



CITY of CALABASAS

CITY COUNCIL AGENDA REPORT

DATE: OCTOBER 4, 2021

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: MAUREEN TAMURI, AICP, COMMUNITY DEVELOPMENT DIRECTOR
TOM BARTLETT, AICP, CITY PLANNER
MICHAEL KLEIN, AICP, SENIOR PLANNER

SUBJECT: 1) CONSIDERATION OF CITY COUNCIL RESOLUTION NO. 2021-1755 TO: 1) RE-CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT (EIR); AND 2) RE-ADOPT THE 2021-2029 HOUSING ELEMENT UPDATE AND ASSOCIATED LAND USE ELEMENT UPDATES TO THE CALABASAS 2030 GENERAL PLAN, CONSISTENT WITH STATUTORY REQUIREMENTS OF CALIFORNIA HOUSING ELEMENT LAW; AND,
2) CONSIDERATION BY THE CITY COUNCIL OF ADOPTION OF ORDINANCE NO. 2021-395 AMENDING TITLE 17 OF THE CALABASAS MUNICIPAL CODE (CMC) TO ADD AN AFFORDABLE HOUSING OVERLAY ZONE AND ASSOCIATED DEVELOPMENT STANDARDS FOR QUALIFYING HOUSING DEVELOPMENT PROJECTS, AMENDING OTHER SECTIONS WITHIN TITLE 17 OF THE CMC AS NECESSARY TO BE CONSISTENT WITH THE ADDED NEW SECTIONS, AND UPDATING THE OFFICIAL ZONING MAP, ALL AS NECESSARY TO CONFORM WITH THE GENERAL PLAN HOUSING ELEMENT AND RELATED UPDATES.

AT THEIR SEPTEMBER 13, 2021, PUBLIC HEARING, THE PLANNING COMMISSION RECOMMENDED TO THE CITY COUNCIL CERTIFICATION OF THE FINAL EIR, ADOPTION OF THE 2021-2029 HOUSING ELEMENT UPDATE AND ASSOCIATED UPDATES TO THE LAND USE ELEMENT, AND ADOPTION OF ORDINANCE NO. 2021-395.

MEETING

DATE: OCTOBER 13, 2021

SUMMARY RECOMMENDATION:

Staff recommends that the City Council hold a public hearing and take the following actions:

- 1) Adopt Resolution No. 2021-1755 (Attachment A), re-certifying the Final Environmental Impact Report, and re-adopting the 2021-2029 Housing Element update and the associated Land Use Element updates to the Calabasas 2030 General Plan, consistent with statutory requirements of California Housing Element law; and,
- 2) Adopt Ordinance No. 2021-395 (Attachment B), amending Title 17 of the Calabasas Municipal Code by adding new Sections 17.18.060 and 17.22.025, creating an "Affordable Housing Overlay Zone" and associated development standards for qualifying housing development projects; amending other sections within Title 17 of the CMC as necessary to be consistent with the added new sections; and updating the official zoning map; all as necessary to conform with the General Plan Housing Element and related updates.

BACKGROUND:

On September 13, 2021, the Planning Commission conducted a public hearing and voted unanimously to recommend to the City Council certification of the EIR and adoption of the 2021-2029 Housing Element update, associated updates to the Land Use Element and adoption of Ordinance No. 2021-395 establishing an Affordable Housing Overlay Zone. However, that same day, the City received a 26-page comment letter from the California Department of Fish and Wildlife (CDFW), together with numerous other comment letters, on the last day of the public review period for the Draft EIR. Given the depth and complexity of comments provided by the CDFW, the Final EIR (with responses to comments) was not completed until September 20, 2021, after the Public Hearing Notice was issued for the City Council meeting held on September 28, 2021. On September 28, 2021, the City Council held a public hearing and voted unanimously to certify the Final EIR, adopt the Housing Element, and introduce the related zoning ordinance. Section 15088(b) of Title 14 of the California Code of Regulations (CEQA Guidelines) requires the lead agency to provide a copy of its response to each commenting public agency at least 10 days prior to certification of the Final EIR. Each public agency had access to the Final EIR, inclusive of the City's response to their comments, via the City's website and prior receipt of notice as to the time and place of the City Council's public hearing. Because the responses to comments were not available at least 10 days prior to the public hearing on September 28, 2021, the City Council will be reconsidering certification of the Final EIR and re-adoption of the Housing Element, together with adopting the zoning ordinance at a further noticed public hearing on October 13, 2021.

Out of an abundance of caution and to ensure the maximum public transparency in its actions in compliance with the CEQA Guidelines, staff directly sent a copy of the City's response to all commenting public agencies on September 30, 2021. With the 10-day agency notification requirement satisfied without question, staff recommends that the Council adopt Resolution No. 2021-1755 (Attachment A) re-certifying the Final EIR and re-adopting the 2021-2029 Housing Element and associated updates to the Land Use Element of the 2030 General Plan.

Following its action on the 2021-2029 Housing Element and associated updates to the Land Use Element, the City Council introduced and waived further reading of Ordinance No. 2021-395, with no amendments. It is now the appropriate time for this ordinance to be formally adopted.

Further details regarding the Housing Element, Affordable Housing Overlay Zone, and related amendments to the Land Use Element and Calabasas Municipal Code are provided in the City Council staff report for this item for the September 28, 2021 City Council meeting.

REQUESTED ACTION:

Staff recommends that the City Council adopt Resolution No. 2021-1755 and Ordinance No. 2021-395.

ATTACHMENTS:

- A. City Council Resolution No. 2021-1755
- B. Ordinance No. 2021-395
- C. Public Comments

The City Council staff report and attachments from September 28, 2021, may be accessed online here:

<https://www.cityofcalabasas.com/Home/Components/Calendar/Event/2682/135>