

**PLANNING COMMISSION  
RESOLUTION NO. 09-641**

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF CALABASAS RECOMMENDING  
TO THE CITY COUNCIL ADOPTION OF AN  
ORDINANCE APPROVING THE AMENDMENTS TO  
THE LAND USE AND DEVELOPMENT CODE,  
ZONING MAP AND THE NEGATIVE DECLARATION**

**Section 1. The Planning Commission has considered all of the evidence submitted into the administrative record which includes, but is not limited to:**

1. Agenda reports prepared by the Community Development Department staff.
2. Staff presentations at the five public workshops held on June 4, June 18, July 2, July 16, and July 20, 2009.
3. Staff presentation at the public hearing held on October 8, 2009 before the Planning Commission.
4. The 2030 General Plan and all other applicable regulations and codes.
5. Public comments, written and oral, received and/or submitted at or prior to the five public workshops and the October 8th public hearing, supporting and/or opposing the proposal.
6. All related documents received and/or submitted at or prior to the public hearing.

**Section 2. Based on the foregoing evidence, the Planning Commission finds that:**

1. Notice of the October 8, 2009 Planning Commission public hearing was posted at Juan de Anza Bautista Park, the Calabasas Tennis and Swim Center, Gelson's market and at Calabasas City Hall.
2. Notice of Planning Commission public hearing included the notice requirements set forth in Government Code Section 65009 (b) (2).
3. In accordance with provisions of the CEQA Guidelines, a Draft Negative Declaration was prepared for the proposed amendments. The Negative Declaration tiers off of the 2030 General Plan Final Environmental Impact Report (FEIR) that was certified by the City Council in December 2008. Together, the Draft Negative Declaration and the 2030 General Plan FEIR constitutes the environmental record for the proposed Land Use and Development Code and

Zoning Map amendments. The Negative Declaration found that no significant environmental impacts would occur from the approval of the amendments to the Land Use and Development Code and Zoning Map.

The ND was available for public review from September 3 to September 23, 2009. A notice of availability was published in the newspaper, posted on the City's web page, and mailed to all homeowners associations on file with the City as well as to public agencies. A copy of the Negative Declaration was made available on the City's web page, at the public counter and at the public library.

**Section 3. In view of all of the evidence and based on the foregoing findings, the Planning Commission concludes as follows:**

## **FINDINGS**

In accordance with Sections 17.76.050(A) and (B) of the Calabasas Municipal Code, the City Council may approve an amendment to the Land Use and Development Code and the Zoning Map, based upon consideration of a recommendation by the Planning Commission. The Planning Commission may recommend City Council approval of an amendment to the Land Use and Development Code and Zoning Map, provided that the following findings are made:

- 1. The proposed action is consistent with the goals, policies, and actions of the General Plan;*

The amendments to the Land Use and Development Code clarify the review authority and permit procedures, refine allowed use and development standards for each of the City's Zoning Districts, and establish specific use provisions consistent with the action items and policy directives in the General Plan. The proposed amendments to the zoning map will ensure that the zoning map is consistent with the newly adopted General Plan Land Use Map.

The proposed amendments will improve the livability of the City by enhancing established high quality land use standards for new and existing uses with the community and by implementing the vision and desires of the community as expressed in the General Plan.

- 2. The proposed action would not be detrimental to the public interest, health, safety, convenience, or welfare of the City;*

The proposed amendments are in the public interest and reflect the input from of residents, decision-makers, and other stakeholders in the community. No changes are proposed under the proposed amendments that would reduce or compromise existing standards that protect the health, safety or general welfare of the City.

- 3. The site is physically suitable (including, but not limited to access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints for the anticipated land use developments.*

The proposed development code and zoning map amendments do not involve any direct physical changes to the environment. No changes in landforms or land uses are proposed as a part of the proposed amendments and all public services for existing land uses will remain as-is, with no changes and no diminishment of service or safety. Moreover, the proposed amendments would be consistent with the land uses and development anticipated by the General Plan. The amendments to the zoning map will make the map consistent with the General Plan.

- 4. The proposed Amendments to the development code are internally consistent.*

The comprehensive text amendments to the Land Use and Development Code establish consistency internally and with other titles of the Calabasas Municipal Code.

- 5. The proposed action is in compliance with the provisions of the California Environmental Quality Act (CEQA).*

In accordance with provisions of the CEQA Guidelines, a Negative Declaration was prepared for the proposed amendments. The Negative Declaration tiers off of the 2030 General Plan Final Environmental Impact Report (FEIR) that was certified by the City Council in December 2008. Together, the Draft Negative Declaration and the 2030 General Plan FEIR constitutes the environmental record for the proposed amendments. The Negative Declaration found that there is no substantial evidence that the proposed amendments will have an adverse impact on the environment.

**Section 4. In view of all of the evidence and based on the foregoing findings and conclusions, the Planning Commission hereby recommends to the City Council adoption of an ordinance approving the amendments to the Land Use and Development Code, Zoning Map and the Negative Declaration.**

**Section 5. All documents described in Section 1 of PC Resolution No. 09-641 are deemed incorporated by reference as set forth at length.**

PLANNING COMMISSION RESOLUTION NO. 09-641 PASSED, APPROVED AND ADOPTED this 8th day of October, 2009.

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John Mueller, Chair

ATTEST:

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Maureen Tamuri  
Community Development Director

APPROVED AS TO FORM:

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City Attorney

Planning Commission Resolution No. 09-641, was adopted by the Planning Commission at a regular meeting held October 8, 2009, and that it was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

“The Secretary of the Planning Commission shall certify the adoption of this Resolution, and transmit copies of this Resolution to the applicant along with proof of mailing in the form required by law and enter a copy of this Resolution in the book of Resolutions of the Planning Commission. Section 1094.6 of the Civil Code of Procedure governs the time in which judicial review of this decision may be sought.”