C18120 Employment Status by Disability Status, 2015-2019, 2017-2021 Estimates.

Local Trends

Economic outcomes are positive throughout Malibu, as shown in Figure F-25. As of 2021, the employment rate in Malibu is 94.4 percent, slightly higher than the County employment rate. In 2021, the largest industries for employees in Malibu are professional, scientific, and management, and administrative and waste management services (25 percent of employed population); educational services, and health care and social assistance (17 percent); and finance and insurance, and real estate and rental leasing (13 percent).

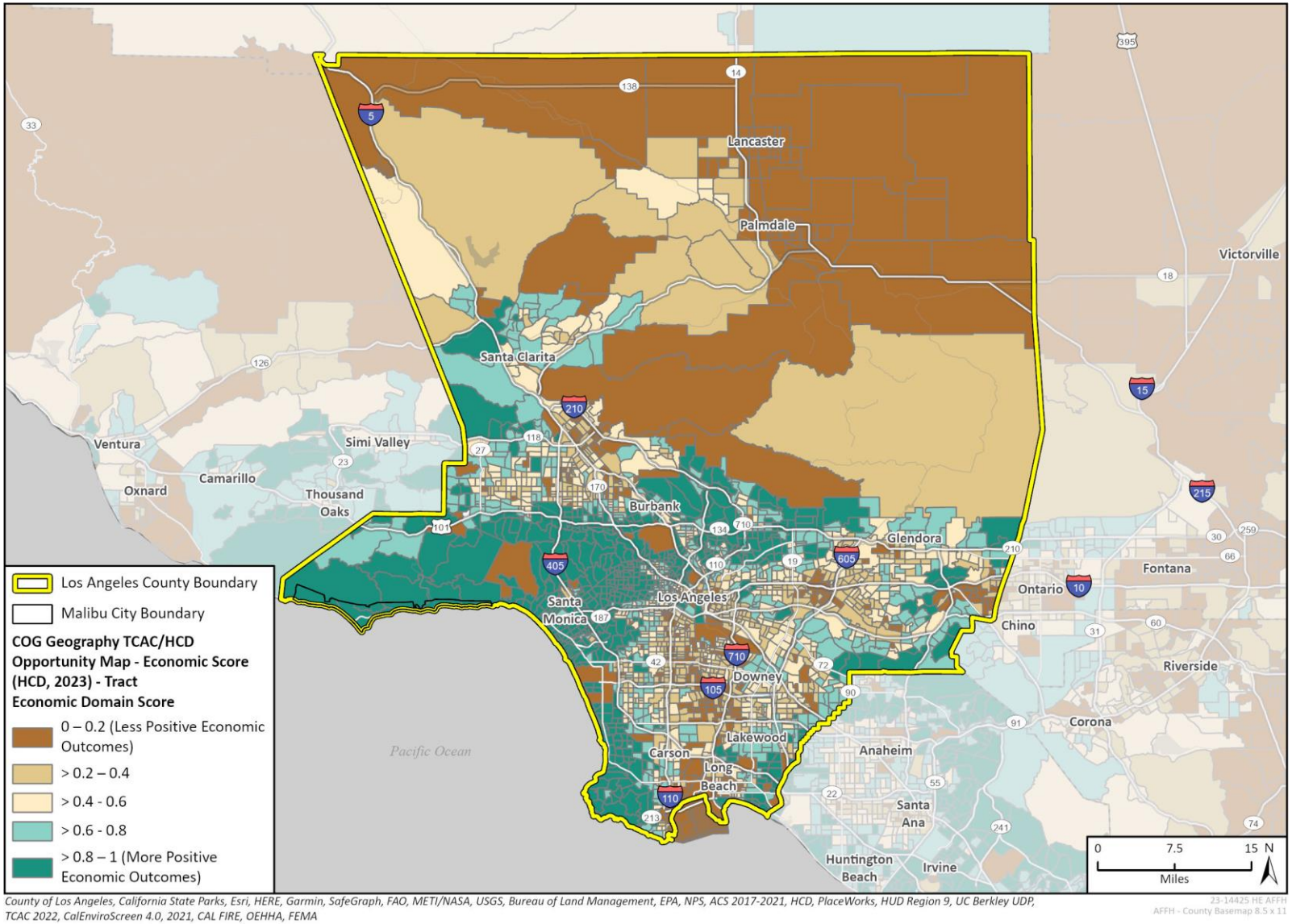
Employment status by disability status estimates is provided in Table F-9. The labor participation rate of residents aged 16 and older decreased by approximately two percent, similar to the county's rate of change. The number of employed residents with a disability decreased by almost three percent, while employment for residents without a disability increased. The total unemployment rate (2.9 percent) in 2021 is lower than the county (3.9 percent) and the Southern California region (9.3 percent).

Table F-9 Employment Status by Disability Status (Malibu)

Disability Status	Employed 2015-2019	Unemployed 2015 -2019	Employed 2017-2021	Unemployed 2017-2021
No Disability	4,772 (96.0%)	205 (100%)	3,907 (97.9%)	236 (100%)
With a Disability	249 (4.9%)	0 (0%)	83 (2.1%)	0 (0%)
Total	**5,021 (96.1%)**	**205 (3.9%)**	**3,990 (94.4%)**	**236 (5.6%)**

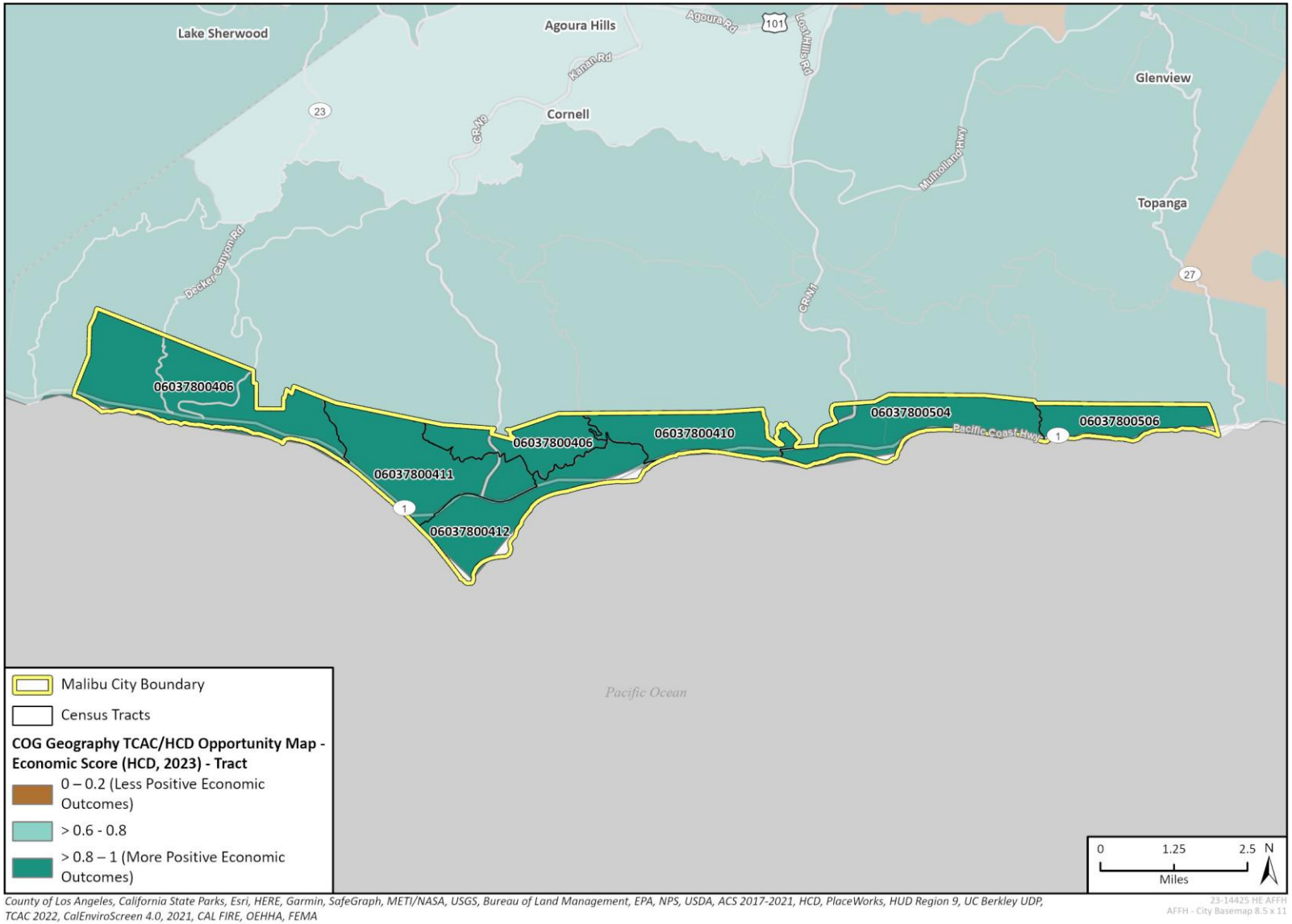
Source: U.S. Bureau of the Census, American Community Survey (ACS), Table C18120 Employment Status by Disability Status, 2015-2019, 2017-2021 Estimates.

Figure F-24 TCAC Opportunity Areas - Economic (Los Angeles County)



Source: AFFH Viewer, 2023.

Figure F-25 TCAC Opportunity Areas – Economic (Malibu)



Source: AFFH Viewer, 2023

Healthy Environment

Healthy Environment in AFFH addresses disparities in access to environmentally healthy neighborhoods by protected class groups. An assessment of environmentally healthy neighborhoods can include air and water quality, safety, environmental hazards, social services, and cultural institutions. Recent California laws—Assembly Bill (AB) 1550, Senate Bill (SB) 535 and SB 1000 emphasize the importance of environmental justice as a fair housing issue. Environmental Justice, according to HUD, means ensuring that people have equal access to safe and healthy housing. HUD requires all entitlement jurisdictions to conduct reviews under the National Environmental Protection Act to determine if a proposed project creates adverse impacts due to environmental conditions. It furthers the requirement that human health deserves equal protection for all people regardless of race, color, national origin, or income. Under Executive Order 12898, Federally assisted projects may also target funding to communities that have disproportionately high and adverse human health impacts on minority and low-income populations due to environmental conditions.[18] The California Office of Environmental Health Hazard Assessment developed CalEnviroScreen, a mapping tool that uses spatial data collected by various regulatory agencies (e.g., air quality indicators from South Coast Air Quality Management District, water quality indicators from Orange County Water District, monitored chemical releases into the air or water table from Environmental Protection Agency, HUD socio-economic indicators, etc.). The dataset uses a methodology to identify communities disproportionately burdened by exposures to pollution, environmental effects of existing pollutants in communities, among other indicators of sensitive populations or socioeconomic factors. Residents in census tracts with high CalEnviroScreen scores (shown as percentiles) are disproportionately burdened by pollution and are more vulnerable to related effects.

Regional Trends

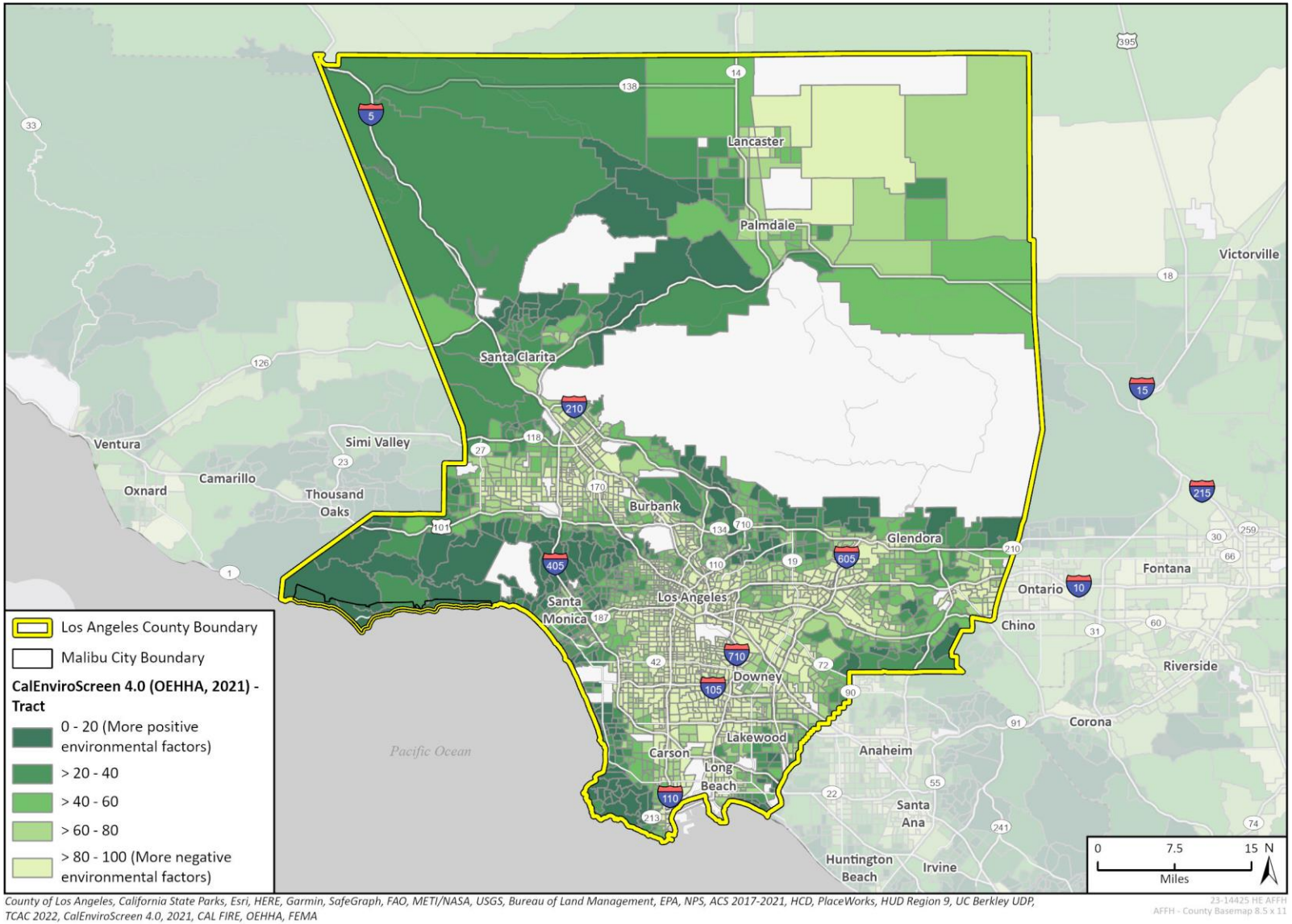
According to CalEnviroScreen data, areas with higher pollution percentiles are generally urban areas with higher proportions of LMI and overcrowded households. Areas experiencing the highest pollution percentile scores in the Los Angeles region are as the cities of Baldwin Park, El Monte and South El Monte in the San Gabriel Valley, neighborhoods and cities located south of Downtown Los Angeles, and in the Pacoima and Sylmar neighborhoods of the San Fernando Valley (Figure F-26). The areas of Los Angeles County with lower scores (i.e., low exposure to pollution and high household income) are near the county boundaries and along the coast.

Local Trends

The City of Malibu has a low environmental pollution burden. Throughout the entire city, the CalEnviroScreen score percentile ranges between zero and 30. The majority of the city scores below the 20th percentile, while a small portion of city between Malibu Canyon Road and Latigo Canyon Road scores between the 20th and 40th percentile, as shown in Figure F-27. This area overlaps with the TCAC Opportunity Areas data for environmental outcomes, with the central portion of the city having lower scores than the western and eastern portion of the city (Figure F-28).

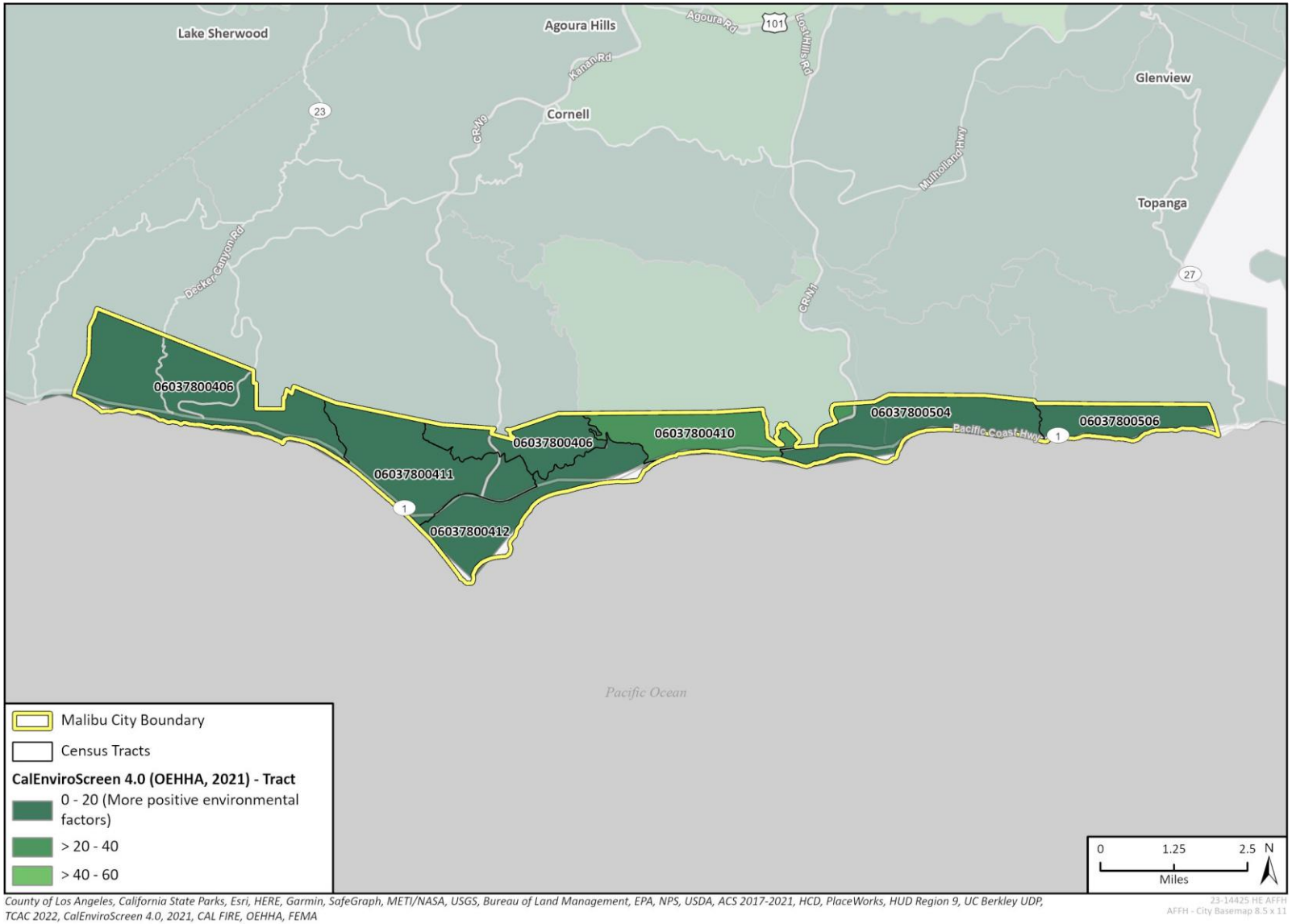
[18] HUD, 2022. https://www.hudexchange.info/programs/environmental-review/environmental-justice/

Figure F-26 CalEnviroScreen 4.0 Percentile Scores (Los Angeles County)



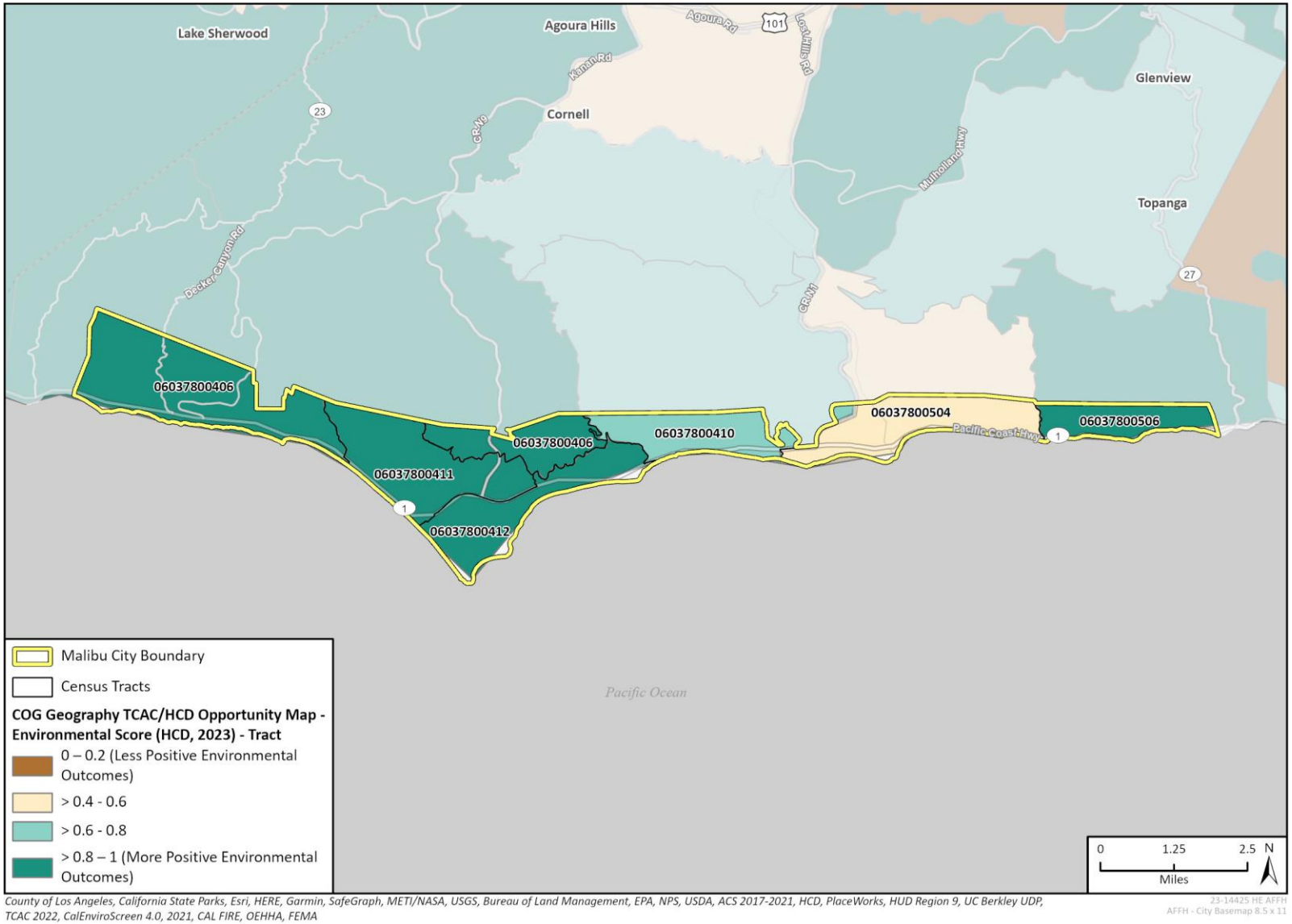
Source: AFFH Data Viewer, 2023

Figure F-27 CalEnviroScreen 4.0 Percentile Scores (Malibu)



Source: AFFH Data Viewer, 2023

Figure F-28 TCAC Opportunity Areas – Environment (Malibu)



Source: AFFH Data Viewer, 2023

Disproportionate Housing Needs

Disproportionate housing needs refers to a condition in which there are significant disparities in the proportion of members of a protected class experiencing a category of housing need, or the total population experiencing that category of housing need in the applicable geographic area. To analyze the extent of disproportionate housing needs in Malibu, this section reviews data on housing cost burden and severe housing cost burden, overcrowding, homelessness, and substandard housing conditions. Information for this section relies on the HUD CHAS data.

Housing Cost Burden

Housing cost burden is defined as the proportion of a household's total gross income spent on housing costs. Households that spend at least 30 percent of their total gross income on housing costs (rent, mortgage, utilities, and other housing-related costs) are considered "cost burdened," and households spending over 50 percent on housing costs are considered "severely cost burdened." The higher the housing cost burden, the more likely residents are to live in overcrowded and substandard conditions and are less likely to afford to relocate. Low-income households and persons in protected classes disproportionately experience severe housing problems.

Regional Trends

According to HUD CHAS estimates, 33.7 percent of owner-occupied households and 52.8 percent of renter-occupied households are burdened by housing costs.

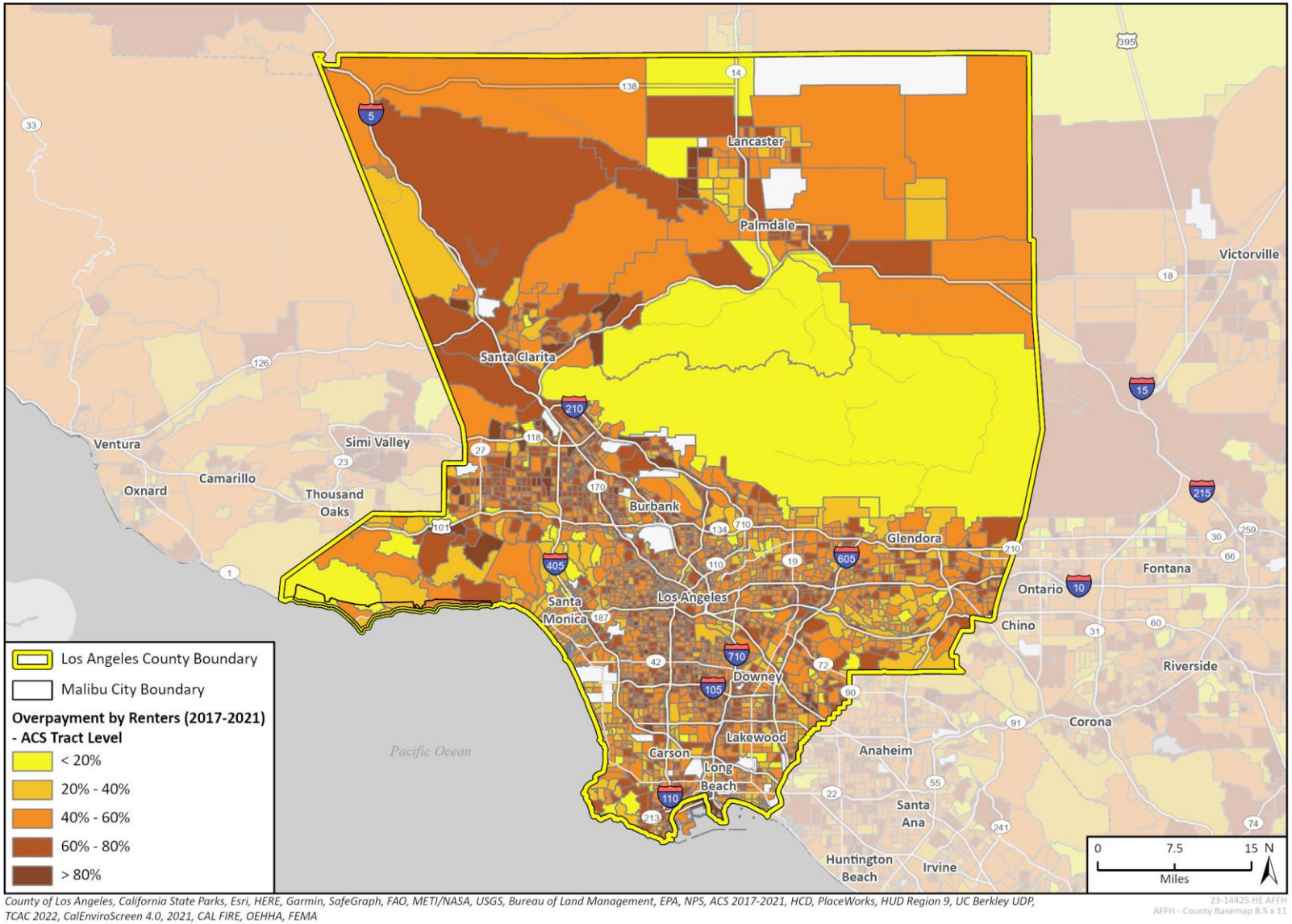
Figure F-29 shows areas of Los Angeles County where renter households experience housing cost burden (spending more than 30 percent of household income on housing costs). As shown, paying more than 30 percent of gross income on rent is widespread across Los Angeles County. There are many areas where between 40 and 80 percent of renter households are housing cost burdened. Neighborhoods in South-Central City of Los Angeles have census tracts where at least 60 percent of renter households are burdened by housing costs. In contrast, renter households in coastal areas, where median incomes tend to be higher, generally experience less housing cost burden. Overpayment amongst homeowners is also widespread across the county, as shown in Figure F-30. Housing cost burden among homeowners is most prevalent in South-Central City of Los Angeles and in eastern Los Angeles County, especially in the cities of Industry, El Monte, and Huntington Park

Local Trends

According to HUD CHAS estimates, 32.8 percent of owner-occupied and 30.2 percent of renter-occupied households are burdened by housing costs.

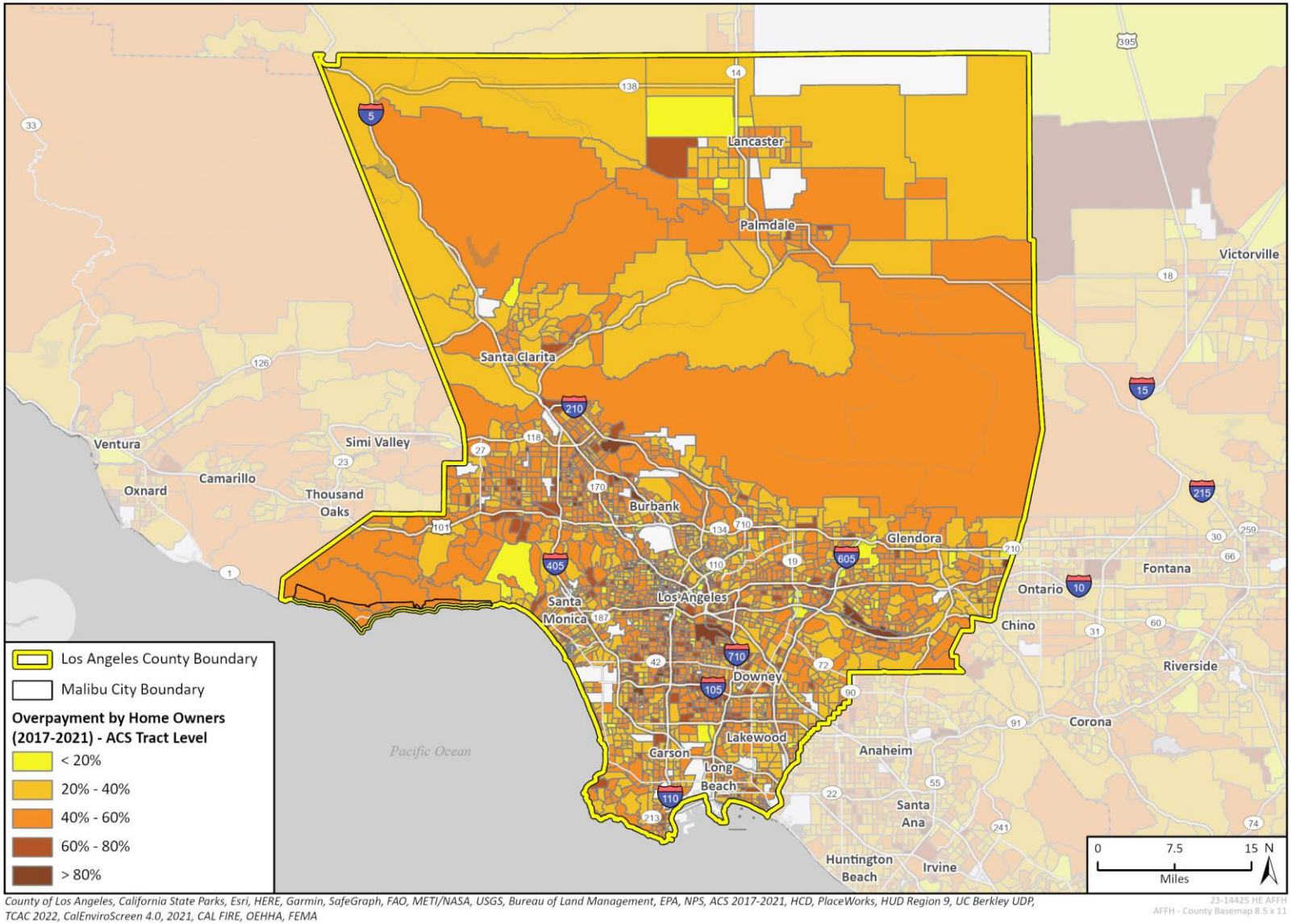
As shown in Figure F-31, the area with the highest levels of renter cost burden is in the in the eastern potion the city east of Las Flores Canyon Road, where between 60 and 80 percent of renters are burdened by housing costs. The western portion of the city has the lowest levels of cost burden by renters, with less than 20 percent of renter households experiencing cost burden. Conversely, housing cost burden by homeowners is lowest in the eastern portion of the city, where 20 to 40 percent of homeowners are cost burdened. West of Las Flores Canyon Road, between 40 to 60 of homeowners are cost burdened, as shown in Figure F-32.

Figure F-29 Overpayment by Renters (Los Angeles County)



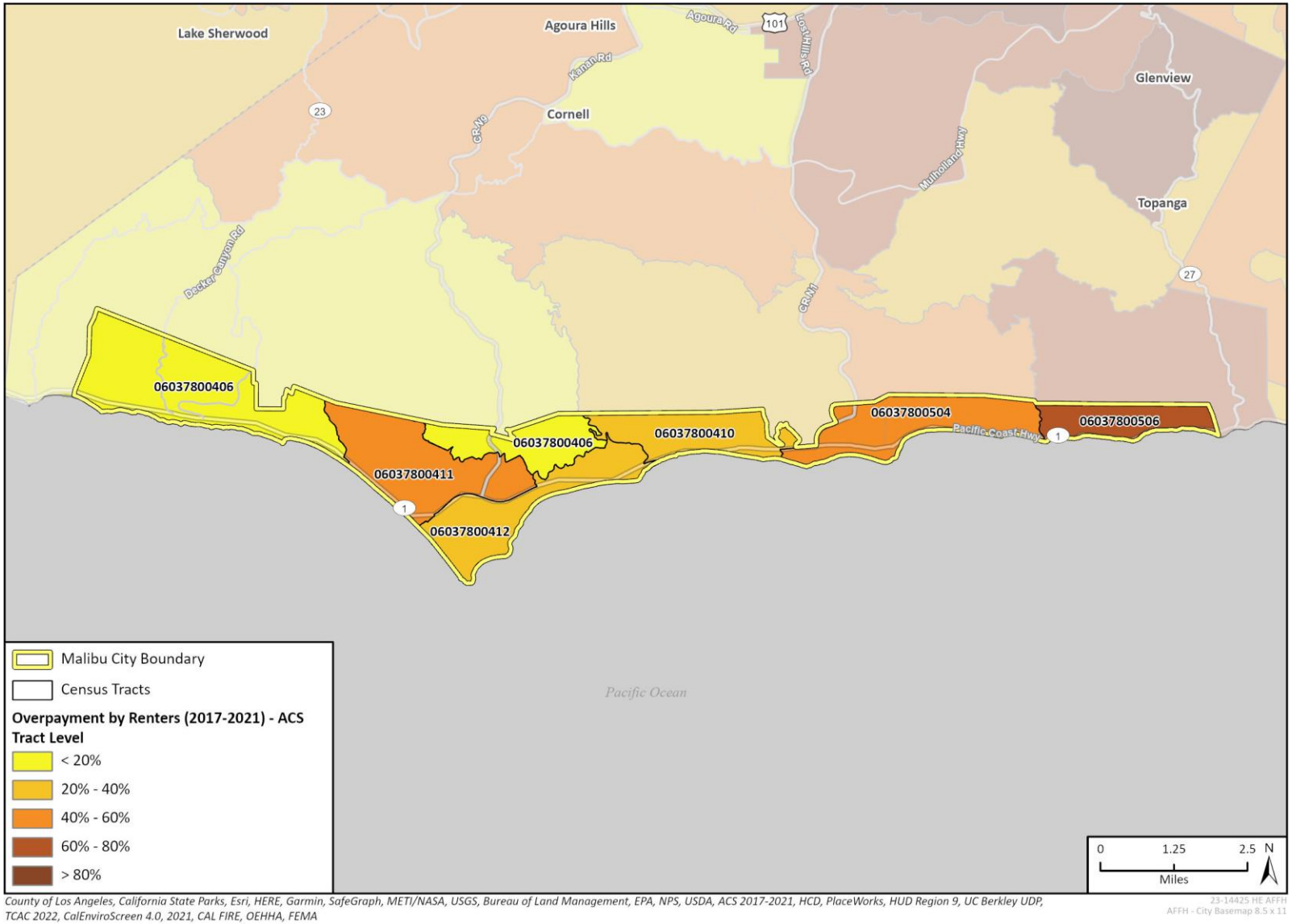
Source: AFFH Viewer, 2023

Figure F-30 Overpayment by Homeowners (Los Angeles County)



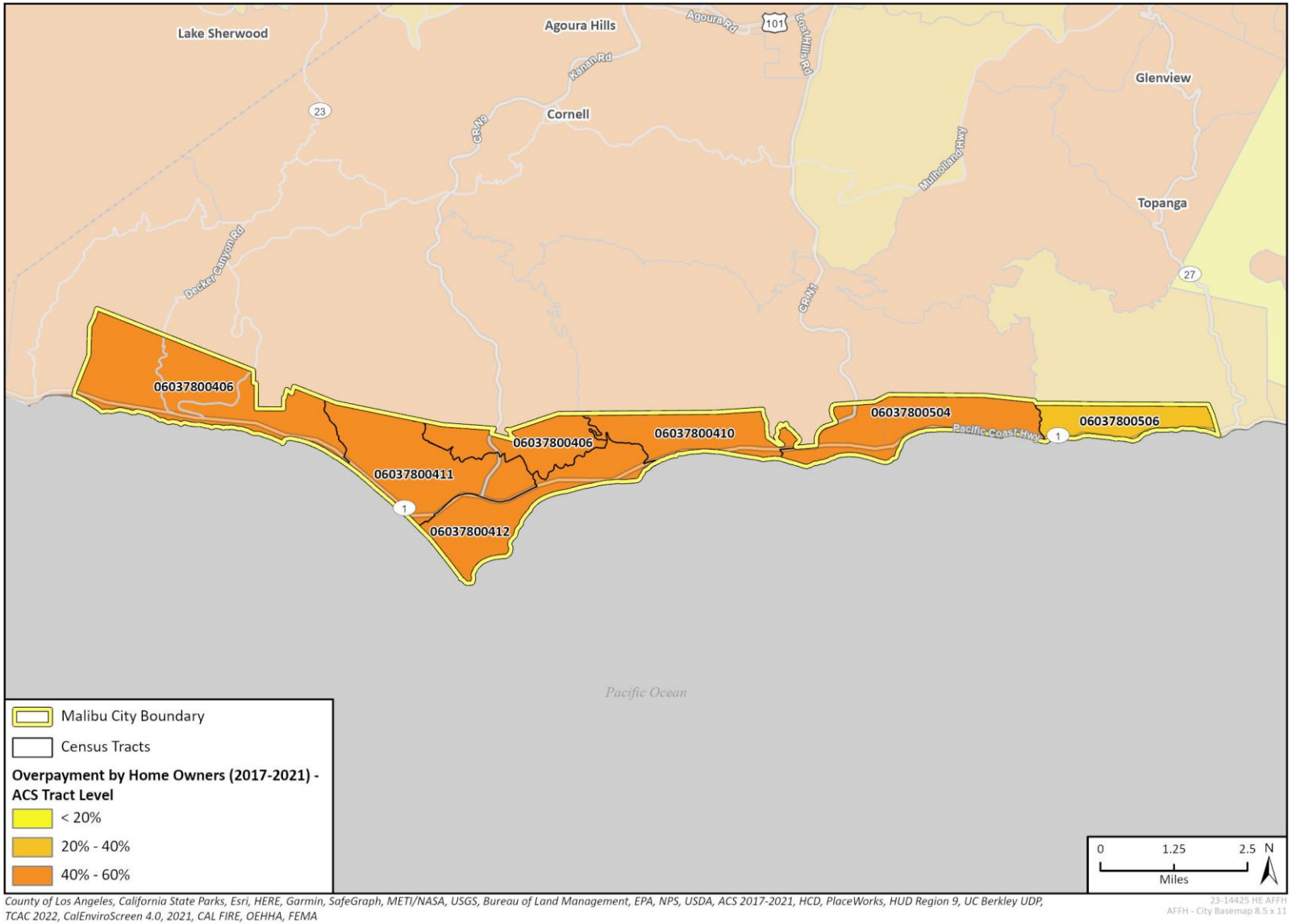
Source: AFFH Viewer, 2023

Figure F-31 Overpayment by Renters (Malibu)



Source: AFFH Viewer, 2023

Figure F-32 Overpayment by Homeowners (Malibu)



Source: AFFH Viewer, 2023

Overcrowding

Overcrowding is defined as housing units with more than one person per room (including dining and living rooms but excluding bathrooms and kitchen) while severe overcrowding refers to more than 1.5 persons per room. Overcrowding is a measure to understand the needs of large families, defined as five or more persons per household. Generally, large households have special housing needs due to lower per capita income and the need for housing with three or more bedrooms.

Some large households may not be able to accommodate high-cost burdens for housing and accept housing with too few rooms. Potential fair housing issues emerge if non-traditional households are discouraged or denied housing due to a perception of overcrowding. Household overcrowding reflects various living situations, including housing units that are inadequately sized to meet a household's needs; the necessity or desire to have extended family members reside in an existing household; or unrelated individuals or families that share a single housing unit.

Not only is overcrowding a potential fair housing concern, but it can also potentially strain electrical systems in older housing that have not been updated or contribute to a shortage of parking. As a result, some property owners/managers may be more hesitant to rent to large households, thus making access to adequately sized housing even more difficult. Fair housing issues may arise from policies aimed to limit overcrowding that have a disparate impact on specific racial or ethnic groups with different preferences for housing size and/or ability to pay according to the household size standards identified.

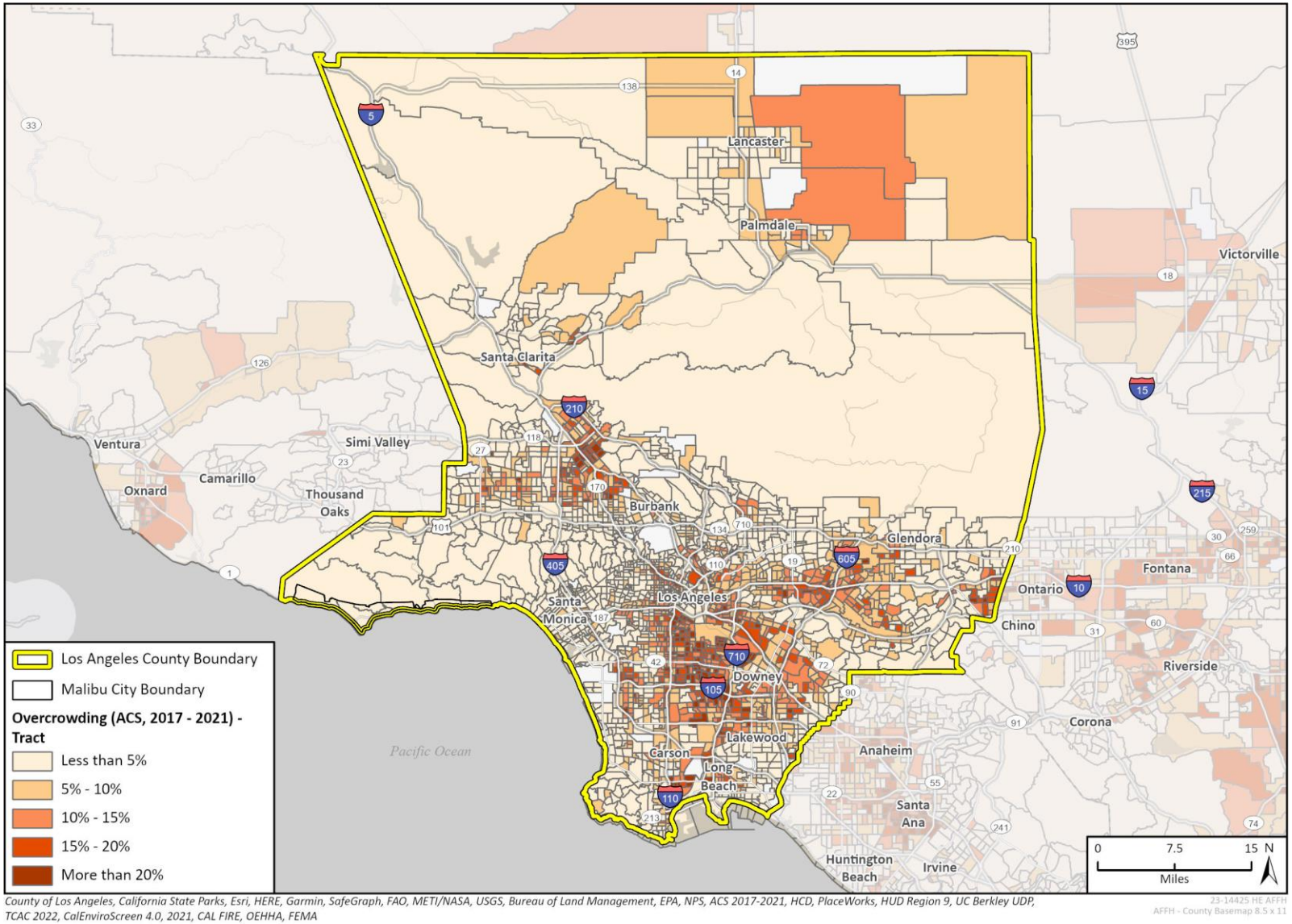
Regional Trends

According to ACS 2021 estimates, approximately 11 percent of households in the county are overcrowded and five percent are severely overcrowded. Overcrowding is present throughout the county, particularly in the communities of South-Central Los Angeles, in eastern Los Angeles County near the cities of El Monte and Baldwin Park, and in the San Fernando Valley. Coastal areas tend to have lower rates of overcrowding, as shown in Figure F-33.

Local Trends

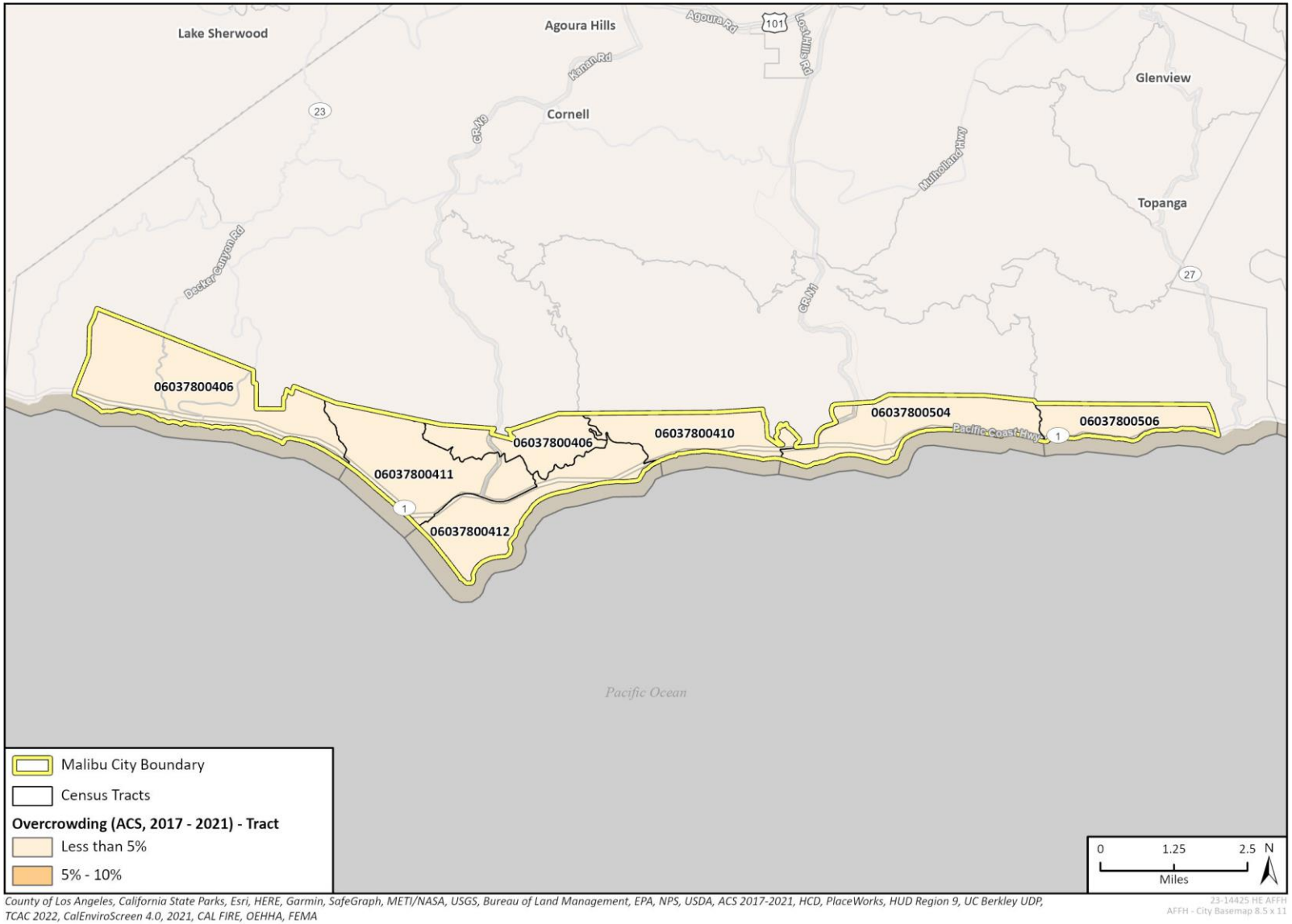
The rate of overcrowding is low throughout the City of Malibu. Figure F-34 shows overcrowded households in Malibu. Approximately one percent of all households in the city are overcrowded, and less than one percent are severely overcrowded. All overcrowding in the City is experienced in owner-occupied households.

Figure F-33 Overcrowded Households (Los Angeles County)



Source: AFFH Viewer, 2023

Figure F-34 Overcrowded Households (Malibu)



Source: AFFH Viewer, 2023

Housing Problems

HUD considers housing units to be "standard units" if they are in compliance with local building codes. Many federal and State programs use the age of housing as a factor to determine a community's housing rehabilitation needs. Housing age can be an important indicator of housing condition in a community. Like any other tangible asset, housing is subject to gradual physical or technological deterioration over time. If not properly and regularly maintained, housing can deteriorate and discourage reinvestment, depress neighboring property values, and eventually impact the quality of life in a neighborhood. Typically, housing over 30 years old is more likely to have rehabilitation needs that may include replacing plumbing, roof repairs, foundation work, and other repairs. Housing units built before 1978 may have health risks such as lead-based paint and asbestos. Housing issues prompted by disrepair such as mold may elevate health conditions such as asthma.

Regional Trends

Housing problems are defined as units having incomplete kitchen facilities, incomplete plumbing facilities, more than one person per room, and households with a cost burden greater than 30 percent. Severe housing problems are defined as all of the above and with a cost burden greater than 50 percent.[19]

Approximately 50 percent of households in Los Angeles County experience housing problems, and 32 percent experience severe housing problems.

A housing unit is considered substandard by the ACS if it lacks complete plumbing or kitchen facilities. According to the 2017-2021 ACS, 0.5 percent of occupied housing units in Los Angeles County lack complete plumbing facilities and 1.6 percent lack complete kitchen facilities.

Seventy-three percent of Los Angeles County's housing stock was built prior to 1980. Only 3.4 percent of the county's current housing stock was constructed in the last decade. These units are potentially in need of repair and modernization improvements. Additionally, lead-based paint was banned from residential uses in 1978. All houses constructed before 1978 are therefore considered at risk for containing lead-based paint.

Local Trends

According to 2021 ACS estimates, approximately 34 percent of households in Malibu experience housing problems and 19 percent of total households experience severe housing problems. These rates are significantly lower than the percentages of households experiencing housing problems in the county.

According to the 2017-2021 ACS, 0.7 percent of all occupied housing units in Malibu lack complete plumbing facilities and 0.9 percent lack complete kitchen facilities.

[19] HUD, 2021. https://www.huduser.gov/portal/datasets/cp/CHAS/bg_chas.html

Sixty-four percent of Malibu's housing stock was built prior to 1980. Only 2.4 percent of the city's current housing stock was constructed in the last decade. As noted in Chapter 7.2, Housing Needs Assessment, the majority of units are well-maintained due to high property values, although it is estimated that 10 units are in need of rehabilitation. Additionally, the 2018 Woolsey fire destroyed approximately 488 homes. Concentrated areas of substandard housing in Malibu are in the eastern part of the city, mainly east of Malibu Canyon Road and along the Pacific Coast Highway near Topanga Canyon. Program 1.3 Housing Rehabilitation Assistance directs resources to households that need rehabilitation assistance.

Persons Experiencing Homelessness

Nationally and in Los Angeles County, homelessness has become an increasingly significant issue. Many factors are identified as contributing to the increase in homeless populations.

State law (Section 65583(a)(7)) requires municipalities to address the special needs of persons experiencing homelessness within their boundaries. "Homelessness," as defined by HUD, describes the condition of an individual, who is not imprisoned or otherwise detained, who:

- Lacks a fixed, regular, and adequate nighttime residence; and
- Has a primary nighttime residence that is:
  - A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);
  - An institution that provides a temporary residence for individuals intended to be institutionalized; or
  - A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

Regional Trends

The 2023 Greater Los Angeles Point-in-Time (PIT) Summary was the most recent evaluation of people experiencing homelessness in the county. According to the 2023 PIT count, there are 75,518 people experiencing homelessness in Los Angeles County (sheltered and unsheltered), an increase of 6,374 people (nine percent) from 2022. Approximately 26 percent of individuals in this count are sheltered adults and youth, 70 percent are unsheltered adults, and three precent are unsheltered youth.[20] Thirty percent reported a substance abuse issue, and 25 percent are experiencing serious mental illness.

The proportion of Black/African American persons experiencing homelessness in Los Angeles County (31.7 percent) far exceeds their relative proportion in the county's population (7.1 percent). American Indian/Alaskan Native residents and Native

[20] Los Angeles Homeless Services Authority. 2023 Greater Los Angeles Homeless Count Deck. 2023. https://www.lahsa.org/documents?id=7232-2023-greater-los-angeles-homeless-count-deck, accessed August, 2023.

Hawaiian/Other Pacific Islander residents are also overrepresented in the homeless population count compared to the respective county population share.

Local Trends

The 2022 (most recent local data available) homeless survey[21] conducted by the Los Angeles Homeless Services Authority (LAHSA) reported 81 unsheltered persons experiencing homelessness in Malibu at the time of the survey. This is a decrease from the 2020 PIT count of 239 people. Most unsheltered persons resided on the street (43 percent) and in vans (approximately 20 percent). The remaining unsheltered persons resided in cars (18 percent), in RVs/Campers (12 percent), and in tents/makeshift shelters (seven percent)

Malibu partners with The Malibu Community Assistance Resource Team (CART) and The People Concern to bring resources to people experiencing homelessness in the City. There are no emergency shelters within city limits.

Displacement

Displacement, as defined by HCD, is used to describe any involuntary household move caused by landlord action or market changes. Shifts in neighborhood composition are often framed and perpetuated by established patterns of racial inequity and segregation. Movement of people, public policies, and investments, such as capital improvements and planned transit stops, and flows of private capital can lead to displacement. Displacement is fueled by a combination of rising housing costs, rising income inequality, stagnant wages, and insufficient market-rate housing production. Decades of disinvestment in low-income communities, coupled with investor speculation, can result in a rent gap or a disparity between current rental income of the land, and potentially achievable rental income if the property is converted to its most profitable use. These processes can disproportionally impact people of color, as well as lower income households, persons with disabilities, large households, and persons at-risk or experiencing homelessness.[22]

Regional Trends

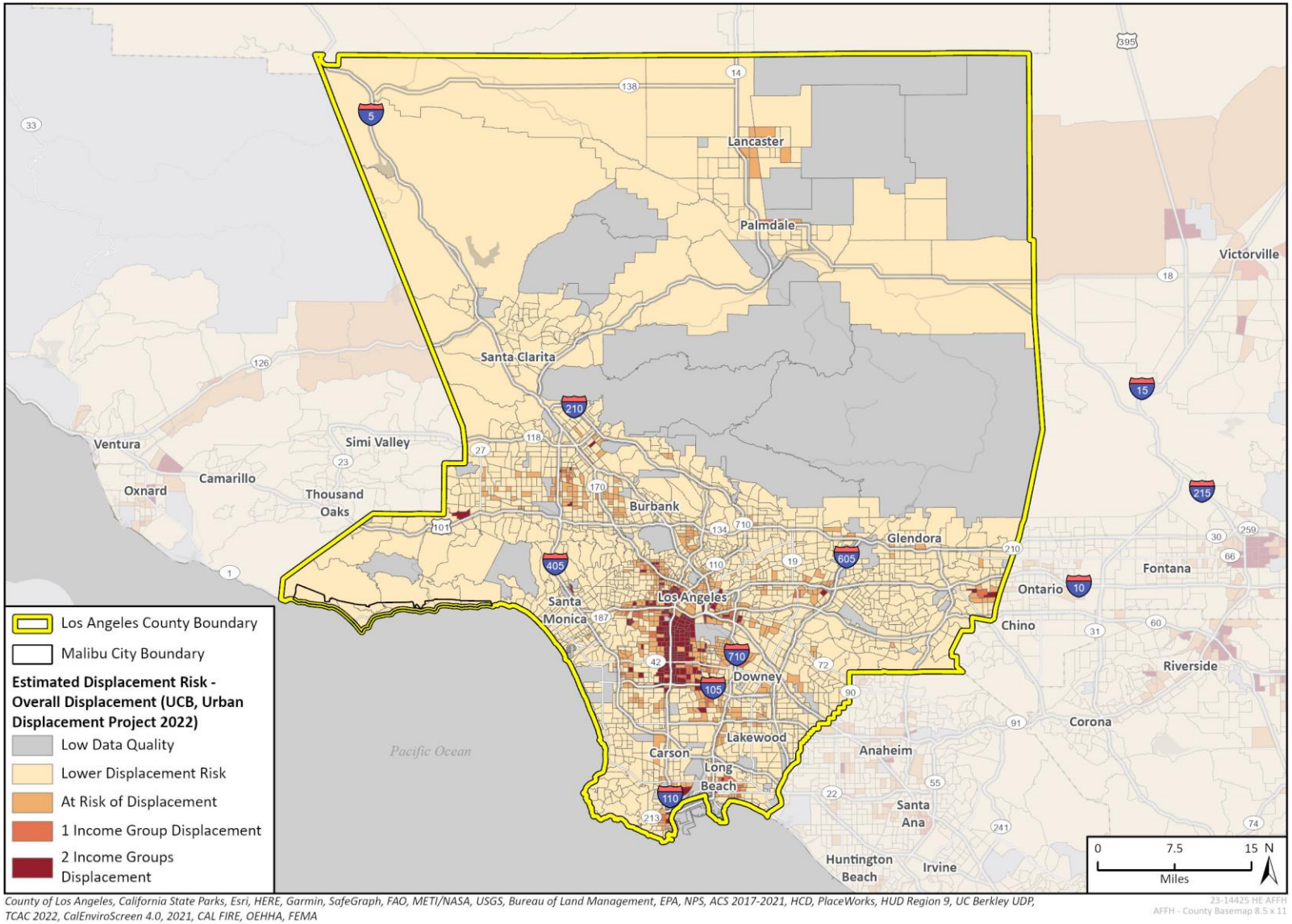
Regionally, much of Los Angeles County is considered vulnerable to displacement due to increases in housing costs combined with disparities in earned income and access to opportunity. Within the City of Los Angeles, most neighborhoods in the South-Central area and East Los Angeles experience high displacement risk. Within the San Gabriel Valley, cities such as El Monte and Montebello have high displacement risk. Most of the suburban, rural, and coastal communities have lower displacement risk, as shown in Figure F-35.

Local Trends

According to UDP, all of Malibu has a low risk of displacement, as shown in Figure F-36.

[21] Los Angeles Homeless Services Authority. Homeless Count By City/Community. https://www.lahsa.org/data?id=54-homeless-count-by-city-community, accessed August, 2023.
[22] HCD. 2021. https://www.hcd.ca.gov/community-development/affh/docs/affh_document_final_4-27-2021.pdf

Figure F-35 Displacement Risk (Los Angeles County)



Source: AFFH Viewer, 2023

Figure F-36 Displacement Risk (Malibu)



Source: AFFH Viewer, 2023

Local Data and Knowledge

Regional

Patterns of racial segregation are the byproduct of local and federal policies, private housing discrimination, and community prejudice. To understand present challenges to fair housing, it is necessary to review the history of actions that have led to regional patterns of segregation.

Starting in the 1930s, communities in the Los Angeles region were impacted by redlining, which is the practice of discriminating against loan borrowers based on the racial or socioeconomic status of the neighborhood in which a property is located. Redlining, a government-sponsored system of denying mortgage loans and services to finance the purchase of homes in specific areas, served as a tool to limit homeownership opportunities, as federally insured and long-term mortgages were routinely denied to persons seen as "undesirable," often non-white persons. Redlining directed both public and private capital to white households and away from Black/African American, non-white, immigrant, and Jewish households. As homeownership is one of the most significant means of intergenerational wealth building in the United States, these redlining practices had long-term effects in creating wealth inequalities.[23]

A federal agency called the Home Owners' Loan Corporation created residential security maps in the 1930s throughout American cities to support the Federal Housing Administration and its new mortgage program. These maps designated certain neighborhoods as desirable or not worth investment based on several factors. These included housing age, condition, and value, as well as proximity to services, amenities, and transportation. "Security" levels were color-coded from green (least risk), blue, yellow, and red (highest level of risk). Problematically, the key factors in determining risk were race and ethnicity. Neighborhoods with a multicultural community, recent immigrants, or families of color were severely downgraded or redlined. Areas that saw the majority populations of white residents were either left unmarked or were given a high-desirability rating. These maps documented the perceived risk of lending and determined the lending practices of banks and other mortgage lenders administering the federal loans. This led to disinvestment in cities and a loss of wealth building for generations of American families. This practice of racial exclusion from homeownership allowed white Americans to accumulate wealth through government backed homeownership while minority communities were excluded and marginalized. Over eighty years later, 74 percent of neighborhoods color coded red are low to moderate income today and nearly 64 percent are minority neighborhoods now.[24]

[23] Mapping Inequality: Redlining in New Deal America. https://dsl.richmond.edu/panorama/redlining/#loc=14/34.067/-118.143&city=los-angeles-ca&area=C127

[24] HOLC "Redlining Maps," The persistent Structure of Segregation and Economic Inequality, NCRC, Bruce Mitchell, PhD. Accessed: January 5, 2022, https://ncrc.org/wp-content/uploads/dlm_uploads/2018/02/NCRC-Research-HOLC-10.pdf

Local

Malibu was first settled by the Chumash peoples. Spanish explorers reached the canyon now known as Malibu Creek in approximately 1776 and Rancho Malibu was established.

In 1904, the Southern Pacific Railroad applied to the Interstate Commerce Commission to build tracks linking the Long Wharf in Santa Monica with the northern tracks that ended in Santa Barbara through the area of Malibu. To prevent this, the owner of the land built a private railroad that extended near the eastern boundary of the ranch near Las Flores Canyon and ended near Yerba Buena Canyon in Ventura County. Subsequently, after a lengthy court battle, the Roosevelt Highway (now called the Pacific Coast Highway) opened to the public in 1929.[25] With the establishment of the highway, a large labor force from Santa Monica became accessible as did the transportation to and from rail and shipping centers in Santa Monica, Los Angeles, and San Pedro.

Prior to the development of the roadway network, Malibu was mainly used for grazing cattle or transversing the beach to travel to other areas of the county. The urban development of Malibu started with the sale of the La Costa area in 1928 for the establishment of the Malibu Movie Colony. Land was leased and later sold to movie stars. Today, the Malibu Movie Colony is a gated community. While Malibu was not included in on the HOLC maps, the Malibu Movie Colony (now Malibu Colony) had racial covenants attached to the sale of the land, prohibiting occupation or use by any non-white person.[26] In 1948, the United States Supreme Court ruled that racial covenants were unconstitutional (Shelley v. Kraemer). In 2022, Assembly Bill 1466 was enacted to redact unlawfully restrictive covenants from all property records in the State of California. The City was incorporated in 1991, long after urbanization and land use patterns had been established. By then, Malibu had long been famous for its beaches, surfing and celebrity culture, and high-profile houses. Large-scale multi-family residential development has been limited by geographic limitations, including steep slopes and infrastructure concerns, mainly the ability to connect to the wastewater system.

Stakeholder Input

As part of the Housing Element update, the City held a virtual workshop and two public meetings in the summer of 2021. Notices were sent to non-profit housing providers, housing advocates, and fair housing organizations. The most common issues raised during the Housing Element update process included the following:

- Insufficient affordable housing for lower-income persons who work in Malibu
- Effect of short-term rentals on the supply of housing
- High cost of development in Malibu

[25] Doyle, W.T, Doyle T., Laubach, C., May, F., Merrick, J. Pfeifer, L., Rindge, R., Ringer, J.. The Story of Malibu. https://www.malibucity.org/106/History-of-Malibu, accessed August, 2023.
[26] History News Network. *The Racist History of Malibu.* 2009. https://historynewsnetwork.org/article/118349, accessed August, 2023

- Consideration of the exceptional constraints on housing development in Malibu including high fire hazards, environmentally sensitive habitat areas, geological hazards, flood hazards, water supply, lack of a communitywide wastewater system, limited roadway access, and problems caused by sea level rise.

Other Relevant Factors

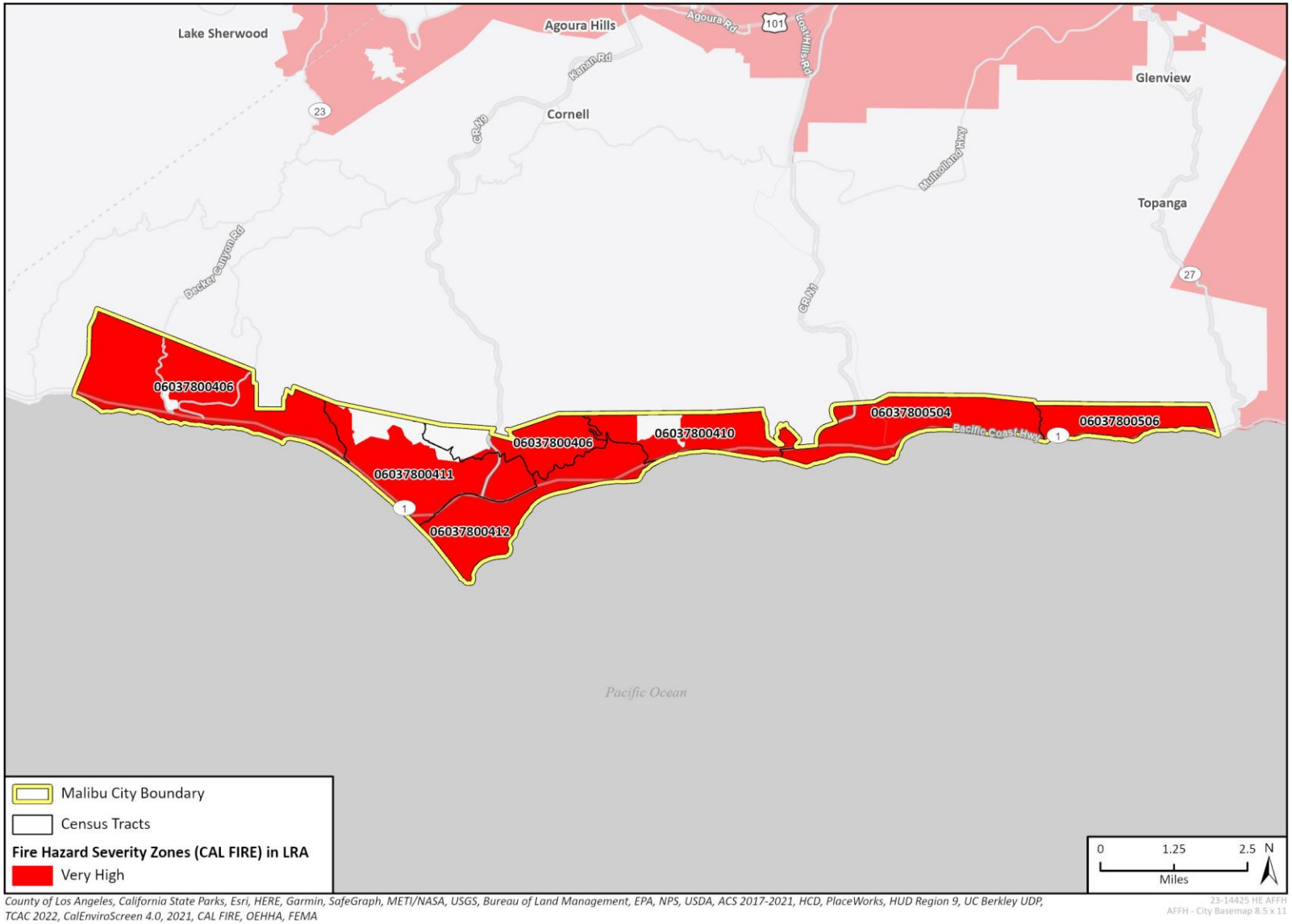
Other factors to fair housing issues in Malibu that have not been previously discussed in this analysis include lack of infrastructure and environmental factors. Development within the city is constrained by numerous land features including steep slopes, environmentally sensitive habitat areas (ESHAs), geologic instability, flood hazards, and extreme wildfire hazards. Although the city is characterized by a large amount of vacant land, only a small portion of that land is suitable for development due to these natural constraints. As shown in Figure F-37, almost the entire city is within a Very High Fire Hazard Severity Zones. Approximately 488 homes in the city were lost in the Woolsey Fire in 2018.

Development in steeply sloping properties requires substantial modification to the natural terrain, which significantly adds to the cost of development. Development on the steep hillsides also adds to erosion and landslide potential.

Additionally, the entire city lies within the Coastal Zone as defined by the California Coastal Act of 1976[27]. All new single-family residences and multi-family residential development in the city require a Coastal Development Permit pursuant to the development requirements of the LCP, which limits grading on steep slopes and encroachment into environmentally sensitive habitat areas (ESHAs). Development is also constrained by federal and state laws (e.g., Federal Emergency Management Agency floodplain regulations, Clean Water Act, Endangered Species Act; and California Fish and Game Code and Alquist-Priolo Earthquake Fault Zoning Act). Because of these constraints, a large portion of the city remains undeveloped and rural in character. Growth is also severely limited by the lack of a centralized sewer system. The majority of the housing stock is served by private onsite wastewater treatment systems.

[27] California Public Resources Code, Division 20.

Figure F-37 Fire Hazard Severity Zones (Malibu)



Source: AFFH Viewer, 2023

Access to Home Ownership

To understand current racial/ethnic disparities among homeownership opportunities, this analysis reviews mortgage application filing and acceptance by race using the latest available data. As shown in Table F-10, there were 1,381 mortgage applications filed in Malibu in 2021. Of the racial/ethnic categorization of mortgage applications, almost half were filed by non-Hispanic white residents. In comparison, Hispanic/Latino and Asian American/API applicants comprised approximately three percent each, and Black/African-American, Native Hawaiian/Other Pacific Islander, and American Indian or Alaskan Native applicants comprised less than one percent of total mortgage loan applications combined.

No racial population were representative for mortgage applications relative to proportion of population. Asian American residents were overrepresented for mortgage applications (3.1 percent of applications, 2.8 percent of population), as were Black/African American residents (0.7 percent of applications, 0.5 percent of population), and Other/Unknown (48 percent of applications, 0.5 percent of population. Hispanic/Latino residents were underrepresented for mortgage applications (2.6 percent of applications, 12 percent of population), as were non-Hispanic white residents (47.7 percent of applications, 77.1 percent of population).

Table F-10 Mortgage Applications and Acceptance by Race, 2021

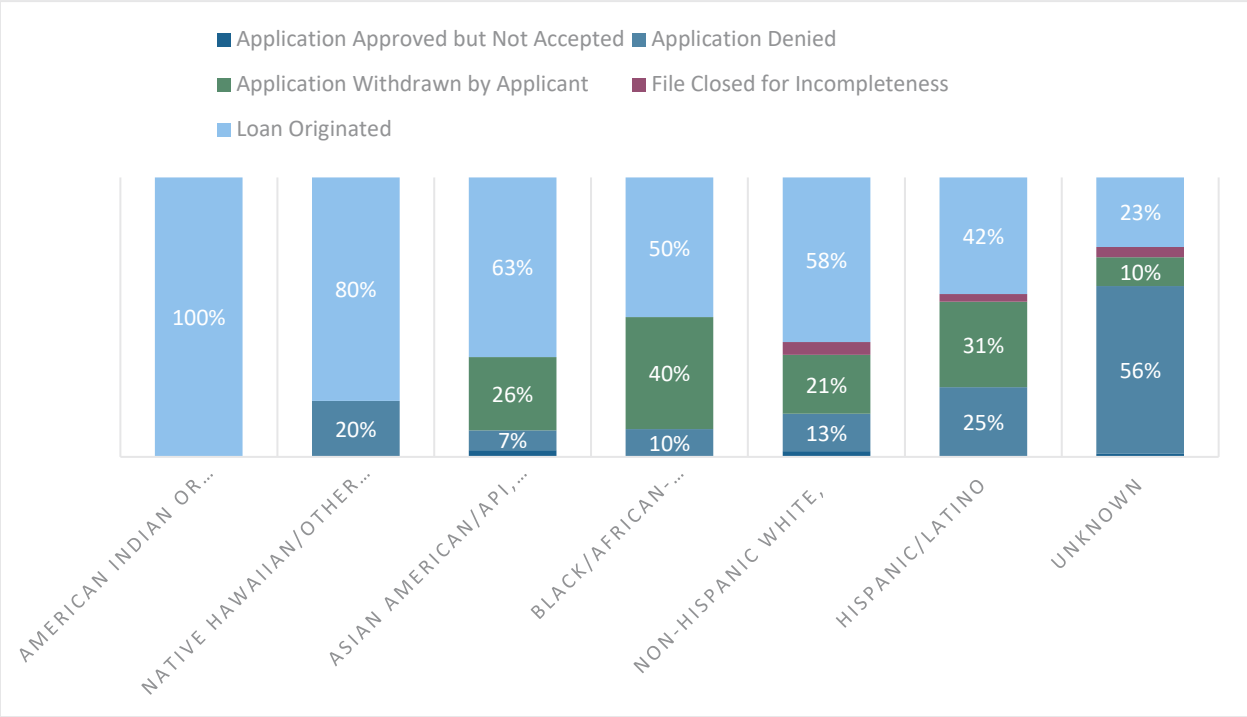
Racial/ Ethnic Group	Application Approved but Not Accepted	Application Denied	Application Withdrawn by Applicant	File Closed for Incompleteness	Loan Originated	Other Action	Total Applications
American Indian or Alaska Native, Non-Hispanic	0	0	0	0	1	0	**1 (0.1%)**
Native Hawaiian/Other Pacific Islander	0	1	0	0	4	0	**5 (0.4%)**
Asian American/API, Non-Hispanic	1	3	11	0	27	1	**43 (3.1%)**
Black/African-American, Non-Hispanic	0	1	4	0	5		**10 (0.7%)**
Non-Hispanic White	13	87	137	30	382	10	**659 (47.7%)**
Hispanic/Latino	0	9	11	1	15	0	**36 (2.6%)**
Other/Unknown	8	373	64	23	155	40	**663 (48%)**
Total	**22**	**465**	**216**	**53**	**574**	**51**	**1381**

Notes: "Loan originated" means that the application was accepted a loan was made by a financial institution to the applicant. "File incomplete or withdrawn" means a loan was not originated because the application was withdrawn before a credit decision was made or the file was closed for incompleteness. "Application denied" means a loan was not originated because the financial institution did not approve the mortgage application. "Application approved but not accepted" means the financial institution approved the loan application but the applicant did not complete the transaction and a loan was not originated. Other categories of application actions were not included in this analysis, such as purchased loan, preapproval request denied, and preapproval request approved but not accepted. For the purposes of this graph, the "Hispanic or Latino" racial/ethnic group represents those who identify as having Hispanic/Latino ethnicity and may also be members of any racial group. All other racial categories on this graph represent those who identify with that racial category and do not identify with Hispanic/Latino ethnicity.

Source: Federal Financial Institutions Examination Council's (FFIEC) Home Mortgage Disclosure Act loan/application register (LAR) files

As shown in Figure F-38, 100 percent of American Indian or Alaska Native applicants, 80 percent of Native Hawaiian/Other Pacific Islander applicants, 63 percent of Asian American/API applicants, 58 percent of non-Hispanic white , and 50 percent of Black/African American applicants had their loans originated. Only 42 of Hispanic/Latino applicants had their loans originated. Black/African American and Hispanic/Latino applicants had the highest denial rates at 40 and 31 percent, respectively.

Figure F-38 Mortgage Rates and Acceptance by Race (Malibu)



Source: Federal Financial Institutions Examination Council's (FFIEC) Home Mortgage Disclosure Act loan/application register (LAR) files

Subsidized Housing

The Housing Authority of the County of Los Angeles (Housing Authority) serves in Los Angeles County, administering both the Section 8 Housing Choice Voucher (HCV) and Public Housing programs. The HCV provides assistance to rent-burdened residents and will continue to seek opportunities to increase rental assistance and reduce overpayment. The HCV program currently assists approximately 23,000 families through a partnership with over 13,000 property owners. The Public Housing program manages 3,229 units of public and other affordable housing throughout Los Angeles County.

According to the California Housing Partnership, there are no subsidized or public housing units within the City of Malibu.[28] There is no data available on the number of HCV recipients in the city.

[28] California Housing Partnership. Affordable Housing Map and Benefits Calculator. https://affordablehomes.chpc.net/?view=34.033807,-118.81921,12&rural=1,0&funding=hud,usda,lihtc,hcd,calhfa&selected=city,125, accessed August, 2023.

Site Inventory

This section provides an analysis of how the site inventory impacts fair housing in the city. The housing element must demonstrate that there are adequate sites zoned for the development of housing for households at each income level sufficient to accommodate the number of new housing units needed at each income level as identified in the RHNA. In the context of AFFH, the site identification requirement involves not only an analysis of site capacity to accommodate the RHNA, but also whether the identified sites serve the purpose of replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity.

Housing Sites by TCAC Opportunity Areas

For purposes of evaluating fair housing, resource levels designated by TCAC/HCD denote access to economic and educational opportunities such as low-cost transportation, jobs, and high-quality schools and the quality of environmental factors in the area such as proximity to hazards and air quality. TCAC has a composite opportunity score for each census tract. The entire City of Malibu is within census tracts designated by TCAC as highest resource, indicating that each neighborhood of the city is associated with positive economic, educational, and health outcomes for low-income families – particularly long-term outcomes for children – when compared to other neighborhoods in the same region.

The City's sites inventory can accommodate 143 units on 24 sites. Figure F-39, Figure F-40, and Figure F-41 show the housing opportunity sites by TCAC-designated resource area, all within highest resource areas. The "appropriateness" of sites for various affordability levels -- whether the sites could accommodate housing appropriate for low-, moderate-, or above moderate-income households -- is dictated by state housing element law and HCD guidance and includes allowable density, size of site, realistic capacity, existing use(s), and other factors. More information about the sites and income designations is available in Appendix B, Residential Land Inventory.

A portion of the City's RHNA will be satisfied by planned and approved projects. To understand the overall picture of housing development during the eight-year planning period, this analysis considers those units. All planned and approved projects and housing opportunity sites are in areas designated as highest resource.

Total Units by Resource Area

All 143 proposed housing units identified in the site inventory are in highest resource areas: 46 percent of those units (66 units) will be lower-income units, 31 percent (45 units) will be moderate-income units, and 22 percent (32 units) will be above moderate-income units. Since all proposed housing sites are located in highest-resource areas, housing development during the planning period will not increase patterns of segregation within the city. The sites that can accommodate lower- and moderate-income households will provide opportunities for households that would be unable to access at market-rate.

Figure F-39 Location of Site Inventory in Relation to TCAC/HCD Opportunity Areas (Western Malibu)



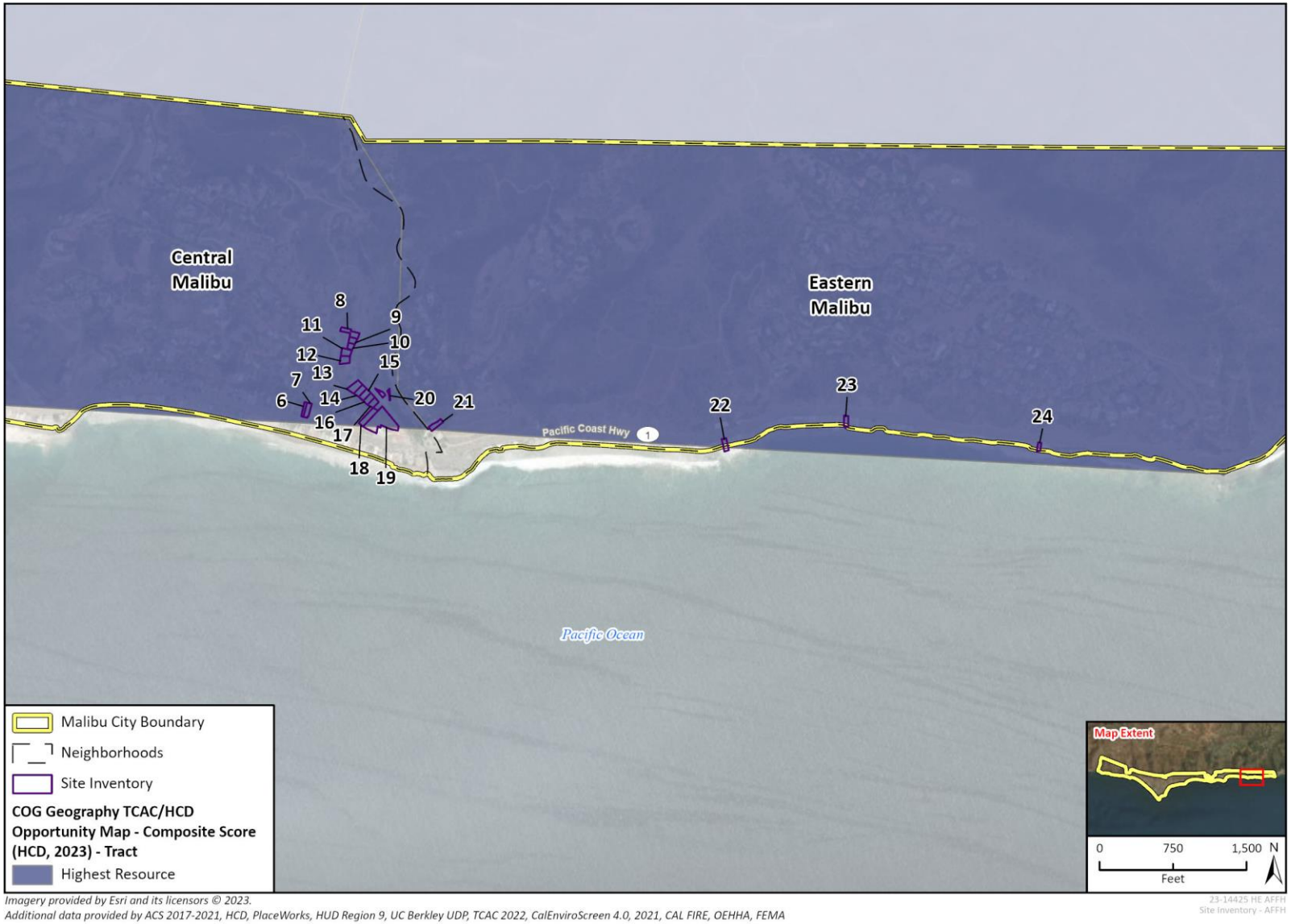
Source: AFFH Data Viewer, 2023

Figure F-40 Location of Site Inventory in Relation to TCAC/HCD Opportunity Areas (Central Malibu)



Source: AFFH Data Viewer, 2023

Figure F-41 Location of Site Inventory in Relation to TCAC/HCD Opportunity Areas (Eastern Malibu)



Source: AFFH Data Viewer, 2023

Sites by Income Population

Malibu does not contain areas with high levels of poverty relative to the region. Two census block groups in Western Malibu have a share of LMI households between 25 to 50 percent. The other census block groups in Malibu have a share of LMI households below 25 percent. Most of the housing sites (78 percent of total units) are in the block groups with a share of LMI households between 25 to 50 percent. Figure F-42, Figure F-43, and Figure F-44 show the housing opportunity sites by percentage of LMI populations. All sites in the site inventory that can accommodate low- and moderate-income households are in the block groups with higher shares of LMI households. LMI households in the city will benefit from the development of affordable units. The site inventory will improve the mixture of housing opportunities by income level in the city and will not exacerbate segregation by income.

Sites by Overcrowded Households

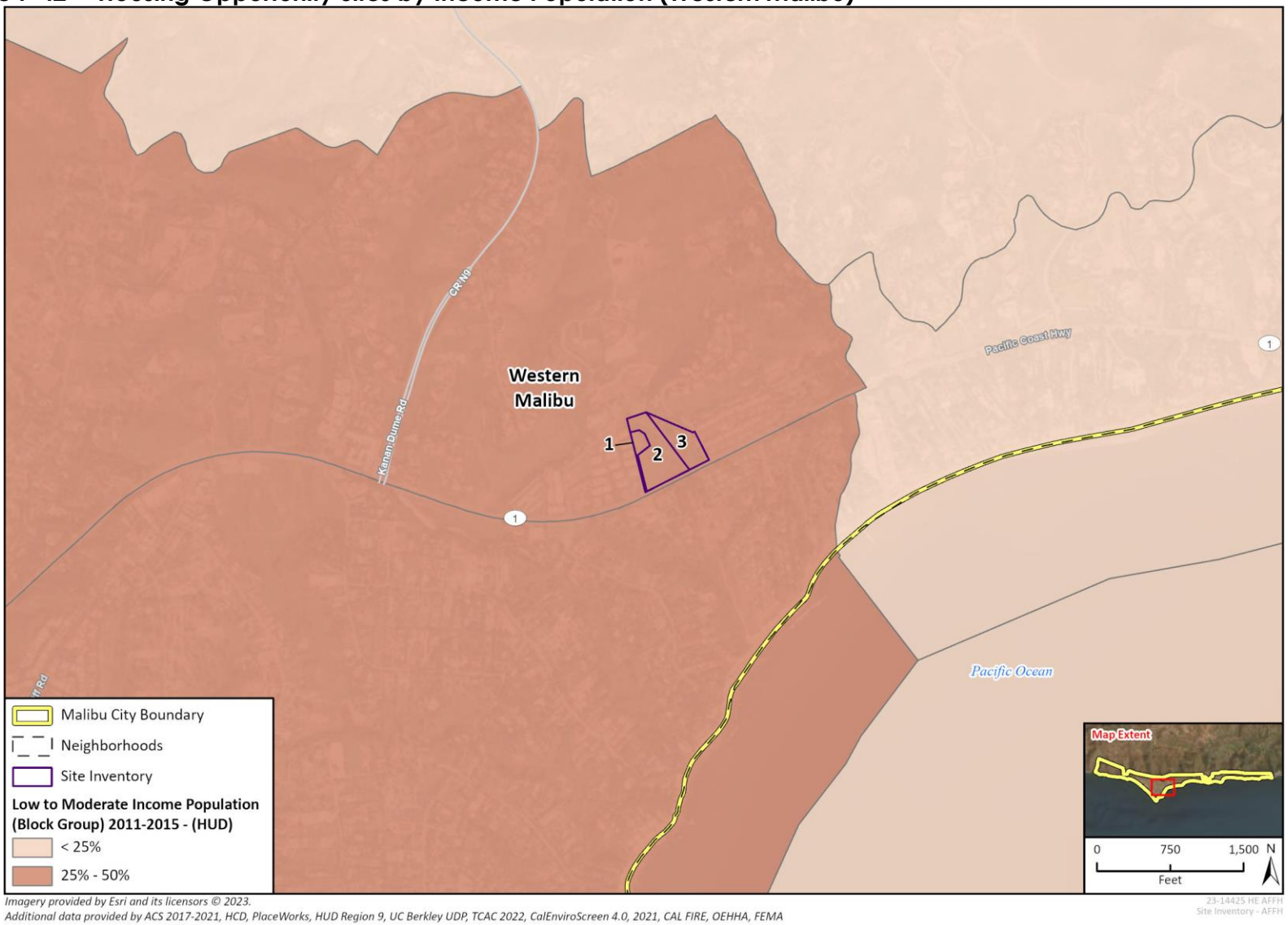
Rates of overcrowding are less than five percent throughout Malibu (Figure F-45, Figure F-46, and Figure F-47). The sites with units affordable to lower- and moderate-income households will provide opportunities for households that may otherwise need to rent smaller units or double with another household to afford the same opportunities.

Sites by Overpayment by Renters

In most of the city, between 40 to 60 percent of renter households overpay for housing costs, as shown in Figure F-48, Figure F-49, and Figure F-50. Eastern Malibu has the highest percentage of renters overpaying on housing costs (60 to 80 percent). In areas of the city where more than 40 percent of renters are overpaying, the sites inventory provides a mix of income levels, including 66 units appropriate for lower-income households, 45 units appropriate for moderate-income households, and 27 units appropriate for above moderate-income households. Housing units affordable to low- and moderate-income households will likely be rental units.

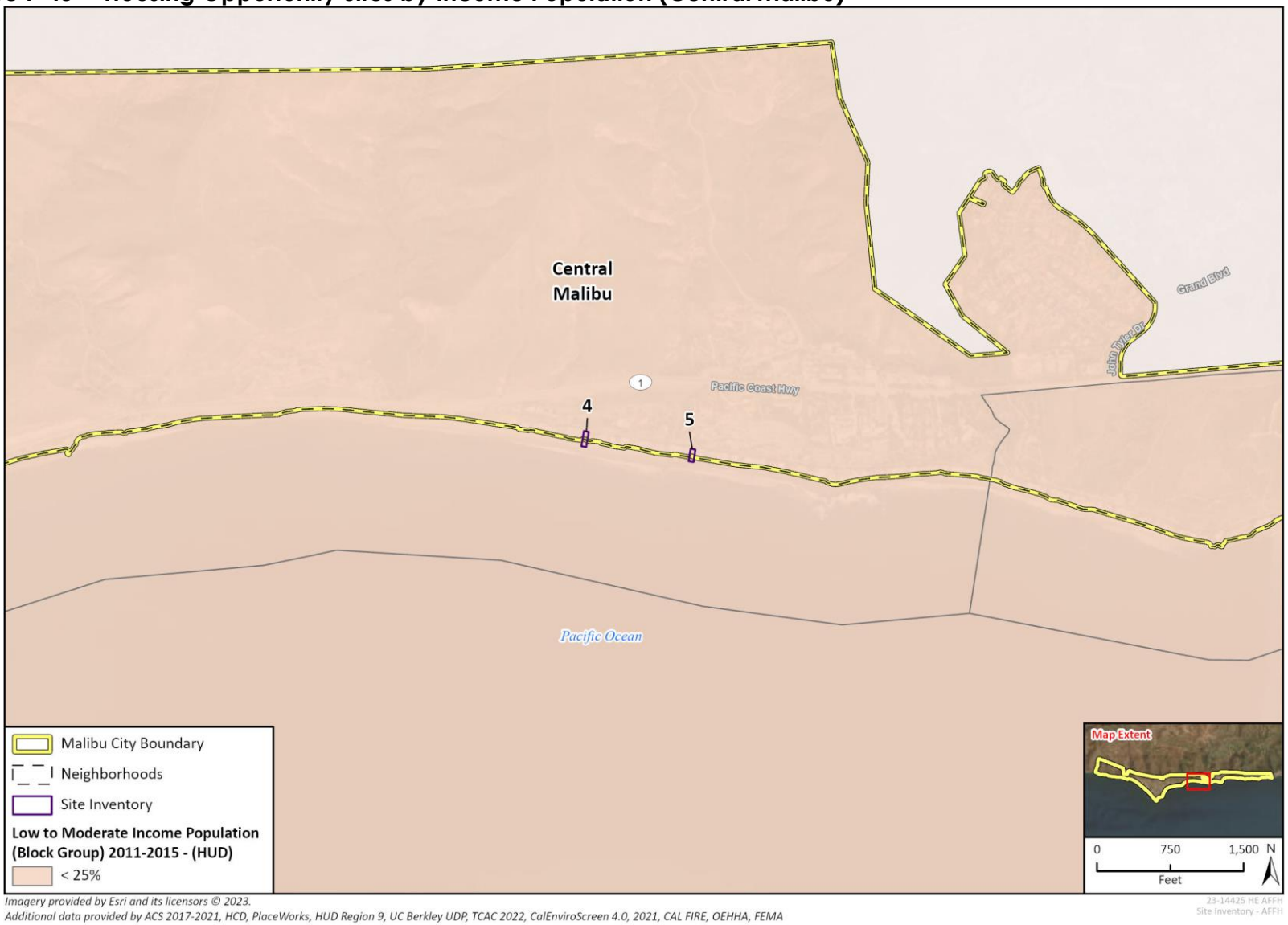
The site inventory will not exacerbate overpayment by renters but will add affordable housing opportunities in areas that need them.

Figure F-42 Housing Opportunity Sites by Income Population (Western Malibu)



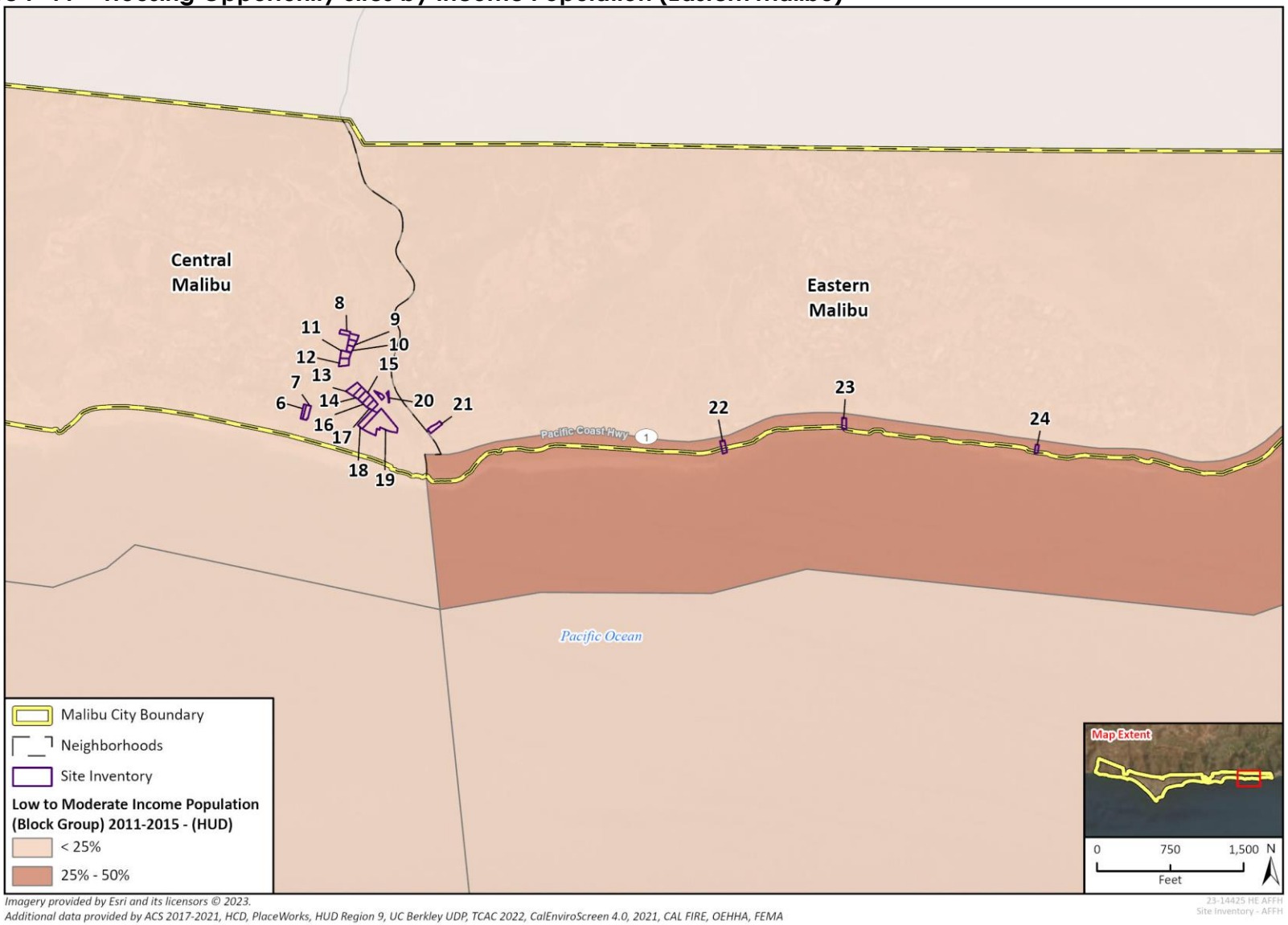
Source: AFFH Data Viewer, 2023

Figure F-43 Housing Opportunity Sites by Income Population (Central Malibu)



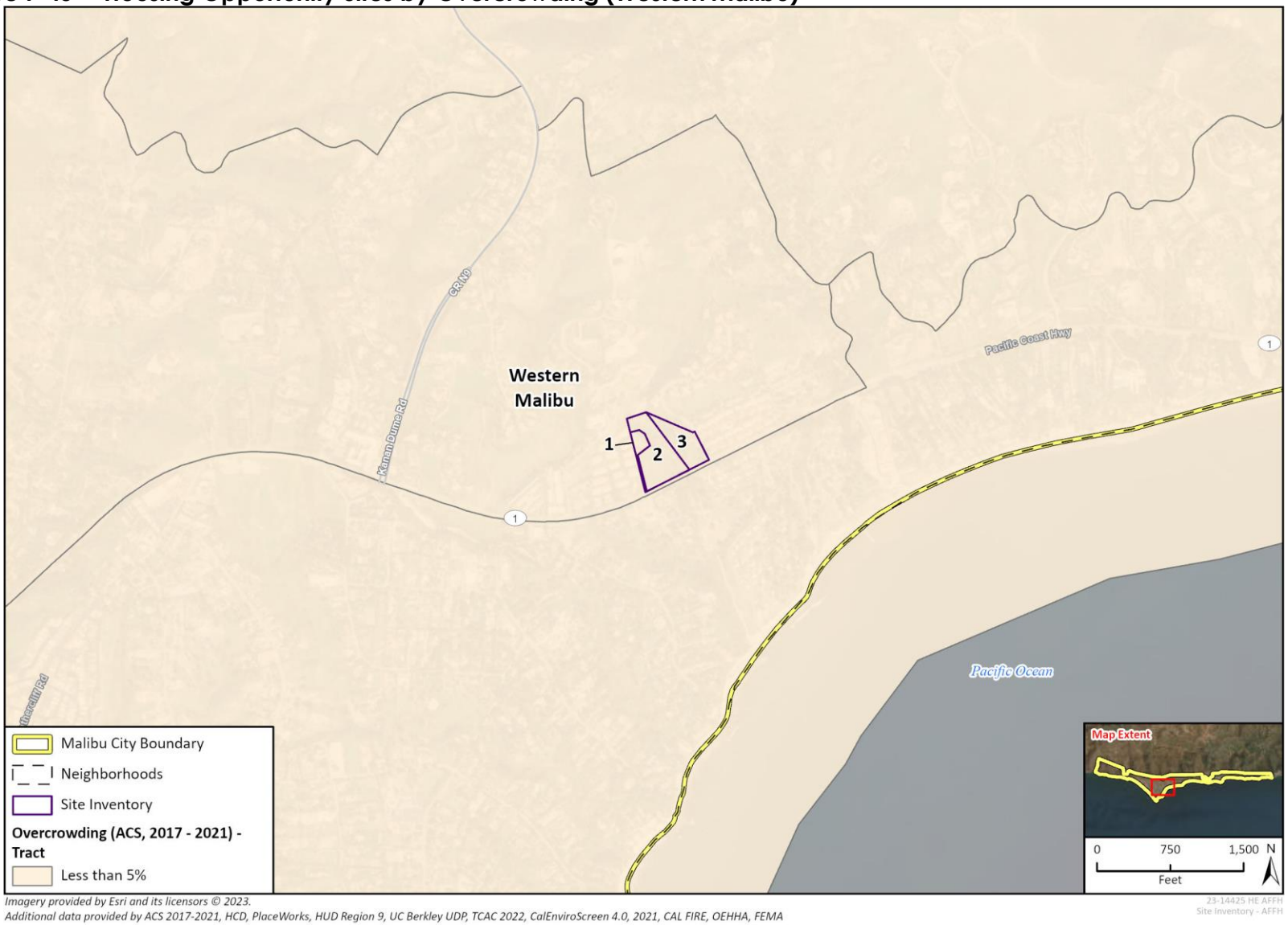
Source: AFFH Data Viewer, 2023

Figure F-44 Housing Opportunity Sites by Income Population (Eastern Malibu)



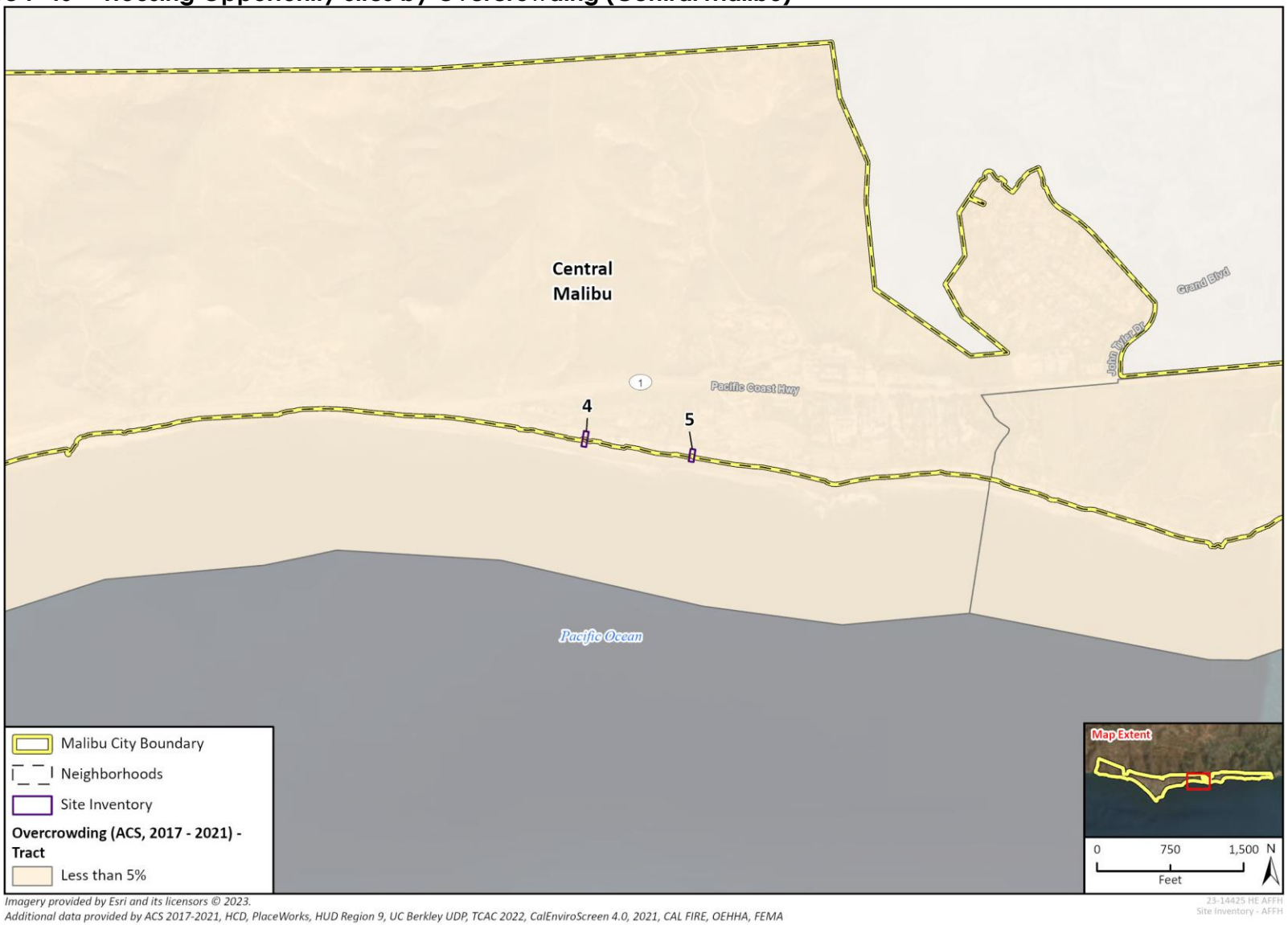
Source: AFFH Data Viewer, 2023

Figure F-45 Housing Opportunity Sites by Overcrowding (Western Malibu)



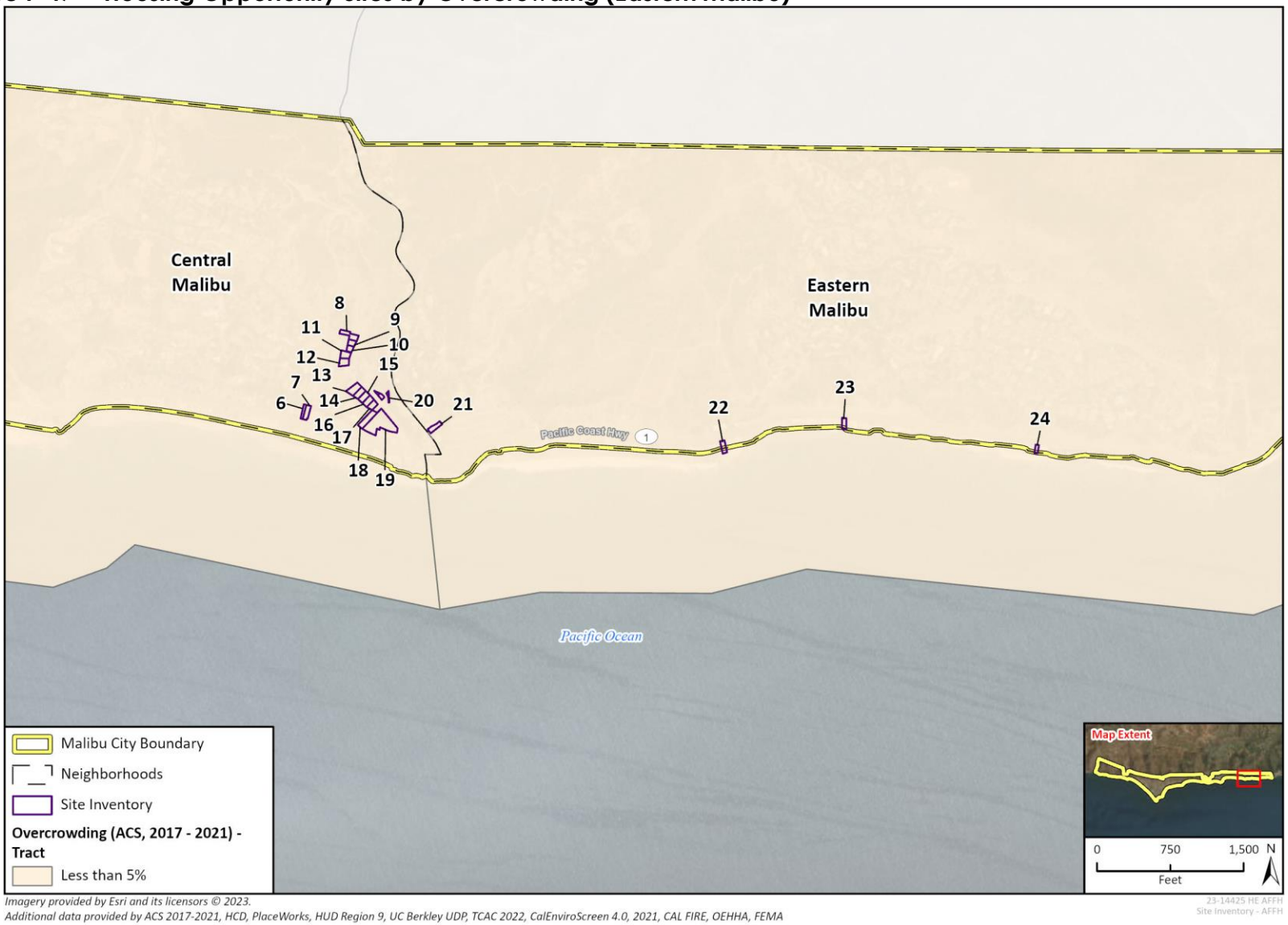
Source: AFFH Data Viewer, 2023

Figure F-46 Housing Opportunity Sites by Overcrowding (Central Malibu)



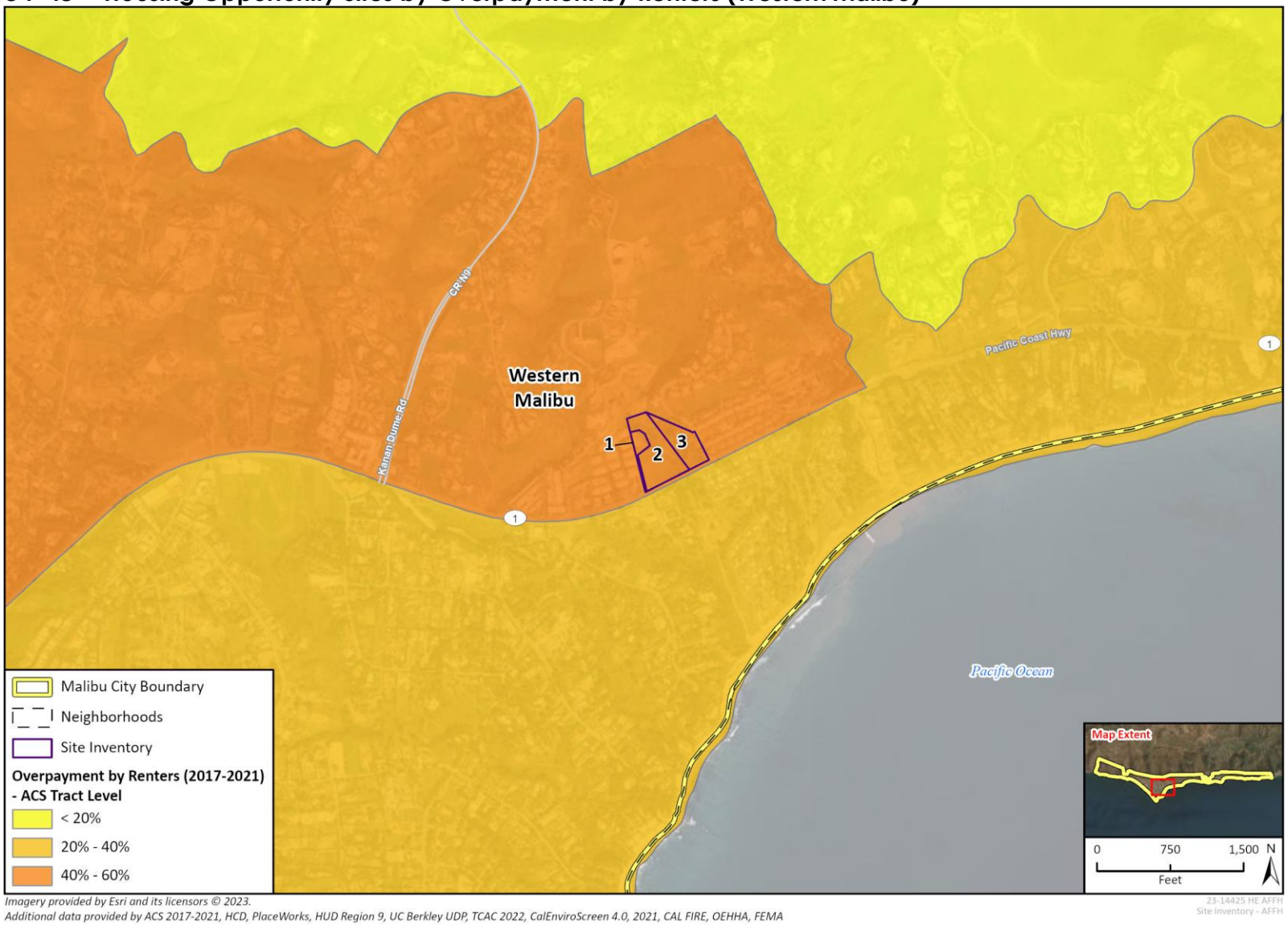
Source: AFFH Data Viewer, 2023

Figure F-47 Housing Opportunity Sites by Overcrowding (Eastern Malibu)



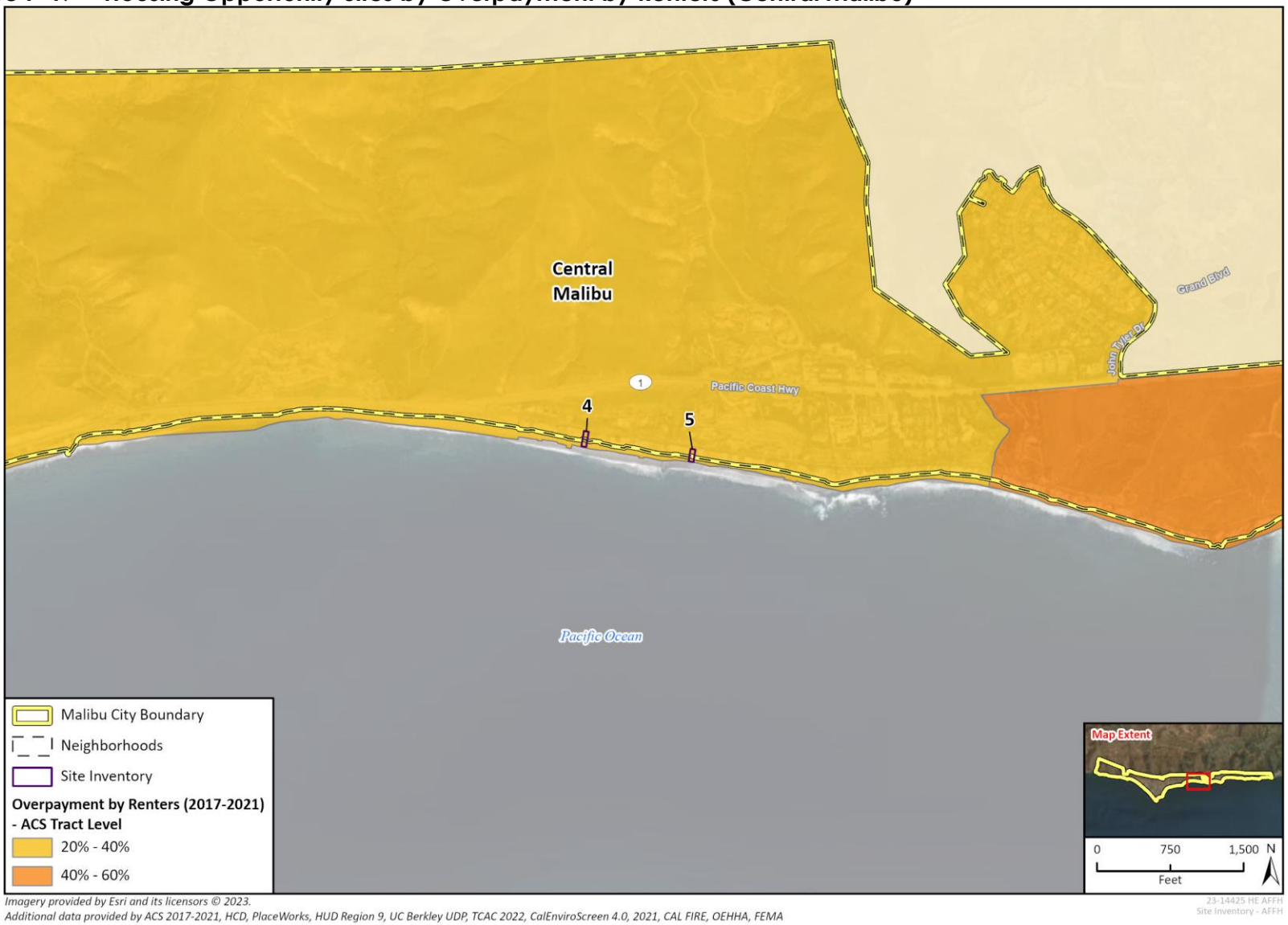
Source: AFFH Data Viewer, 2023

Figure F-48 Housing Opportunity Sites by Overpayment by Renters (Western Malibu)



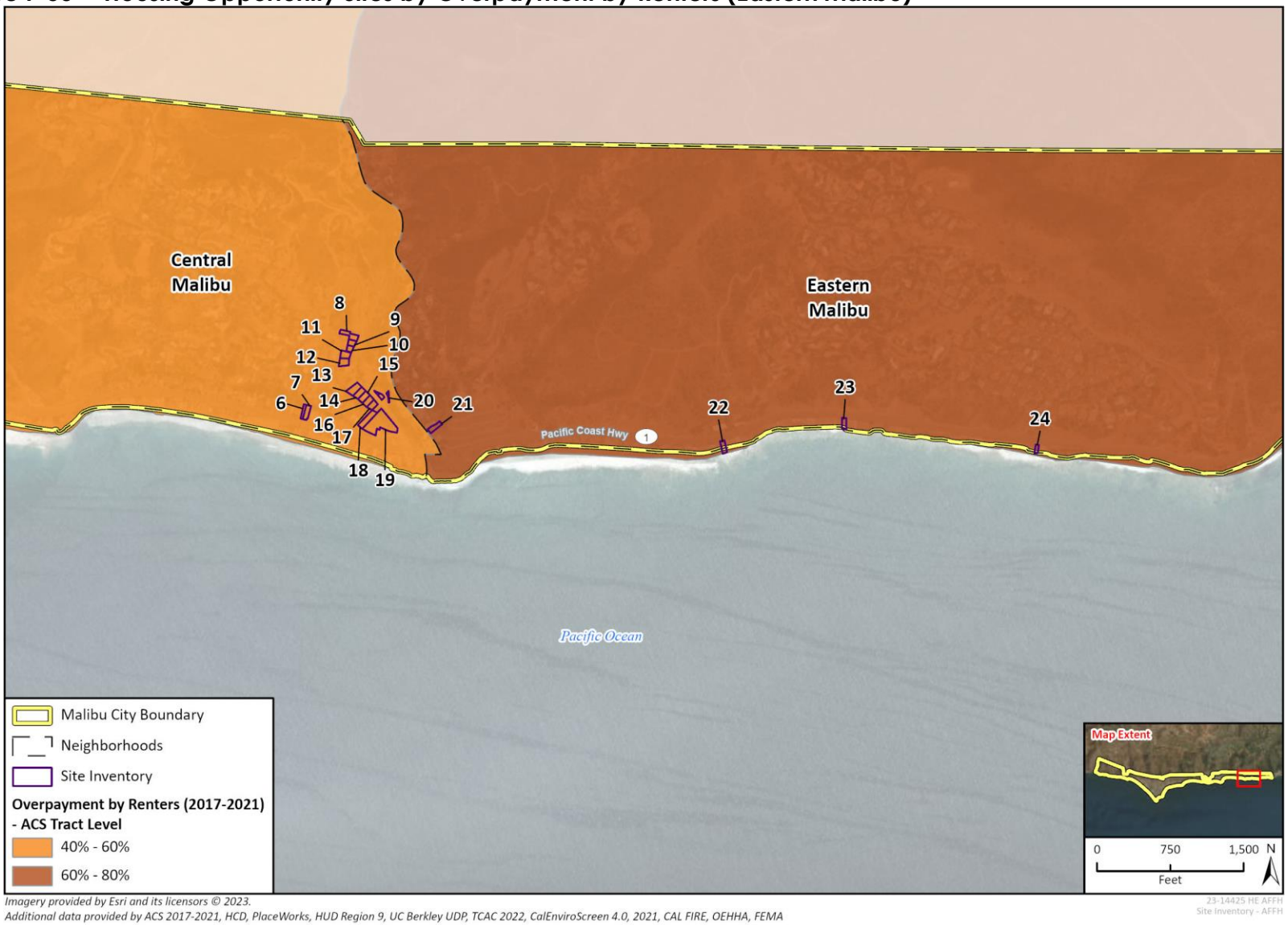
Source: AFFH Data Viewer, 2023

Figure F-49 Housing Opportunity Sites by Overpayment by Renters (Central Malibu)



Source: AFFH Data Viewer, 2023

Figure F-50 Housing Opportunity Sites by Overpayment by Renters (Eastern Malibu)



Source: AFFH Data Viewer, 2023

Sites by Areas of Integration and Segregation

Malibu does not have any areas designated by TCAC as high segregation and poverty, and there are no R/ECAPs in the city. The entire city is designated an RCAA. Compared to the region, Malibu has high levels of white segregation. The census tract that encompasses Central Malibu has a higher percentage of non-white residents (30 percent) than other portions of the city. Sites by areas of non-white population are shown in Figure F-51, Figure F-52, and Figure F-53. Housing sites in Central Malibu can accommodate five units appropriate for above moderate-income households. The site inventory will not contribute to segregation based on race/ethnicity or income level within the city. Regionally, the site inventory will add affordable housing opportunities in an RCAA.

Regionally, Malibu has a low rate of residents with one or more disabilities. For persons with disabilities who live independently or with other family members, independent living can be supported with special housing features, financial support, and in-home supportive services. The location of housing is also an important factor for people with mobility restrictions who rely on public transportation for travel. The development of the AHO sites on Pacific Coast Highway will include units affordable to low- and moderate-income households located within a quarter mile of public transit. Development on these sites will create opportunities for residents with disabilities to live in Malibu.

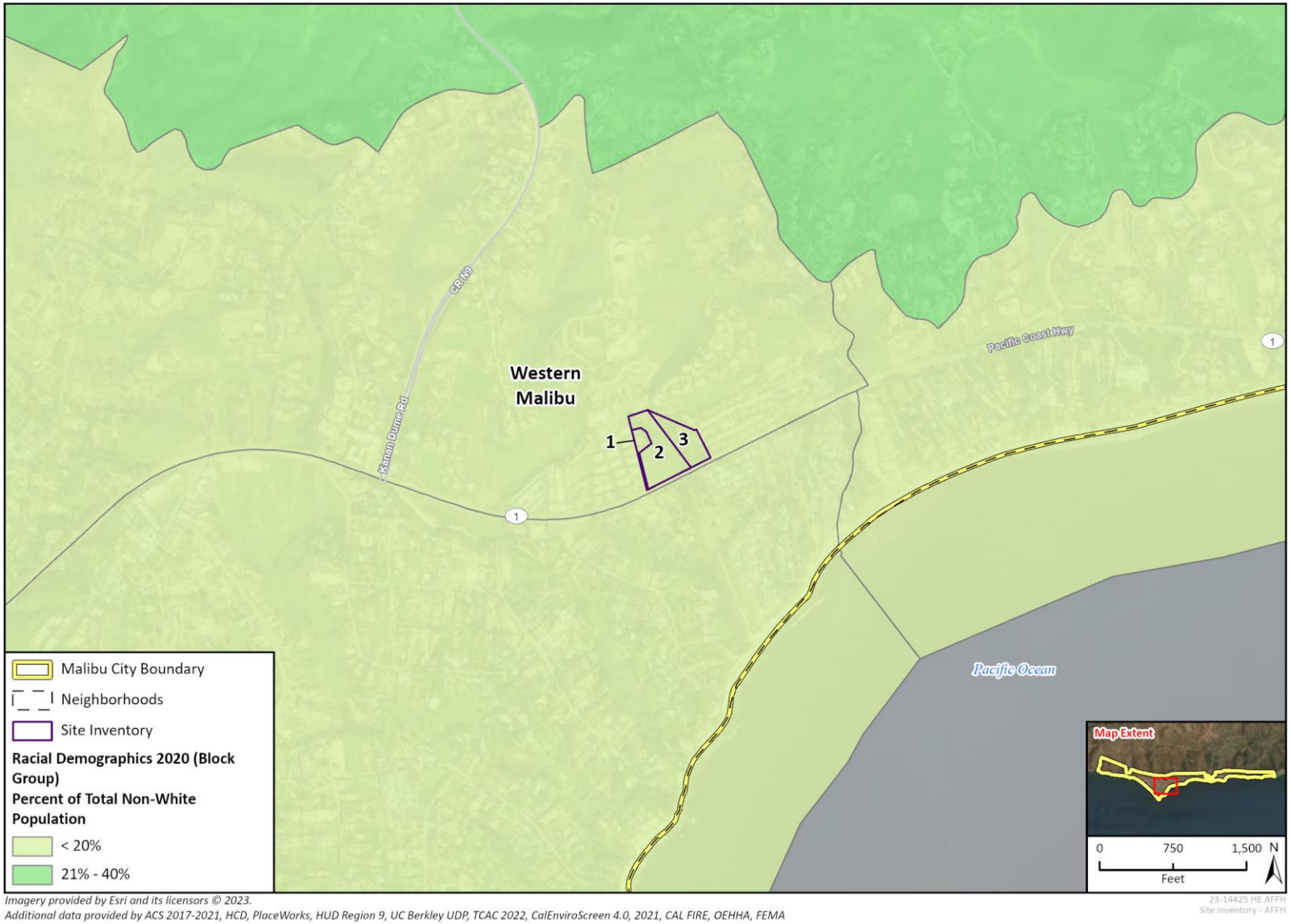
Sites by Communities Vulnerable to Displacement

The City of Malibu has a lower displacement risk as determined by the UDP. All lower-income and moderate-income housing sites proposed in the city are not in areas considered at risk of displacement, as seen in Figure F-54, Figure F-55, and Figure F-56. Therefore, the site inventory will not increase segregation by risk of displacement.

Sites by CalEnviroScreen Score

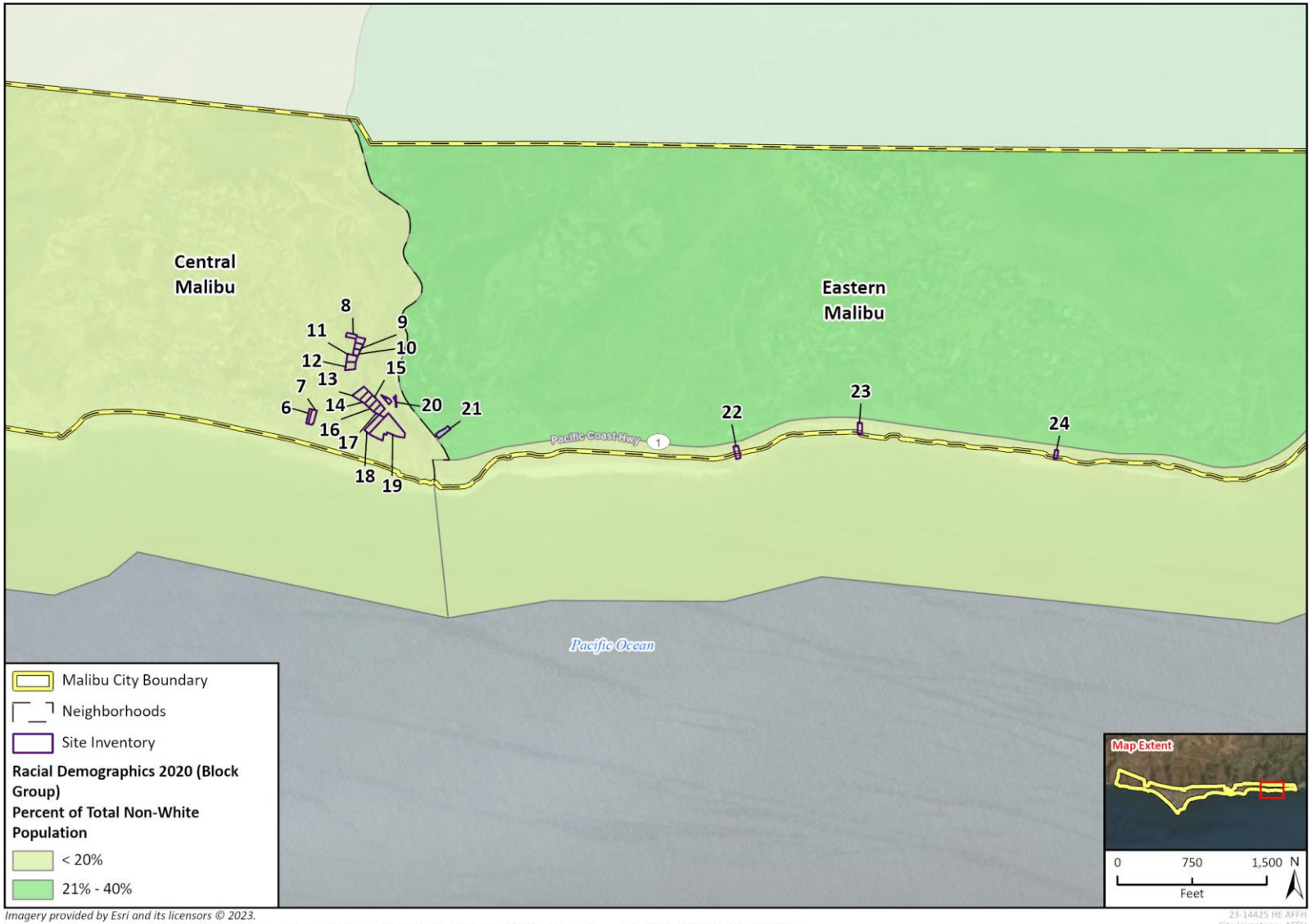
Malibu has a low CalEnviroscreen score compared to the region. Figure F-57, Figure F-58, and Figure F-59 show the housing opportunity sites by CalEnviroScreen score. The site inventory would not concentrate lower-income sites in areas of higher pollution burden. The site inventory will add affordable housing opportunities in an area with better environmental outcomes.

Figure F-51 Housing Opportunity Sites by Total Non-White Population (Western Malibu)



Source: AFFH Data Viewer, 2023

Figure F-52 Housing Opportunity Sites by Total Non-White Population (Central Malibu)



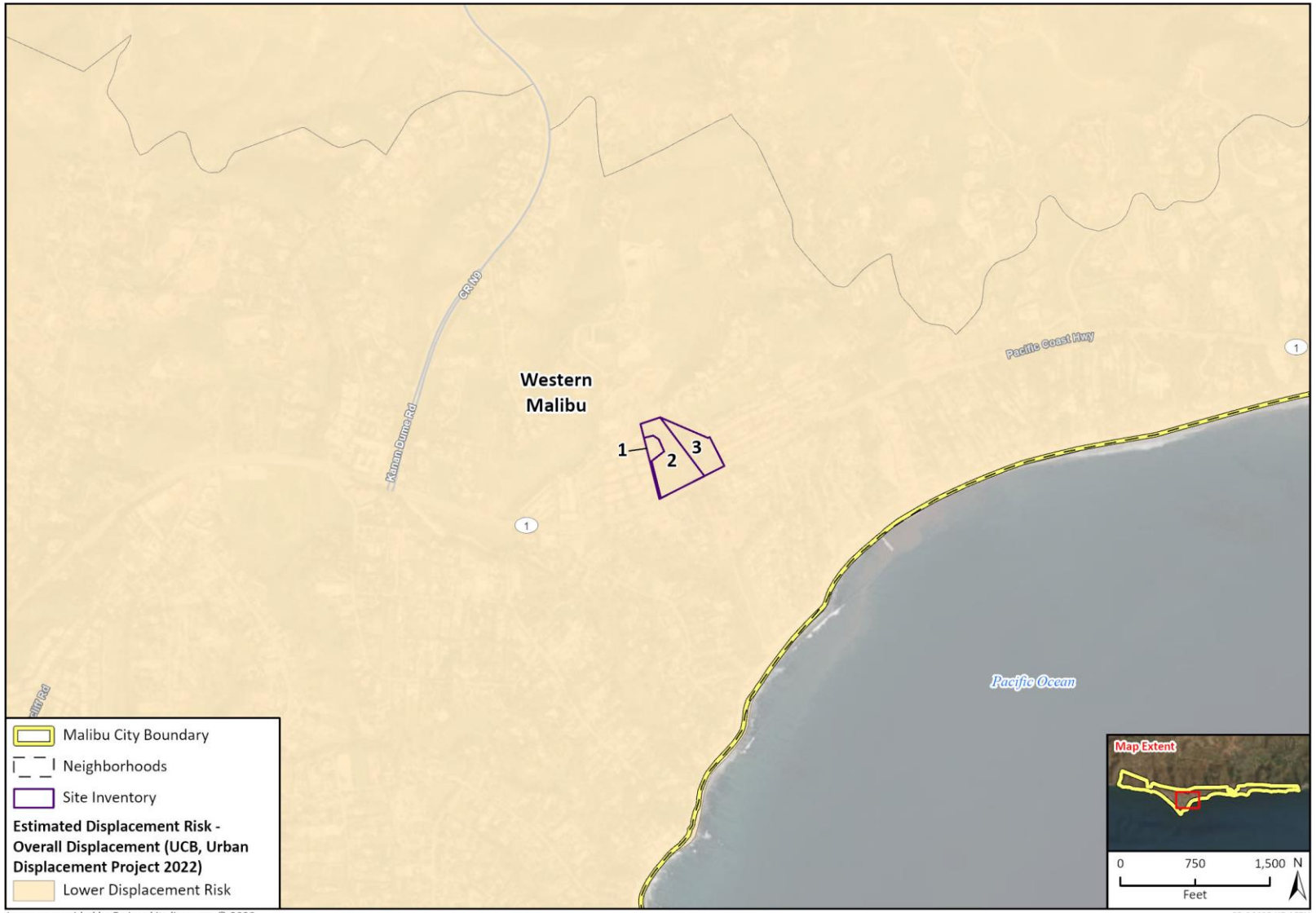
Source: AFFH Data Viewer, 2023

Figure F-53 Housing Opportunity Sites by Total Non-White Population (Eastern Malibu)



Source: AFFH Data Viewer, 2023

Figure F-54 Housing Opportunity Sites by Displacement Risk (Western Malibu)



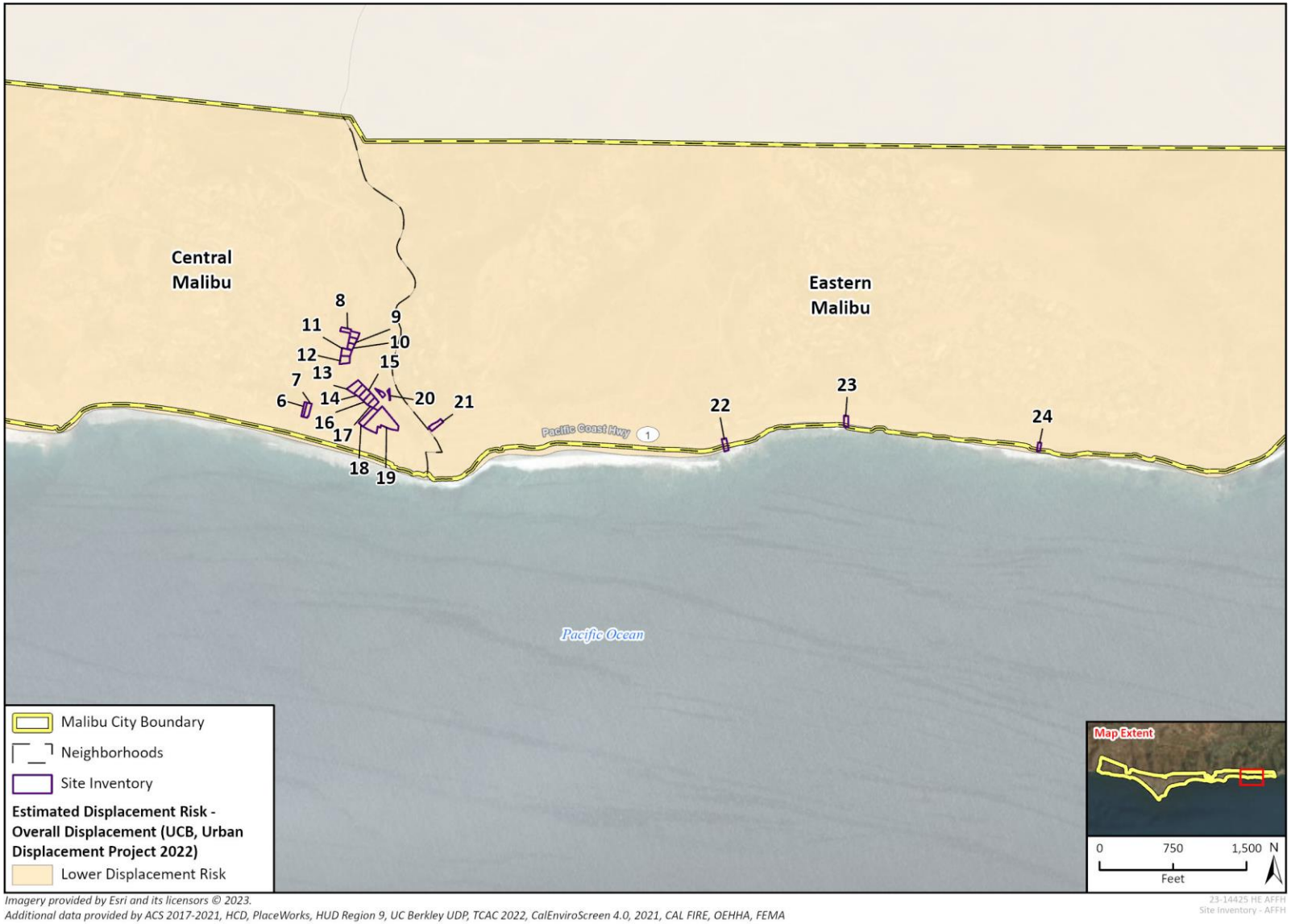
Source: AFFH Data Viewer, 2023

Figure F-55 Housing Opportunity Sites by Displacement Risk (Central Malibu)



Source: AFFH Data Viewer, 2023

Figure F-56 Housing Opportunity Sites by Displacement Risk (Eastern Malibu)



Source: AFFH Data Viewer, 2023

Figure F-57 Housing Opportunity Sites by CalEnviroScreen Percentile Score (Western Malibu)



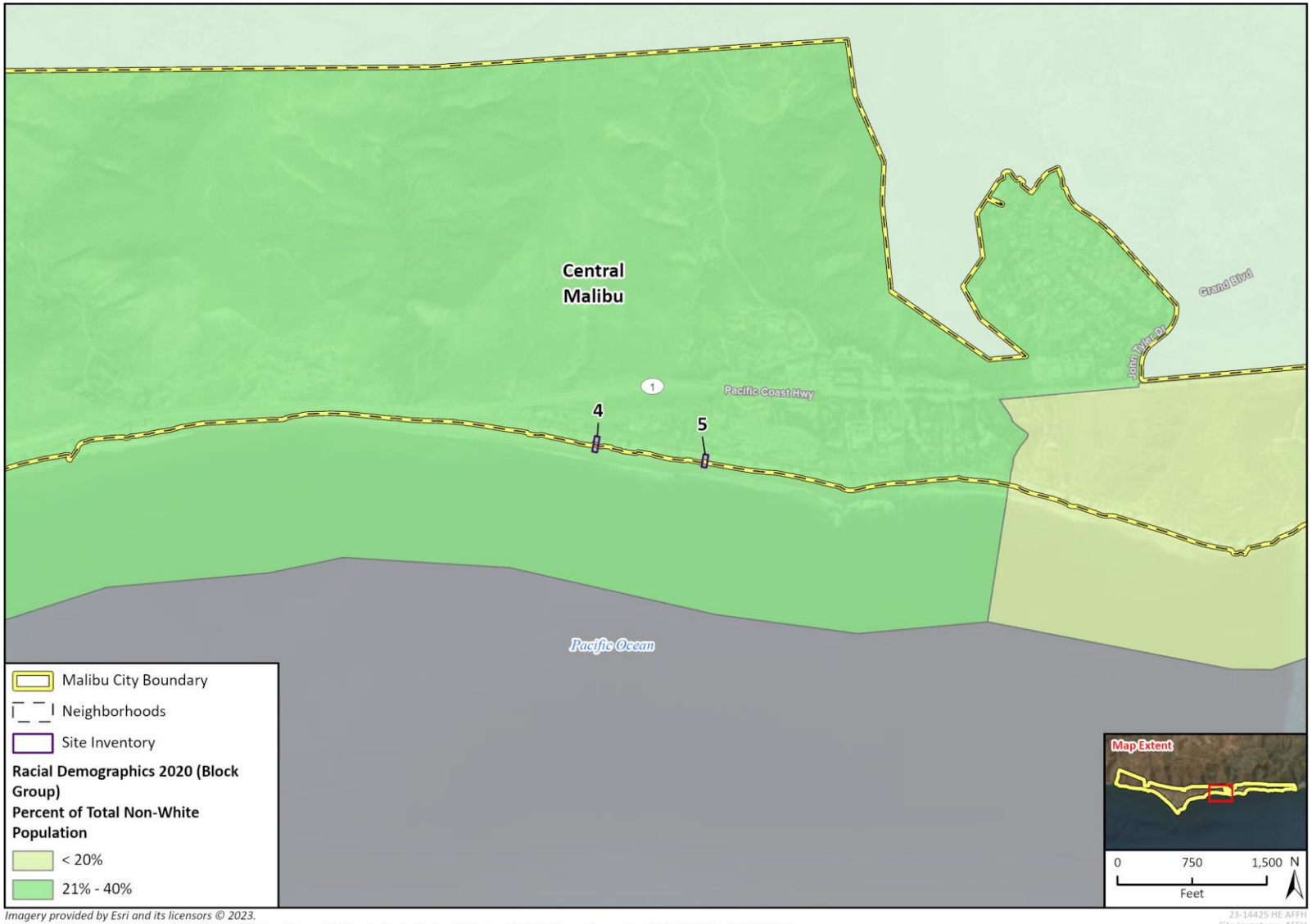
Source: AFFH Data Viewer, 2023

Figure F-58 Housing Opportunity Sites by CalEnviroScreen Percentile Score (Central Malibu)



Source: AFFH Data Viewer, 2023

Figure F-59 Housing Opportunity Sites by CalEnviroScreen Percentile Score (Central Malibu)



Source: AFFH Data Viewer, 2023

Sites Analysis Summary Data

Table F-11 summarizes the site inventory by development priority area, sites, number of units by income level, and census tract characteristics.

Contributing Factors and Meaningful Actions

State law (AB 686) requires the identification and prioritization of contributing factors to fair housing issues based on all the previously required analysis. This identification and prioritization must give highest priority to factors that limit or deny fair housing choice or access to opportunity or negatively impact fair housing or civil rights. AB 686 also requires identification of metrics or quantified objectives and milestones for determining what fair housing results will be achieved. Meaningful actions must be taken in concert with each other and address the following:

- Significant Disparities in Housing Needs and in Access to Opportunity
- Replacing Segregated Living Patterns with Truly Integrated and Balanced Living Patterns
- Transforming R/ECAP into Areas of Opportunity
- Fostering and Maintaining Compliance with Civil Rights and Fair Housing Laws[29]

This section lists contributing factors that create, perpetuate, or increase the severity of one or more fair housing issues that were identified in community outreach and the analysis in this document. Table F-12 summarizes the identified fair housing issues, contributing factors to these issues, and meaningful actions the City will undertake to affirmatively further fair housing for special needs, racial/ethnic minority, and low-income residents.

Fair Housing Enforcement and Outreach Capacity

The following contributing factors to inadequate fair housing enforcement and outreach include:

- Lack of local fair housing outreach and enforcement
- Lack of resources for fair housing agencies and organizations to conduct more rigorous testing and audits, outreach, training, public education campaigns.
- Lack of property owners/landlord education

Although Malibu is served by the Housing Rights Center, fair housing resources are limited to available funding. In order to meet the needs of residents of a large and diverse county, local fair housing agencies and organizations require greater levels of resourcing.

[29] HCD. 2021. Affirmatively Furthering Fair Housing: Guidance for All Public Entities and for Housing Elements. April 2021 Update. https://www.hcd.ca.gov/community-development/affh/docs/affh_document_final_4-27-2021.pdf

Table F-11 Site Inventory by Census Tract Characteristics

Census Tract Number	Number of Existing Households	Site Inventory Capacity (Units)			AFFH Indicators							
		Low-Income	Moderate-Income	Above Moderate-Income	Percent Non-White	Percent LMI Residents	Median Household Income	TCAC Opportunity Area	Percent Overpayment by Renters	Percent Overcrowded Households	Displacement Sensitivity	CalEnviroScreen Percentile
Western Malibu												
06037800411	1,069	66	45	0	16%	33%	$243,125	Highest Resource	47%	0%	Lower Displacement Risk	2%
Central Malibu												
06037800410	468	0	0	5	34%	15%	$153,750	Highest Resource	24%	0%	Lower Displacement Risk	30%
06037800504	965	0	0	21	16%	22%	$213,380	Highest Resource	41%	1%	Lower Displacement Risk	16%
Eastern Malibu												
06037800506	1,364	0	0	6	17%	22%	$190,068	Highest Resource	65%	0%	Lower Displacement Risk	3%
Total		**66**	**45**	**22**								

Source: California Tax Credit Allocation Committee (TCAC)/California Housing and Community Development (HCD), Opportunity Maps (2023); U.S. Census Bureau, American Community Survey 5-Year Data (2017-2021)

The City contracts with the Southern California Housing Rights Center, which provides fair housing services countywide. However, the City does not provide fair housing information on the City's website. A local public enforcement agency would have the potential to be more responsive to victims of discrimination.

State law protects against discrimination based on source of income. However, as noted in Appendix C, Public Participation Summary, public comments revealed that property owners and managers in Malibu routinely deny applications from voucher holders. Denial of housing vouchers impedes voucher holders from utilizing their assistance in areas of opportunity and indicates a greater need for outreach education to property owners and managers to enhance housing mobility. Information on housing rights and responsibilities, including source of income protection, should be disseminated to both landlords and residents, as well as mobility assistance and strategies for voucher holders. As stated in Program 3.1: Facilitate Affordable Housing Development and Housing Assistance Opportunities, the City will work with LACDA and other local organizations that help to connect residents throughout LA County to housing choice vouchers and other affordable housing services in areas of opportunity.

Segregation and Integration

Contributing factors to segregation and integration patterns in Malibu include:

- Community opposition
- Lack of public investments
- Location, type, and supply of affordable housing
- Lack of housing vouchers

Malibu has historically been segregated by income and race/ethnicity compared to the region. Although the City has completed rezoning efforts to allow multi-family development, higher-density housing development is limited by infrastructure constraints and geographic conditions, such as lack of ability to install a central wastewater system, steep slopes, and protected environmental habitats (see Chapter 7.3, Constraints). Housing in Malibu is some of the costliest in the region and unaffordable to most households. Economic disparities have been exacerbated by the high cost of housing in recent years in Malibu and Los Angeles County. These disparities have been worsened by the lack of housing available for low- and moderate-income households and have resulted in significant segregation by race and ethnicity and income levels.

There is no regulated affordable housing in the City of Malibu and a very low number of units that accept housing vouchers.

As discussed in the analysis of the sites, the City will accommodate units affordable to low- and moderate-income households on three parcels on Pacific Coast Highway. As outlined in Program 2.1: Adequate Sites to Accommodate Regional Fair Share of Housing Growth, the City will encourage development of new affordable housing on these sites to ensure implementation of the RHNA for very low-, low-, and moderate-income residents. The City will also support the development of ADUs affordable to low- and moderate-income households through Program 4.1: Support Development of Accessory Dwelling Units. Additionally, the City will implement Program 3.1: Facilitate Affordable

Housing Development and Housing Assistance Opportunities and Program 3.3: Housing for Persons with Special Needs to expand affordable housing to residents of all incomes, disability status, and race. Furthermore, the City will implement place-based strategies to encourage community revitalization, including preservation of existing affordable housing, and protecting existing residents from displacement.

Significant Disparities in Housing Needs and Access to Opportunity

The following contributing factors to disparities in access to opportunities in Malibu include:

- Location, type, and supply of affordable housing
- Land use and zoning laws
- Lack of supportive housing

Approximately eight percent of residents in Malibu have a disability, lower than several other areas of the region. The ability for persons with disabilities to reside in Malibu is limited by barriers to mobility, such as access to public transit and lack of supportive housing and services in the city.

There are limited resources for lower-income households in the city, for reasons previously discussed. These limiting factors have contributed to disparities in opportunity for lower-income households to reside in the city. For residents already residing in Malibu, those who rent are often impacted by housing cost burden.

Meaningful Actions to Address Fair Housing Issues

This assessment of fair housing issues identifies factors that contribute to fair housing issues in Malibu, identified in Table F-12. The meaningful actions are incorporated into programs and actions in Chapter 7.4, *Housing Plan*. Based on community feedback and data analysis, it was determined that high-priority issues in the City are lack of affordable housing, fair housing enforcement and outreach, and segregation of low-income residents.

Table F-12 Meaningful Actions to Address Fair Housing Issues

Identified Fair Housing Issue	Contributing Factors	Meaningful Actions	Metrics and Timeline
Fair housing enforcement and outreach	• Lack of local fair housing outreach and enforcement (Moderate Priority) • Lack of resources for fair housing agencies and organizations to conduct more rigorous testing and audits, outreach, training, public education campaigns (High Priority)	Promote the services of HRC to provide fair housing and tenant/landlord services, including fair housing counseling and education and tenant/landlord counseling and mediation. Advertise available fair housing services. (Program 5.1.a)	At least once annually starting in 2025, provide information on fair housing services available to Malibu residents and property owners via the City's social media, flyers at the planning counter and at community locations, and/or posting in the local newspaper. When possible, provide information in English and Spanish.
		Provide informative materials on fair housing resources with ADU applications. (Program 5.1.b)	Provide materials with ADU applications by December 2025.
		Provide information and referral services that direct families and individuals to financial resources for housing rental or purchase, locating suitable housing in areas of opportunity, and obtaining housing with special needs facilities such as disabled-accessible units to enhance housing choices and mobility. Create a page on the City's website to disseminate informational materials to residents on affordable housing and financial resources. (Program 5.2.b)	Create webpage by January 2025
Lack of housing affordable to lower- and moderate-income and special needs households	• Community Opposition • Location, type, and supply of affordable housing • Land use and zoning laws • Lack of housing vouchers	Proactively promote affordable housing development on AHO sites. Prioritize contacting qualified housing developers to identify affordable housing development opportunities that serve the needs of special needs populations, including seniors, homeless, female-headed households, large families, low-income, and/or persons with disabilities. (Program 3.1.a)	Coordinate with potential developers at least once annually to provide information on density bonus, potential funding sources, and available incentives. Support the development of 47 lower-income units and 17 moderate-income units.
		Identify funding available through LACDA, HCD, and HUD and have a list of options available for interested developers by July 2025. Potential funding programs may include single- and multi-family affordable housing rehabilitation programs and homeownership programs administered by the California Housing Financing Agency (CHFA). (Program 3.1.c)	Identify at least three different types of funding by July 2025 and monitor funding on an ongoing basis.
		Promote the Housing Choice Voucher program to landlords (including ADU owners) and residents with the goal of increasing the number of vouchers used. (Program 3.1.d)	Establish a list of property owners and managers of multi-family units and ADUs and mail information about the Housing Choice Voucher program and state fair housing law regarding discrimination based on source of income by December 2025 and again by December 2027.
		Subject to funding availability, provide development subsidy for affordable housing units with an effort to locate such housing near transit and essential services. (Program 3.2.a)	Annually, through the budgetary process, allocate available funding to support affordable housing development.
		Prioritize AHTF assistance to developers for affordable housing projects that provide units that serve the needs of at least one special needs group by creating scoring criteria that encourage the inclusion of units and services needed to support individuals with special needs. (Program 3.3.a)	Subject to the availability of funds, support at least five affordable housing units during the planning period.

Identified Fair Housing Issue	Contributing Factors	Meaningful Actions	Metrics and Timeline
		Support services that meet the needs of City residents, especially extremely low-income households and special housing needs populations, that support mobility options and housing choices. (Program 3.3.b)	Allocate $127,500 in FY 2023-24 to the Ventura Transit Systems for Dial-A-Ride services to seniors (60 years and older) and disabled residents. Annually consider allocations and continue the service throughout the planning period as funding allows. Organize a senior resource fair at least once annually that promotes housing and transportation services available to seniors, including the Dial-A-Ride service. Provide informational lectures on housing resources at the Senior Center including the application process and funding options for assisted living. Provide services throughout the planning period.
		Inform housing developers about the City's density bonus program during pre-development conferences, inquiries, and with applications and emphasize development potential. (Program 3.4.b)	Communicate with at least two different affordable housing developers annually informing them about the City's density bonus program.
		Provide technical assistance to developers on how to use the Density Bonus incentives. (Program 3.4.c)	Maintain current information on the City's website. Refresh annually. Publish an informational bulletin for developers on the City's density bonus program by June 2025. Review annually and edit to include new information as necessary.
		Pursue mechanisms to facilitate the construction of at least 28 ADUs by the end of the planning period, including but not limited to: • Create pre-approved standards for ADU foundation plans or prefabricated plans. • Refer property owners to programs that assist lower and moderate-income homeowners in constructing ADUs. • Expand or extend fee waivers for ADUs beyond state law. (Program 4.1.a)	Apply for funding to create pre-approved plans by June 2024. Publish pre-approved plans for ADUs by December 2025.
		Review ADU trends and commit to adjustments if the City is not on track to meet target development. If the City is not meeting ADU goals, implement additional action(s) depending on the severity of the gap, including increased public outreach efforts to increase ADU development. (Program 4.1.b)	Review ADU trends every two years starting in 2023 and implement additional incentives and public outreach within one year of review, as needed.
		Publish resources on City's website on building ADUs and JADUs. (Program 4.1.c)	Publish material on the City's website by January 2025.

Identified Fair Housing Issue	Contributing Factors	Meaningful Actions	Metrics and Timeline
		Create an ADU Amnesty Program that allows property owners who have unpermitted ADUs on their property to bring them up to code and get them permitted without facing any penalties or fines. (Program 4.1.d)	Adopt an ADU Amnesty Program Ordinance by 2028.
		Require the project developers of affordable housing projects or projects with affordable units to implement an Affirmative Fair Marketing Plan to outreach to a diverse population, extending outreach to nearby communities in Los Angeles County and Ventura County, especially to workers in the city who do not live in the city. These affirmative marketing materials will include contact information for housing service providers (such as the home share programs) and non-profit housing organizations that serve lower-income tenants in the surrounding region. (Program 5.2.a)	By January 2025, require implementation of an Affirmative Fair Marketing Plan.