



CITY of CALABASAS

PLANNING COMMISSION AGENDA REPORT

July 16, 2009

TO: Members of the Planning Commission

FROM: Tom Bartlett, AICP, City Planner
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PROPOSAL: Workshop discussion of Articles IV, VI, VII, and VIII of the Draft Calabasas Development Code Update and the method of measuring height.

APPLICANT: City of Calabasas

RECOMMENDATION: Conduct a workshop to discuss the Draft Calabasas Development Code Update.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission continue its workshop discussion regarding the Draft Calabasas Development Code and provide direction to staff on Articles IV, VI, VII, and VIII and on the method of measuring height.

REVIEW AUTHORITY:

Pursuant to Chapter 17.76 of the Calabasas Development Code, the Planning Commission is the recommending body for reviewing the Calabasas Development Code update project, and the City Council is the final approval body.

BACKGROUND:

On June 4, June 18, and July 2, 2009, the Planning Commission completed review and discussion of Articles I, II, and III of the Draft Development Code.

During the July 2nd workshop, the Planning Commission provided comments and suggestions to staff for further amendments or modifications to Article III. These items include changing the determination of adequate access from Director to Review Authority, adding the provision of park and ride lots in the performance standards for

alternate travel modes, converting the design guidelines to performance standards, clarifying that the number of access points would be determined by the Fire Department, directing staff to provide further clarification about setbacks from ridgelines, adding the width of a projection to Table 3-3 which establishes setbacks, considering alternatives to allow applicants to cover a greater portion of a patio with a trellis, researching parking standards for medical uses, and clarifying that environmental review costs must be borne by the applicant in reasonable accommodation applications.

STAFF ANALYSIS:

During the past several workshops, the Planning Commission has reviewed one or two Articles per workshop. For this workshop, staff has included information about four Articles (Articles IV, VI, VII, and VIII). In three of the Articles at least half of the Chapters have no substantial changes and the fourth Article (Article VIII) is the definition section. If the Commission does not have the time to complete their review, another workshop could be scheduled for either July 30th or August 6th.

At the conclusion of the Planning Commission workshops, staff will prepare a new redline document with all the recommended changes. These changes will be highlighted in yellow to make it easier for the Commission and public to locate and identify the changes.

Method of Measuring Height

One of the items the Commission will be discussing at the July 16th workshop is different methods of measuring height. Attachment C is a handout from the city of Los Angeles that summarizes how height is measured in that city. This is the method discussed by Commissioner Klein at the June 18th workshop. Staff is preparing graphic exhibits that will illustrate the difference between the existing parallel height method and the method utilized in Los Angeles. These graphics will be presented at the workshop.

Schmitz & Associates Letter

Attachment A is a letter from Schmitz & Associates. This letter was distributed at the end of the July 2nd workshop. Staff has reviewed the letter and makes the following recommendations:

17.20.020(B) – Leave requirement as written. Performance standards for access, circulation and transportation should apply to any new single family home (outside of an existing residential subdivision) or new commercial building.

17.20.050(a) (1) – Make sure all terms are defined and utilized consistently. In terms of determining unacceptable impacts, revise to be consistent with Table 6-2 *Maximum Acceptable Impacts* in Chapter 17.60.

17.20.050(3) – Revise as appropriate to ensure impacts are consistent with Table 6-2

Maximum Acceptable Impacts in Chapter 17.60.

17.20.050(a)(7) – Add “to the extent consistent with private property rights, including requirements that conditions bear nexus to, and be proportionate to, the impacts of a development” to the end of the sentence. All terms will be defined and utilized consistently.

17.20.060(4) (a) – Rework to make sure the intent of this performance standard is clear. All projects have to be consistent with the General Plan and thus should meet the objectives of the General Plan.

17.20.060(b) – Rework to clarify “basic development intensity”. The “basic development intensity” for an HM lot is 40 acres. This is not a change from the existing Code so it won’t impact pipeline projects.

17.20.060(5) (a) – This item was addressed by the Planning Commission at July 2nd workshop by adding the word “consider” and to the “extent feasible”.

17.20.070(A) (3) – Discussed at July 2nd workshop and recommendation was to make guidelines into performance standards and have the Design Review Panel review for consistency.

17.20.080, 17.20.130(A)(7) and 17.20.130(a)(10)((a) – Access and driveways, including the number required by the Fire Department, was discussed by the Planning Commission and staff is working on language to clarify and further refine access requirements.

17.20.140(B) – Method of measuring height will be discussed by the Commission on July 16th.

17.20.150 – Performance Standards for Hillside Development

Subsection (1) (a) – Rework to clarify intent of this subsection, which is to provide performance standards not development standards.

Subsection (1) (c) – Provide definition or clarification.

Subsection (2) – Rework section to make consistent with provisions in Table 6-2 *Maximum Acceptable Impacts* in Chapter 17.60.

Subsection (9) and (13) – Revise Subsection 9 to require preservation of any existing trail. Planning Commission recommended deleting Subsection 13 at July 2nd workshop.

Subsection (16) and (21) – Revise as appropriate but leave as performance standard.

Subsection (C) (2) – Ridgelines discussed at July 2nd workshop. Staff is working on clarifying language.

Changes to Articles IV, VI, VII, and VIII

For the changes proposed to Articles IV, VI, VII and VIII the more substantial changes are summarized below. The proposed changes consist of the same technical changes found in the other Articles, such as: 1) utilization of consistent capitalization, punctuation and structure; 2) re-phrasing of language to improve consistency of text for legal purposes; 3) elimination of “loopholes” and ambiguity; and 4) text changes to ensure internal consistency.

Proposed Changes to Article IV, Subdivisions

Article IV includes the following seven chapters:

Chapter 17.40 Subdivision Map Approval Requirements

- Technical changes only

Chapter 17.41 Tentative Map Filing and Processing

- Final review authority for tentative maps changed from City Council to Planning Commission, consistent with standard planning practice

Chapter 17.42 Parcel Maps and Final Maps

- Technical changes only

Chapter 17.44 Adjustments, Mergers, Certificates of Compliance and Condominiums

- Created new lot merger in compliance with state law

Chapter 17.46 Subdivision Design and Improvement

- Technical changes only

Chapter 17.48 Improvement Plans and Agreements

- Technical changes only

Chapter 17.50 Dedications and Exactions

- Created category to allow Quimby credit for dedicating slopes between 20.1 to

- 30% to recognize value of passive open space
- Updated review authority consistent with tentative maps in Chapter 17.41

Proposed Changes to Article V, Grading and Site Development Standards

The proposed change deletes the grading provisions from the Development Code and places them in the Building Code – Title 15 to be administered by the Public Works Department after receiving approval from Planning Department.

Proposed Changes to Article VI, Land Use and Development Permits

Article VI includes the following five chapters:

Chapter 17.60 Application Filing and Processing

- Added and updated Table 6-2 – Maximum Development Impacts from 1995 General Plan Consistency Review Program

Chapter 17.62 Permit Approval or Disapproval

- Chapter reorganized to add more permit types
- Permits types separated by new construction versus new land uses (e.g. Site Plan Review for construction and Conditional Use Permit for land uses)
- Review authority changed on some permits to more closely match review authority with level of land use impacts

Chapter 17.64 Permit Implementation, Time Limits and Extensions

- Permit expiration date changed from 1 year to 2 years to recognize time construction typically starts and consistent with subdivision time lines

Chapter 17.66 Specific Plans

- Technical changes only

Chapter 17.68 Development Agreements

- Technical changes only

Proposed Changes to Article VII, Development Code Administration

Article VI includes the following six chapters:

Chapter 17.70 Administrative Responsibility

- Technical changes only

Chapter 17.72 Nonconforming Structures, Uses and Lots

- Changed setback provisions for additions to single family homes to limit continuation of existing nonconforming setbacks to reasonable maximum

Chapter 17.74 Appeals and Calls for Review

- New “call for review” provisions added that would allow City Council to call-up Planning Commission decisions for review (in lieu of filing an appeal) consistent with direction from City Council

Chapter 17.76 General Plan and Development Code Amendments

- Technical changes only

Chapter 17.78 Public Hearings

- Technical changes only

Chapter 17.80 Enforcement of Development Code Provisions

- Updated enforcement mechanisms to give code enforcement additional tools

Proposed Changes to Article VIII, *Definitions*

Chapter 17.90 – Definitions

- New definitions added and existing definitions improved

Summary

It is not possible to provide a detailed list of every change in the Draft Development Code; therefore, staff has focused on the key changes in this staff report. Staff will be prepared to answer any questions the Commission may have about other technical changes at the workshop. Staff requests that the Commission send any questions they may have (especially any questions that may require research) prior to the meeting so that staff can be prepared to provide the Commission with the requested information at the meeting.

REQUESTED ACTION:

Staff recommends that the Planning Commission discuss and provide direction to staff on the proposed changes to the Articles IV, VI, VII, and VIII of the Draft Development Code and on the proposed method of height measurement.

Attachments:

- A: July 2, 2009 Planning Commission Minutes
- B. Letter from Schmitz & Associates
- C: Letter from Las Virgenes Homeowners Federation, Inc.
- D: City of Los Angeles Height Measurement Handout