

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

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February 2, 2026

Mayor Kim Bowman; Mayor Pro Tem Jeanne Kim Hobson; and Councilmembers Michael T. Davitt, Keith Eich, and Stephanie Fossan
City of La Cañada Flintridge City Clerk's Office
One Civic Center Drive
La Cañada Flintridge, CA 91011

Dear La Cañada Flintridge City Council:

RE: La Cañada Flintridge – 4600 Ocean View Boulevard – Notice of Potential Violation

The California Department of Housing and Community Development (HCD) is aware of the City of La Cañada Flintridge (City) Planning Commission's recent denial of a housing development project located at 4600 Ocean View Boulevard (Project). The Planning Commission action has been appealed and will be heard before the City Council on February 3, 2026.

Ahead of the scheduled City Council appeals hearing, HCD is writing to support approval of the Project and to provide technical assistance. HCD also hereby notifies the City that the findings of denial previously made by the Planning Commission are insufficient to meet the requirements of the Housing Accountability Act (HAA) and denial of the Project without making proper findings would be a violation of the HAA.¹

Background

HCD understands that the Project, located on a 1.5-acre site at 4600 Ocean View Boulevard, consists of 30 townhome units and the Project application was deemed complete on September 12, 2025. The Project site is zoned Mixed Use (MU) and has a General Plan Land Use designation that is also Mixed Use. The MU zone allows a density of 25-30 dwelling units per acre.² Additionally, HCD understands that the Project application was submitted to the Los Angeles County Fire Department – which serves the City – for review and received preliminary approval on February 28, 2025.³

¹ Gov. Code, § 65589.5.

² La Cañada Flintridge December 11, 2025, Planning Commission Staff Report page 2, 12.

³ Ibid. page 11.

Furthermore, the Project includes emergency access that meets current Los Angeles County Fire Department standards.⁴

The site located at 4600 Ocean View Boulevard is also included in the City's adopted Housing Element⁵ and credited toward meeting the City's Regional Housing Needs Assessment (RHNA). 4600 Ocean View Boulevard is listed as a "pipeline project" for 20 above moderate-income units, meaning that the Housing Element credits units on the site toward the RHNA since a project was "pending approval or in process" as of July 13, 2022.⁶

Planning Commission Action

On December 11, 2025 the Planning Commission met to consider 1) a Conditional Use Permit (CUP), 2) a tentative map, 3) a tree removal permit, and 4) vote to confirm the Project is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.66, added by AB 130 (Chapter 22, Statutes of 2025). Ultimately, the Planning Commission voted to deny the CUP, tentative map, and tree removal permit. The Planning Commission also voted against confirming that the Project is exempt from CEQA pursuant to AB 130. Subsequently, the applicant has appealed the Planning Commission's action and the Project will be heard before the City Council.

Analysis

Housing Accountability Act (HAA) Findings of Denial

The Project meets the definition of a "housing development project" under the HAA.⁷ The HAA requires local government to make written findings to disapprove a housing development project.

A "housing development project" that meets all objective standards may only be disapproved or approved at a lower density if the City makes written findings, supported by a preponderance of evidence on the record, that (1) the Project "would have a specific, adverse impact upon the public health or safety" and (2) "there is no feasible method to satisfactorily mitigate or avoid the adverse impact" other than to disapprove or approve the Project at a lower density.⁸

⁴ Ibid. page 20.

⁵ The City adopted its Housing Element on February 23, 2023. See HCD's November 17, 2023 letter of substantial compliance, available at: <https://hcdpowerbi.blob.core.windows.net/housing-elements/lacanada-flintridge-adopted-in-111723.pdf>.

⁶ City of La Cañada Flintridge February 23, 2023 adopted Housing Element, Table HE-45 on page 91.

⁷ Gov. Code, § 65589.5, subd. (h)(2).

⁸ Gov. Code, § 65589.5, subd. (j)(1).

“Specific, adverse impact” is defined to mean “a significant, quantifiable, direct, and unavoidable impact, based on *objective, identified written public health or safety standards, policies, or conditions* as they existed on the date the application was deemed complete (emphasis added).⁹ The word “objective” is defined in the HAA to mean “involving no personal or subjective judgment by a public official and being uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official.”¹⁰ Additionally, the Legislature has clarified that these impacts are intended to arise “infrequently.”¹¹

The Planning Commission made findings pursuant to subdivision (j) of the HAA for its denial of the Project. Those findings state the following:

“There is significant, quantifiable, direct, and unavoidable impact, based on objective, identified evidence that the project site is located within a Very High Fire Hazard Severity Zone, that was adopted prior to the application being submitted. Clear evacuation routes, specifically wildfire evacuation routes, are needed to ensure public health and safety and no evacuation planning has been studied or undertaken. ... Therefore, the addition of potentially 60 additional vehicles and residents as a result of this project poses a significant public health and safety impact... There is no feasible method to satisfactorily mitigate or avoid the adverse impact associated with wildfire risk and the need for evacuation route planning, other than the disapproval of the housing development project.”¹²

The written findings made by the Planning Commission do not meet the requirements in the HAA. The City states that the Project is located within a Very High Fire Hazard Severity Zone (VHFHSZ). However, the City does not articulate a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health and safety standards, policies, or conditions” for the VHFHSZ or its associated policies. The Planning Commission’s written findings discuss only a generalized concern associated with traffic congestion in the instance of a fire-related evacuation, mentioning, without analysis, “potentially 60 additional vehicles and residents” resulting from the Project. Finally, HCD reiterates and notes that Los Angeles County Fire Department reviewed and provided preliminary approval for the Project, including confirming that the Project includes emergency access that meets current Los Angeles County Fire Department standards.¹³

⁹ Gov. Code, § 65589.5, subd. (j)(1)(A).

¹⁰ Gov. Code, § 65589.5, subd. (h)(9).

¹¹ Gov. Code, § 65589.5, subd. (a)(3).

¹² Planning Commission Resolution No. 25-47, adopted at the December 18, 2025 meeting. The resolution is available at: https://lacaflintridge-ca.granicus.com/MetaViewer.php?view_id=4&clip_id=1652&meta_id=56759

¹³ La Cañada Flintridge December 11, 2025, Planning Commission Staff Report page 26.

Housing Element Law

Through Housing Element Law, the Legislature established that “the availability of housing is of vital statewide importance” and that “[l]ocal and state governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community.”¹⁴ The City contributes to this effort by adopting and implementing a compliant housing element that includes, among other things, policies,¹⁵ programs, and a sites inventory¹⁶ identifying where additional housing is expected.

Jurisdictions may choose to credit sites with pending projects since the beginning of the RHNA projection period towards their RHNA based on affordability and unit count within the proposed project but must demonstrate the units can be built within the remaining planning period.¹⁷ In crediting the Project site toward the City’s RHNA, the Housing Element states that the site had “units pending approval or in process as of” July 13, 2022.¹⁸ Because the City had a pending project, the City received credit toward its RHNA based on the Project’s affordability and unit count. This credit lowered the City’s need and therefore did not require the site-specific analysis typically required in the sites inventory. Furthermore, the Project’s inclusion communicates the City’s commitment to see the Project successfully developed within the planning period.

Denial of the Project demonstrates that (1) the methodology that the City used to credit the projected number of units for the site and (2) demonstrate that the site is not “suitable and available for residential development” as required by Housing Element Law. Therefore, if the City cannot approve a project that complies with the Project site’s allowable densities, the City may be required to amend its Housing Element or otherwise provide sufficient analysis for the continued inclusion of the site toward the City’s RHNA, following a request from HCD pursuant to Government Code section 65585, subdivision (i).

¹⁴ Gov. Code, § 65580, subs. (a), (d).

¹⁵ Planning Commission Resolution No. 25-47, adopted at the December 18, 2025 meeting. The Findings of Denial for the Conditional Use Permit reference three Housing Element policies that the Project “is consistent with.”

¹⁶ Gov. Code, § 65583, subd. (a)(3).

¹⁷ HCD May 2020 Housing Element Site Inventory Guidebook, page 6. The Guidebook is available at: https://www.hcd.ca.gov/community-development/housing-element/docs/sites_inventory_memo_final06102020.pdf

¹⁸ City of La Cañada Flintridge February 23, 2023 adopted Housing Element, Table HE-45 on page 91.

Conclusion

HCD finds that the City's findings of denial – as made by the Planning Commission – do not meet the requirements of the HAA.¹⁹ HCD reminds the City that it must make the necessary findings of denial as explained in this letter if the City Council chooses to uphold the denial decision.

Under Government Code section 65585, subdivision (j), HCD must notify a local government when that local government takes actions that violate the HAA, Housing Element Law, and other laws that HCD enforces, and may notify the California Office of the Attorney General of these and other violations of state housing laws. HCD will monitor the City Council appeal hearing scheduled for February 3, 2026, to assess actions responsive to this letter.

Additionally, HCD informs the City that AB 712 (Chapter 496, Statutes of 2025) went into effect on January 1, 2026. Among other things, the new law increases penalties that a court may impose on a local government if the local government was advised in writing prior to the commencement of a lawsuit brought by the Attorney General or HCD that the local government's decision, action, or inaction would represent a violation of specified state housing laws, including the HAA. This letter serves to inform the City that improper denial or processing of the Project would violate state housing laws, as specified in this letter.

HCD requests that the City review this correspondence and provide a written response to these findings within 30 days and no later than March 2, 2026. HCD will review and consider the City's written response before taking any action authorized by Government Code section 65585, subdivisions (i) and (j). As noted above, such action could include referral to the Office of the Attorney General. If you have questions or need additional information, please contact Brandon Yung at Brandon.Yung@hcd.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Melinda Coy', with a long, sweeping horizontal line extending to the right.

Melinda Coy
Housing Accountability Unit Chief

¹⁹ Gov. Code, § 65589.5, subd. (j).