

CHAPTER 5

LAND USE AND PLANNING CONSIDERATIONS AND PROJECT CONSISTENCY WITH PLANS AND POLICIES

5.1 Introduction

Before addressing the potential land use effects of Entrada at Malibu Canyon, a brief overview is provided of the current development trends in the immediate vicinity of the proposed project. The purposes of this overview are:

- (1) to provide a context for the discussion of land use compatibilities with surrounding areas,
- (2) to identify trends encouraging the gradual conversion of undeveloped lands in the City of Calabasas and;
- (3) to consider other issues bearing on the problems and opportunities presented by the land use transition planned for the proposed development projects.

General Overview and Regional Setting: The City of Calabasas

The project site is in the Las Virgenes Valley area of western Los Angeles County in the City of Calabasas. The corporate boundaries of the City encompass approximately 12.9 square miles. The eastern portion of Calabasas forms the western boundary of the San Fernando Valley, while the western portion of the City lies within the Las Virgenes Valley.

The Ventura County line and unincorporated portions of Los Angeles County are north and south of Calabasas; the City Agoura Hills is to the west; and the City of Los Angeles is to the east. The Malibu Canyon unit of the Santa Monica Mountains National Recreation Area is located adjacent to the southwestern boundary of Calabasas. The northeastern portion of the City of Calabasas is bordered by the City of Los Angeles and the northwestern portion of the City is bordered by the City of Agoura Hills.

Regional vehicle access to Calabasas is provided primarily via the Ventura Freeway (U.S. Highway 101), a major traffic corridor connecting Los Angeles and San Francisco. Secondary regional access to the City is available via Las Virgenes Road, which links the Las Virgenes Valley with the Pacific Coast Highway (State Highway 1) in Malibu. Las Virgenes Road offers local vehicle, pedestrian, and cyclist access to the project vicinity. This two-lane road connects with the Ventura Freeway via the Las Virgenes interchange.

Cumulative Development Surrounding Entrada Proposal

As displayed in **Table 5-1** and illustrated in **Figure 5-1**, residential development proposals in the vicinity of the project have been approved by the City in the last several years; most of these projects are either under construction or fully operational. These proposals resulted in small to moderately sized residential and commercial uses.

The proposed conditional use permit and general plan/rezone boundary area comprises one parcel on the east side of Las Virgenes Road. This parcel is currently zoned Commercial-Limited Intensity and is located within the City's Scenic Corridor, the Las Virgenes Gateway Master Plan area, and within the Las Virgenes Road Corridor Design Plan area. Commercial, residential and institutional and service uses are currently operating near subject site. Table 5-1 describes the recent (cumulative) development trends in the City of Calabasas. This list of projects will be used to assess cumulative environmental effects.

**Table 5-1
Cumulative Projects List**

| MAP NO. | PROJECT NAME | LOCATION | LAND USE | SIZE (UNITS) | STATUS |
|---------|--|---------------------------------|----------------------------|---------------------|--------------------|
| 1 | Pazar/ Shea Homes | Las Virgenes Road | Residential | (48) | Under Construction |
| 2 | Via Miramonte | Las Virgenes Road | Residential | (34) | Completed |
| 3 | Country Creek Lane | Las Virgenes Road | Residential | (36) | Completed |
| 4 | Creekside Village Shopping center | Las Virgenes and Agoura Road | Commercial | 76,472 square feet | Completed |
| 5 | Las Virgenes Municipal Water District Facility | Las Virgenes Road | Public Facility | 180,000 square feet | Completed |
| 6 | Malibu Inn | Las Virgenes and Mulholland Hwy | Visitor Serving Commercial | 200,000 to 300,000 | Pending |
| 7 | Liberty Canyon Residential Subdivision | Saratoga Hills | Residential | (42) | Pending |

**Figure 5-1
Cumulative Development Map**

5.2 Land Use and Planning Consistency

Issue 1: Project Consistency with Development Trends in the Western Portion of the City of Calabasas

The Land Use Element of the Calabasas General Plan and the City's Land Use and Development Code regulate land use planning within the City. In addition, the Las Virgenes Gateway Master Plan governs land use policy on those portions of land south of the intersection of Mureau Road and Las Virgenes Road. The majority of the developable land along Las Virgenes Road is governed by the Las Virgenes Gateway Master Plan and the Las Virgenes Road Corridor Design Plan. In addition, the proposed project is within the City's Scenic Corridor, which was adopted by the City to ensure that development activity will not adversely impact the aesthetic environment within the City's designated Scenic Corridor boundaries. The Las Virgenes Gateway Master Plan establishes the General Plan vision for this particular segment of the City while providing more specific land use and development criteria. The proposed project would be located in an area consisting primarily of single-family residential and institutional uses such as elementary and secondary schools, the Las Virgenes Municipal Water District facility, and a small church. Therefore, the project is consistent with the development trends of the area.

The current two-lane configuration of Las Virgenes Road was designed to convey regional traffic generated by higher intensity and larger commercial retail/office uses and serves as a gateway to the beaches along the Pacific Ocean. Moreover, this roadway serves as a regional corridor between Pepperdine University, Malibu Creek State Park and the Santa Monica Mountains. Based on comments solicited from utility purveyors during the Notice of Preparation comment stage, the subject site can be adequately served with sewage treatment, water supply infrastructure, and other municipal facility requirements. No significant impediments to the provision of service were identified for the proposed development area. Flood control, drainage, water, sewer, and reclaimed water extensions will be required to implement development on this property. Modifications to an existing storm drain collector, which passes under Las Virgenes Road and discharges into Las Virgenes Creek, will also be required. The project applicant will be responsible for the costs of the required connections.

The major obstacles to the implementation of the proposed residential development include: (1) the changing of the existing Business-Limited Intensity/Commercial Limited General Plan and Zoning Designation to Residential, Single-Family and Open Space Development Restricted, (2) ensuring the project's conformity with the Las Virgenes Gateway Master Plan, Las Virgenes Road Corridor Design Plan and Scenic Corridor Design Guidelines, and (3) ensuring the proposed single-family use is not significantly affected or incompatible with the adjacent Las Virgenes Municipal Water District Facility.

Issue 2: Entrada/ Standard Pacific Homes Land Use Modification Precedent--Consequences for Land Planning in the City

Implementation of the proposed project cannot be accomplished under the existing Zoning or General Plan Land Use Designations. Therefore, approval of the project will require a General Plan Amendment and Zone Change. The Alternatives Chapter of this EIR (Chapter 14) includes a brief discussion of the financial and physical feasibility of developing a project conforming with present land use and zoning designations; the discussion also contains a comparison of the environmental effects attributable to developing the project as proposed or implementing a revised project designed to reduce one or more environmental effects, while still consistent with the overall project objective.

Under the existing Development Code and General Plan designations (Commercial Limited and Business Limited Intensity), the 21.03-acre property could be developed as a project committed to limited retail and commercial services, restaurants, plant nurseries, business and professional offices, and similar and related compatible uses. The proposed project would result in the construction of a planned residential development that could not be developed under present land use designation and zoning. If the existing parcel were re-designated as proposed, a portion of the existing open character of the parcel would be removed and substituted with a residential land use. At this time, the majority of the existing developments along Las Virgenes Corridor south of the Ventura (101) Freeway are commercial and residential in nature. Thus, the proposed project would not conflict with existing land uses in the general vicinity. The proposed zone and use change will also provide additional housing stock for the City and reinforce the City's efforts to maintain its traditional role as a refuge from the congestion of the San Fernando Valley and Metropolitan Los Angeles area.

If approved, the project would be required to contribute funds towards regional circulation improvements called for in the City's Circulation Element of the General Plan. Moreover, the project proposes improvements to the eastern side of Las Virgenes Road along the project frontage consisting of turn lanes to allow for vehicle stacking, and median improvements to improve north and south bound traffic circulation. This road widening is consistent with the regional traffic improvements outlined in the Las Virgenes Road Corridor Design Plan.

Construction of the proposed project and completion of the associated traffic improvements will not set a precedent for future residential development in the City. For example, the property directly north of the subject site is currently being developed as a residential use at a similar density. The project is constructing significant traffic improvements along the project frontage. However, future residential development within the more scenic environments south of the

subject site is not likely because that land has been preserved in perpetuity as open space. Therefore, the project's potential to set a development precedent resulting in significant land use compatibility conflicts is considered low.

Issue 3: Compatibility with Adjacent Land Uses

Based on the information contained in the EIR [Chapter 6 (Geologic and Seismic Hazards, Chapter 8 (Water Quality and Drainage, Chapter 9 (Biology), Chapter 10 (Noise), Chapter 11 (Transportation and Circulation), and Chapter 12 (Aesthetics and Visual Resources)], staff was of the opinion that the scientific evidence, compared to known quantitative thresholds, would not result in a significant conflict with the adjacent land use to the south, the Las Virgenes Water District. The District is concerned that the placement of a residential project in close proximity to the District's facilities will result in complaints from adjacent residents and ultimately interference with operations and future expansion of operations. However, it is important to point out that residential uses, of the multi-family type, are permitted as a conditional use on the subject property without a General Plan Amendment. Further, using all quantitative thresholds and scientific analyses available for the EIR, the project as designed and originally proposed basically met all the physical criteria for a finding of compatibility. Nonetheless, the Council was of the opinion that the land uses were potentially incompatible and the District was concerned about the potential for litigation by future residences relative to noise, view shed impacts, operational effects, and other issues.

In response, staff worked with the applicant to develop an Alternative that would mitigate most if not all of the District's concerns, as they were understood by staff. No project can provide litigation guarantees and it would be inappropriate in a CEQA document to require such guarantees, as requested by the District. However, an alternative design has been conceived which modifies the lot platting, set backs, street system, berming, wall plan and landscaping consistent with the recommendations of the District (see Chapter 14, Alternative 4). If this option is adopted as the project, as recommended in the mitigation measures included in this section, then perceived and actual land use incompatibilities can be reduced to insignificant (a Class II effect).

A project is generally consistent determined to be consistent with surrounding adjacent land uses if:

1. *the project is markedly compatible in scale or use characteristics with adjacent land uses;*
2. *the project would not result in land use conflicts that are demonstrably detrimental to the well-being and privacy of existing uses; or*
3. *the proposed project would not be inconsistent with any adopted land use controls that apply to the project site.*

Each of these issues is discussed briefly below and a determination of consistency or inconsistency is derived.

If approved and constructed as proposed by the applicant or as amended in Alternative 4 (in Chapter 14), the project will result in the development 40 single-family residential units. This will result in a development pattern no more intensive than surrounding housing development. The overall building mass is comparable in size with most of the existing residential units in the surrounding area. The project will be only moderately visible from surrounding neighborhoods, and if modifications are made as recommended by the City's Design Review Panel, Development Review Committee, City Planning Commission and planning staff, the visual impacts of the project could be adequately offset.

The current General Plan/Zoning Designation of the undeveloped property is Business Limited Intensity/ Commercial Limited Intensity. Since the proposed use for the project is single-family residential, a General Plan Amendment and Zone Change would have to be approved in order to establish land use consistency. The City of Calabasas has approved a number of residential projects along the Las Virgenes Corridor. In addition, the Calabasas City Council preferred that the property be used for a residential use as opposed to a commercial or multi-family use (City Council Pre-Screen, 2003). Moreover, through the public review process of the approved Pazar/Shea development, the public expressed it's view that converting some of the land designated for commercial uses in the Las Virgenes Gateway Master Plan over to residential along that portion of Las Virgenes Road was acceptable when compared to a commercial retail alternative.

The apparent opposition or desire of the public to convert some of the designated land uses described in the Las Virgenes Gateway Master Plan may be explained by the changing demographics of the City. New residents have moved into the City and thus a new vanguard has established itself with new ideas for the Las Virgenes Corridor. These new residents were not a

part of the original Gateway Master Plan process and thus their opinions on land use are much different than the residents of Calabasas had when the Master Plan was originally drafted. Actually, careful review of the Gateway documentation reveals that there is substantial evidence that there is local neighborhood support for residential uses on the subject property. Moreover, Calabasas has become a unique City that strives to maintain its semi-rural environment, thus providing refuge from the more metropolitan region of Los Angeles. Developing a residential project consistent with the Las Virgenes Gateway Master Plan, Las Virgenes Corridor Design Plan, and Scenic Corridor Design Guidelines could enhance the general architectural aesthetic of the City and help preserve the semi-rural or suburban feel of the community.

Issue 4. Potential Land Use Conflicts Detrimental to the Well-Being and Privacy of Existing Uses

Single-family residences are commonplace within the project vicinity and were designed to be compatible with other uses (both residential and commercial). The proposed use will provide the City with additional property tax revenues and will not compromise or threaten the general health, safety or welfare of the community provided that adequate mitigation measures have been proposed in conjunction with this EIR. Considering the project and all the proposed mitigation, a reasonable finding may be made that the proposed project will not create land use conflicts detrimental to the well being and privacy of existing residential uses or future residents occupying the proposed housing tract. Nonetheless, to sustain this finding, the EIR recommends a series of mitigation measures to modify the project configuration to be consistent with a series of design recommendations made by the Las Virgenes Water District (Alternative 4). These modifications are not compelled by the scientific evidence but will likely result in a changed perception relative to the contiguity of uses. This perception is important since compatibility issues are relatively unquantitative.

However, even with these changes, it is not assured that future residents of the project would be precluded from initiating litigation if uses at the District are significantly expanded in the future. The only guarantee on avoiding such litigation would be for the District to purchase the Standard Pacific project site and retire it from the inventory of lands designated in the City's General Plan for development. This solution also substantially transfers the decision-making about what land use may be placed on this property from the City to the District, as a District purchase would not preclude their use of the property in the future for industrial type activities.

The District is an independent agency and is only partially subordinate to the City's management. For this reason, a District purchase of this property is not necessarily a desirable alternative to retaining control of the land use through the City's General Plan and Development Code procedures.

Potential land use conflicts with the adjacent Las Virgenes Municipal Water District (LVMWD) facility were analyzed as part of this General Plan Consistency Review Analysis. The LVMWD provided comments during the Notice of Preparation stage of EIR preparation. These comments suggest that the LVMWD facility could potentially affect quality of life for future residents on the subject parcel. The specific issues potentially creating incompatibility include:

1. The LVMWD facility operates 24-hours a day. There are noise generating facilities on-site that operate at odd hours and could be offensive to neighboring residential uses.
2. There is an existing uncovered recycled water reservoir on the eastern portion of LVMWD property. This reservoir is fenced, but LVMWD believes the feature could become an attractive nuisance and liability with children living adjacent to the site.
3. The LVMWD operates and maintains major pipelines and other utilities traversing LVMWD property which cannot be disturbed.
4. The existing industrial uses behind the main building could impact views from proposed residences. These view impacts could be considered a nuisance to future homeowners.

The City of Calabasas does agree that the land use compatibility issues raised by the LVMWD are potentially significant. However, the analysis provided in this EIR concludes that with the incorporation of all recommended mitigation measures impacts can be reduced to less than significant levels. These mitigation measures now include the requirement to redesign the project to be consistent with the design option provided in Chapter 14, Alternative 4, and “Project Configuration Compatible with Adjacent Land Uses”. With the mitigation measures described in Section 5.5 of this chapter, the project will be compatible with LVMWD facility located directly south of the subject site.

5.3 General Plan Consistency Review

The following discussion (which is presented in table form), documents the project's consistency with applicable policies in the General Plan. The compatibility analysis indicates which project components are in conflict with the basic objectives, design features, or resource protection measures of the General Plan. As discussed in this table, with adoption of all required mitigation measures (itemized in Chapter 16, Mitigation Monitoring Program), the project is consistent with the City's General Plan and other principal planning documents.

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5.4 Project Consistency with Regional General Plan Programs and Policies

Southern California Association of Governments

The Southern California Association of Governments (SCAG) serves as the Metropolitan Planning Organization required to establish regional land use and transportation policy. SCAG is mandated by the federal government to research and develop plans for transportation, growth management, hazardous waste management, and air quality. SCAG consists of six regional planning sub-areas. The proposed project is located within the Los Angeles sub-region.

In 1994, a regional Comprehensive Plan and Guide (RCPG) was prepared by SCAG. This plan establishes a blueprint for the implementation of regional planning policy. This plan was a major revision of previous regional plans and sought to develop a strategic approach for the integration of land use and regional transportation infrastructure planning that would help facilitate attainment with required air quality, mobility and economic goals. The plan was designed to address the future of development within the region through the year 2015 and contains chapters on Strategy, the Economy, Growth Management, Transportation, Air Quality, Housing, Human Resources and Services, Finance, Water Resources, Water Quality, Energy, Hazardous Waste Management, Solid Waste Management, etc. Based on comment received by SCAG during the initial Notice of Preparation Review process, the size and scope of the proposed project does not meet the SCAGs Areawide Clearinghouse Criteria that determines what is considered a regionally significant project. **Therefore, impacts on regional land use planning are considered less than significant.**

South Coast Air Quality Management District

The proposed project is located within the South Coast Air Basin (SCAB) and is therefore within the jurisdiction of the SCAQMD. The SCAQMD is responsible for formulating and implementing air pollution control strategies. The Air Quality Management Plan (AQMP), adopted in 1997 by the SCAQMD and SCAG to assist in fulfilling air pollution control responsibilities, has established a comprehensive regional air pollution control program intended to lead to the attainment of state and federal air quality standards in the South Coast Air Basin. Air quality impacts resulting from construction and operation of the proposed project are analyzed in greater detail in Chapter 7.0 of this EIR. **Regional air quality impacts were determined to be less than significant.**

Congestion Management Plan

The Congestion Management Plan (CMP) for Los Angeles County was developed in accordance with Section 65089 of the California Government Code. This plan was developed for the purposes of addressing vehicular congestion relief by linking land use, transportation and air quality decisions and seeks to develop a partnership among transportation decision makers to

devise appropriate transportation solutions that include all modes of travel. In addition, the plan proposes transportation projects, which are eligible to compete for state gas tax funds. Proposition 111 (the gasoline tax designated for transportation improvements) allocates funding to cities, counties and other eligible agencies that implement the requirements of the CMP. The City of Calabasas has required that both commercial and residential development propose, implement or contribute to traffic improvements within the City. The proposed project will be contributing substantial funds towards the City's Lost Hills Bridge and Thoroughfare District as required by the City's Traffic and Transportation Department and will be constructing significant frontage improvements designed to improve traffic flow along Las Virgenes Road. **Therefore, with project mitigation, regional traffic impacts are considered less than significant.**

Cumulative Impacts

The proposed project in conjunction with other planned developments within the City's planning area would contribute to the gradual transformation of the City's existing semi-rural character to a more suburban environment. This transition has the potential to create impacts to the general community. The City's General Plan was developed for the purposes of establishing land use policies which promote development that is compatible with the surrounding environment, thus reducing the negative impacts to the community as a whole. However, relatively small residential developments such as this are not likely to create substantial compatibility conflicts with neighboring uses as long as all proposed mitigation measures are incorporated into the project. Any impacts resulting from this and other types of development within the City can be adequately mitigated through compliance with City adopted land use policies, implementation of appropriate site designs, and other urban design elements and independent analysis of land-use conflicts on a case-by-case basis. As long as future development within the City is compatible with the goals and policies set forth in the City's General Plan, significant cumulative land use impacts are not anticipated (a Class III Impact).

5.5 Mitigation Measures

The applicant shall be required to comply with the following mitigation measures to reduce land use incompatibilities (Issue 3: Compatibility with Adjacent Land Uses) and Issue 4 (Potential Land Use Conflicts Detrimental to the Well Being of Existing Uses) to less than significant levels:

1. The applicant shall be required to modify the location of buildings to conform to the minimum impact alternative identified in Chapter 14, Section 14.8 "Alternative 4: Project Configuration Compatible with Adjacent Land Uses".

2. The final grading concept for the large slope directly south of the proposed residential subdivision shall be re-designed to reflect the setbacks, configuration and landscape design illustrated in Alternative 4. The final grading and slope design shall be subject to review and approval by the City of Calabasas Planning Commission and City Council.
3. Revised Design Plans, if the applicant elects to implement Alternative 4, shall be reviewed and approved by the City Council and the application shall be formally amended to comply with the design intents in this Alternative.
4. The final grading concept for the street frontage portion of the project shall be amended to reflect the concepts contained in Alternative 4 of Chapter 14. This amendment involves the substantial reworking of grading and slope retention concepts to eliminate tiered walls on the approach to the project northbound along Las Virgenes Road. The final slope design shall be subject to review and approval by the City of Calabasas City Council.
5. The interior layout of the project shall also be amended, subject to review and approval by the Fire Department, to generally conform to the revised street layout and lot platting illustrated in Alternative 4 of Chapter 14. The purpose of this revision is to ensure that land use incompatibilities with the adjacent Water District facilities are minimized.
6. The applicant shall not be required to indemnify and hold harmless the adjacent Water District if the land uses, lot platting, landscape berm, and street arrangements within the project are modified consistent with Alternative 4. Consistent with CEQA Guidelines and case law, the applicant shall not be compelled to implement various noise attenuation measures on adjacent District property. The City encourages the resolution of "off-site" mitigation issues suitable for property owned by the District but these measures shall not be required to be implemented by the City.

Residual Effects: Not Significant