Supplemental Information

Packet 1

February 26, 2024

Agenda Related Items

Meeting of February 26, 2024

Supplemental Information:
Any agenda-related public documents received and distributed to a majority of the Planning Commission after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed, typically they are distributed on the Thursday or Friday preceding the Planning Commission meeting and/or on Monday before the meeting. Supplemental Packets on Thursday or Friday are available for public inspection in the Community Development Department, 2100 East Thousand Oaks Boulevard, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2). All Supplemental Packets are available for public review at the Planning Commission on the City’s website www.toaks.org.

Americans with Disabilities Act (ADA)
Americans with Disabilities Act (ADA): In compliance with the ADA, if you need special assistance to participate in this meeting or other services in conjunction with this meeting, please contact the Planning Division, (805) 449-2500. Notification at least 48 hours prior to the meeting or time when services are needed will assist the City in ensuring that reasonable arrangements can be made to provide accessibility to the meeting or service.
To: Planning Commission

From: Kelvin Parker, Community Development Director

Date: February 26, 2024

Subject: Regarding Item 07A - Municipal Code Amendment (MCA) 2024-70001, and Zone Change (Z) 2024-70001

After the release of the staff report, staff identified corrections to the draft Ordinances as they relate to the proposed municipal code amendment and draft zoning map. The following contains proposed revisions to Attachment #2 Municipal Code Ordinance and Attachment #3 Zoning Map Ordinance as follows:

Attachment #2 – Proposed revisions:

- Sec. 9-4.1052 Development Standards (MU/MUOZ)
  - Remove “excluding residential and lodging” in the Shared Parking category of the development standards table. (p. 4 of Draft Ordinance).

  Reason: General Plan Land Use Policy 5.6 clearly promotes shared parking for residential and commercials uses.

  - Change “Front Sidewalk - Minimum2” to “Front Setback – Minimum2” and change “Front Sidewalk – Maximum3” to “Front Setback – Maximum3”.

  Reason: Setback is the proper term to reference for the development standard.

Attachment #3 – Exhibit A: Proposed revisions:

- #23 – Remove the Mixed-Use Overlay Zone (MUOZ) from the portion of Specific Plan 17 (Assessor’s Parcel Number 525-0-060-115) that has a land use designation of Parks, Gold Courses and Open Space as identified in the City Council Staff Report Exhibit D Addenda and Errata, Reference Line # 52.
To: Planning Commission

From: Kelvin Parker, Community Development Director

Date: February 26, 2024

Subject: Regarding Item 07B - Proposed 78-unit Affordable Housing Project, Residential Planned Development (RPD) 2023-70014, Tentative Tract Map (TTM) 2023-70001, Protected Tree Permit (PTP) 2023-70125, and Landscape Plan Check (LPC) 2023-70020

The attached contains public correspondence that arrived after the printing of the Agenda,
Dear Thousand Oaks Planning Commission,

Please see attached CalHDF's public comment re 384 Erbes Road, item 7B for the Planning Commission meeting of 26 February 2024.

Sincerely,

James M. Lloyd
Director of Planning and Investigations
California Housing Defense Fund
james@calhdf.org
Feb 26, 2024

City of Thousand Oaks
2100 Thousand Oaks Blvd
Thousand Oaks, CA 91362

Re: Planned Development Permit at 384 Erbes Road

By email: communitydevelopment@toaks.org, kparker@toaks.org

Cc: cityattorney@toaks.org, cityclerk@toaks.org

Dear Thousand Oaks Planning Commission:

The California Housing Defense Fund (“CalHDF”) submits this letter to remind the Commission of its obligation to abide by all relevant state housing laws when evaluating the planned development permit for an affordable, 78-unit, three-story townhome project at 384 Erbes Road. CalHDF urges approval of the project, consistent with the city’s obligations under state law. The Housing Accountability Act (Gov. Code, § 65589.5; the “HAA”) requires approval of zoning and general plan compliant housing development projects unless findings can be made regarding specific, objective, written health and safety hazards. The HAA also bars cities from imposing conditions on the approval of such projects that would reduce the project’s density unless, again, such written findings are made.

The proposed development complies with local land use rules, including the City’s General Plan, as laid out in the staff report. The HAA’s protections therefore apply, and the City must not reject the project, except based on health and safety standards, as outlined above.

CalHDF also writes to emphasize that the Density Bonus Law (Gov. Code, § 65915; the “DBL”) offers the proposed development certain protections. The Commission must respect these protections. In addition to granting the increase in residential units allowed by the DBL, the Commission must not deny the proposed waivers with respect to reduce the front, rear, side, and interior setbacks and proposed concession to reduce open space unless it makes written findings as required by Gov. Code, § 65915, subd. (e)(1) that the concession or waivers would have a specific, adverse impact upon health or safety, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.
Finally, the project is exempt from state environmental review under Class 32 (In-Fill Development Projects) pursuant to § 15332 of CEQA Guidelines, as the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; the project site has no value as habitat for endangered, rare or threatened species; approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services.

As you are well aware, California remains in the throes of a statewide crisis-level housing shortage. New housing such as this is a public benefit: it will bring increased tax revenue, new customers to local businesses, decarbonization in the face of climate crisis – and most importantly, it will directly mitigate homelessness by providing 78 affordable units. While no one project will solve the statewide housing crisis, the proposed development at 384 Erbes Road is a step in the right direction. CalHDF urges the Commission to approve the project, consistent with its obligations under state law.

CalHDF is a 501(c)3 non-profit corporation whose mission includes advocating for increased access to housing for Californians at all income levels, including low-income households. You may learn more about CalHDF at www.calhdf.org.

Sincerely,

Dylan Casey
CalHDF Executive Director

James M. Lloyd
CalHDF Director of Planning and Investigations