



CITY of CALABASAS

## PLANNING COMMISSION AGENDA REPORT

June 4, 2009

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**TO:** Members of the Planning Commission

**FROM:** Tom Bartlett, AICP, City Planner  
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Joyce Parker-Bozylinski, AICP, Project Consultant

**PROPOSAL:** Workshop discussion of Articles I and II of the Draft Calabasas Development Code Update.

**APPLICANT:** City of Calabasas

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

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### **STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission conduct a workshop to discuss and provide direction to staff on Articles I and II of the Calabasas Development Code which includes the zoning map.

### **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 May 21, 2009, staff presented to the Planning Commission a redline (strike out/underline) version of the Draft Development Code. Staff also summarized the key proposed revisions to the Code. A schedule was also presented to the Commission for a series of workshops to review the proposed changes. In the week following the Commission meeting staff also supplied commissioners with clean versions of the draft update (without strike-outs, and other specially formatted text). Both versions of the draft Code update are available to the public via the City's web site, and at the public counter in City Hall.

## **STAFF ANALYSIS:**

The focus of the discussion for this workshop will be on the User's Guide, Article I, Article II and the zoning map. Based on direction from the Planning Commission staff will create a matrix that will list any proposed changes to the Draft Development Code. Upon conclusion of the Commission's workshops and consideration of the amended draft Development Code, these changes will then be incorporated into a Final Development Code which will be considered for adoption by the City Council.

### **Proposed Changes to the User's Guide**

The proposed changes to the User's Guide consist mainly of technical changes such as 1) utilization of consistent capitalization, punctuation and structure, and 2) re-phrasing of language to improve consistency of text.

It should be noted that the User's Guide is not actually adopted as part of the Development Code but will be included as an attachment to the Ordinance adopting the Development Code. The User's Guide is a technical aid that provides a "basic orientation in the organization and use" of the Code.

### **Proposed Changes to Article I, Purpose and Effect of the Development Code**

The proposed changes to the Article I consist of technical changes 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.

Article I includes the following three chapters, in which only technical or consistency changes were made:

**Chapter 17.01-Enactment and Applicability** - sets forth the purpose of the Development Code and indicates that the Development Code applies to all land uses, subdivisions and development within the city.

**Chapter 17.02-Land Use Permit Requirements** - sets forth the requirements for development and new land uses in the city as well as exemptions from land use permit requirements.

**Chapter 17.03-Interpretation of Code Provisions** - sets forth rules and procedures for Code interpretations.

## Proposed Changes to Article II, Zoning Districts and Allowable Land Uses

The changes proposed to Article II include the same types of technical and consistency changes made to Article I as well as policy implementation items such as the addition of a new chapter (Chapter 17.11). Article II consists of the following chapters:

**Chapter 17.10-*Establishment of Zoning District and Allowable Land Uses*** which establishes the zoning districts in the City and adopts the zoning map. Changes to this chapter include the establishment of the Residential, Mobilehome (R, MH) and Planned Development (PD) zoning districts consistent with new General Plan land use designations. The Open Space-Development Restricted (OS-DR) zone is an existing zone that needed to be added to the table. The proposed changes to Chapter 17.10 also include a renaming of the existing Planned Development (PD) Overlay zone to the Development Plan (DP) Overlay Zone. This was necessary to avoid confusion with the newly created Planned Development zone.

Chapter 17.10 also includes adoption of the zoning map. The draft zoning map was distributed to the Planning Commission at the May 21<sup>st</sup> meeting. In order to make the zoning map consistent with the General Plan land use map, the following changes are proposed:

- Rezone existing Calabasas Village Mobile Estates from Residential, Multi-family (RM) to Residential, Mobilehome (R-MH)
- Rezone site on Las Virgenes Road (Messenger) from Commercial, Retail (CR) and Residential, Rural (RR) to PD, Residential, Multi-Family (RM-20) and OS-DR.
- Rezone four areas to Commercial, Mixed Use (CMU), including: one on Las Virgenes Road at Mureau, one on Agoura Road west of Las Virgenes Road, one on Calabasas Road east of Park Granada, and one on Park Sorrento. Two areas in the City were already zoned CMU.
- Rezone the Lupin Hill school site from Residential, Single Family (RS) to Public Facilities (PF) and Bay Laurel school site from Open Space (OS) to PF.
- Include the pre-zoned Mont Calabasas area which was pre-zoned in May 2009 by the City Council to include R-SF, CR and OS-DR
- Add maximum dwelling units allowed to all RM zones
- Add maximum floor area ratio allowed to all CMU zones
- Change PD Overlay to Development Plan (DP) Overlay on two parcels (Calabasas Inn on Park Sorrento and Shea Homes on Las Virgenes Road)

**Chapter 17.11-*Allowable Land Uses*** is a new chapter that combines the land use tables from the Chapters 17.13, 17.14 and 17.16 into one a single composite table (Table 2-2) which lists all of the land uses and zoning districts. The land uses were organized using the North American Industry Classification System (NAICS). NAICS is the standard used by Federal statistical agencies in classifying business establishments for the purpose of

collecting, analyzing, and publishing statistical data related to the U.S. business economy. Staff is proposing to use a combination of NAICS and individual use definitions for some more specialized land uses. Using NAICS to list and define land uses allows for consistency of terminology. The NAICS list is updated every five years by the U.S. Department of Commerce so the City will need to monitor the updates to ensure the land uses listed in the Development Code do not need to be revised.

In addition to re-organizing Table 2-2, a number of land uses that were either added or deleted from zoning districts are shown on Attachment A. Also, the type of permit required for each land use (which was found in a key located at the end of each land use table in the current Development Code) was moved to Chapter 17.62, which addresses land use permits. Colored highlighting in the table indicates how certain portions of the table are modified compared to the land use tables in the current Development Code. A legend at the end of the table explains what each highlight color means. Finally, due to the changes to the titles of the land uses as part of the NAICS reorganization, it was not possible to list all of the various changes, so the Commission should review Table 2-2 in its entirety.

Two new land uses are proposed -- “wine/beer specialty shop” and “resort lodging”. The wine/beer specialty shop land use was created to recognize specialty shops that sell wine and/or beer only, as opposed to a full liquor store. These uses will be allowed only with a conditional use permit subject to the requirements of Section 17.12.035-*Alcohol Sales*.

Resort Lodging is defined as:

“A commercial facility without individual cooking facilities designed to accommodate overnight guests. The facility shall have a common dining area and shall have no conference facilities. The use shall be allowed only as a companion use to other recreational uses also provided on the property.”

Resort lodging facilities are proposed to be allowed in the Commercial Retail (CR) and Recreational (REC) zones, and only with a conditional use permit. This new use will allow existing or new recreational land uses to provide lodging in conjunction with another recreational use such as a golf course. Staff will be prepared to answer any questions from the Commission regarding the reasons for the recommended changes to Table 2-2 at the workshop.

**Chapter 17.12-Standards for Specific Land Uses** provides standards for various land uses that are allowed in Table 2-2. The standards for specific land uses are located in Chapter 17.32 in the existing Development Code. Among other changes, the proposed changes include updating the wireless antenna provisions and adding standards for the following new land uses:

- alcohol sales
- medical marijuana dispensary
- mixed use projects
- temporary portable containers.

As noted in redline version of the Draft Development Code three land uses (mobilehomes,

roadside standards for agricultural products, and storage-personal storage facilities) were eliminated. The sections on mobilehomes and roadside stands were eliminated because they are obsolete and no longer needed. The elimination of the prohibition of self-storage facilities in the scenic corridor is recommended due to the fact the City has strong design guidelines that would address issues related to design of these types of facilities. Staff is recommending they be allowed with a conditional use permit in the Commercial Retail (CR) zones only.

**Chapter 17.13-Residential Districts** provides regulations for the residential zoning districts. The changes proposed to this chapter include moving the land use table to Chapter 17.11 and creating the new Residential, Mobile Home Zone (R –MH), consistent with General Plan land use designation. In addition, a new section has been created to provide design guidelines for second stories consistent with General Plan Community Design Element Policy IX-32.

**Chapter 17.14-Commercial Districts** provides regulations for the commercial zoning districts. The land use table was moved to Chapter 17.11. Also the floor area ratios (FAR) and density limits for the commercial mixed use zones were updated consistent with General Plan.

**Chapter 17.16-Special Purpose Districts** provides regulations for the special purpose zoning districts. Changes included the moving of the land use table to Chapter 17.11 and the creation of the new Planned Development (PD) zone. Development standards were created for the PD zone that established maximum floor area ratio and dwelling units consistent with the General Plan.

**Chapter 17.18-Overlay Zones** includes regulations for the Old Topanga (OT), Calabasas Highlands (CH), Development Plan (DP) and Scenic Corridor (SC) overlays. Proposed changes to this chapter included moving the method of measuring height in Old Topanga and Calabasas Highlands Overlay to Chapter 17.20. This does not change the permitted height in the OT and CH Overlay zones; rather the method of measuring height simply moves to the general property development standards in order to use the method of measurement for the entire city.

Other proposed changes to Chapter 17.18 include moving the public hearing noticing requirements to Chapter 17.78 (Public Hearings) to provide consistency with other land use noticing requirements. And as noted earlier the existing Planned Development Overlay zone was renamed Development Plan Overlay Zone.

The final change to Chapter 17.18 was the creation of cluster development standards for Hillside Mountainous (HM) and Rural Residential (RR) zones, consistent with General Plan Land Use Element Policy II-17.

### Summary

Since it is not possible to provide a detailed list of every change in the Draft Development Code, 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.

Schedule for Review of Draft Development Code:

The schedule for Planning Commission review of the remaining Articles of the Draft Development Code is as follows:

June 18, 2009 (Workshop)	Article III Article IV	Site Planning and Project Design Standards Subdivisions
July 2, 2009 (Workshop)	Article VI Article VII Article VIII	Land Use and Development Permits Development Code Administration Definitions
July 16, 2009 (Public Hearing)	Adopt Resolution recommending City Council approval the Development Code and Zoning Map	

**REQUESTED ACTION:**

Staff recommends that the Planning Commission discuss and provide direction to staff on the proposed changes to the User's Guide, Article I and Article II of the Draft Development Code.

**ATTACHMENTS:**

Attachment A: Proposed Table 2-2, Land Use Table