

**ITEM 3 ATTACHMENT B
ORDINANCE NO. 2018-360**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, APPROVING A ZONING MAP AMENDMENT ASSOCIATED WITH FILE NO. 150000964 TO CHANGE THE EXISTING COMMERCIAL OFFICE (CO) ZONING DESIGNATION TO COMMERCIAL MIXED USE (CMU 0.95) TO ACCOMMODATE DEVELOPMENT OF 23480 PARK SORRENTO WITH A SENIOR MIXED USE PROJECT.

WHEREAS, the City Council of the City of Calabasas, California (“the City Council”) has considered all of the evidence including, but not limited to, the Planning Commission Resolution, Planning Division staff reports and attachments, and public testimony before making a final decision regarding the proposed project on February 14, 2018; and

WHEREAS, the City Council finds that the Zoning Map Amendment is consistent with the goals, policies, and actions of the General Plan and will not conflict with the General Plan; and

WHEREAS, the City Council finds that the Zoning Map Amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and

WHEREAS, the proposed actions are in compliance with the provisions of the California Environmental Quality Act (CEQA) because an Initial Study and a Mitigated Negative Declaration have been prepared and outline mitigation measures for the project.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CALABASAS DOES ORDAIN AS FOLLOWS:

SECTION 1. Based upon the foregoing the City Council finds:

2. Notice of the February 14, 2018, City Council public hearing was posted at Juan de Anza Bautista Park, the Calabasas Tennis and Swim Center, Gelson’s Market, Agoura/Calabasas Community Center and at Calabasas City Hall.

3. Notice of the February 14, 2018, City Council public hearing was posted in the *Calabasas Enterprise* ten (10) days prior to the hearing.

4. Notice of the February 14, 2018, City Council public hearing was mailed or delivered at least ten (10) days prior to the hearing to property owners within 500

feet of the property as shown on the latest equalized assessment roll, and was mailed or delivered at least twenty (20) days prior to the hearing to the project applicant.

5. Notice of the February 14, 2018, City Council public hearing included the information set forth in Government Code Section 65009 (b)(2).

6. Following two public hearings held on January 4, 2018 and January 18, 2018, the Planning Commission adopted Resolution No. 2018-663 recommending to the City Council approval of File No. 150000964 and certifying adequacy of the associated Mitigated Negative Declaration.

SECTION 2. In view of all the evidence and based on the foregoing findings and conclusions, the City Council hereby approves the Zoning Map Amendment associated with File No. 150000964 to change the existing Commercial Office (CO) zoning designation to Commercial Mixed Use (CMU 0.95) for 23480 Park Sorrento (APNs: 2068-005-012 and 2068-005-011) to accommodate a senior age-restricted residential and commercial mixed use project with five deed-restricted very-low income affordable residential units approved by the City Council via adoption of Resolution No. 2018-1576 (subject to the effective date of this ordinance). The City Council hereby directs the preparation of an updated Zoning Map to reflect the rezoning of the two subject parcels.

Section 17.76.050(B) Calabasas Municipal Code allows the City Council to approve a Zoning Map Amendment provided that the following findings are made:

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

Upon the adoption of the general plan amendment, the subject site will meet this finding because the Calabasas General Plan Land Use designation for this property will be Mixed Use (MU 0.95) and residential and commercial uses are consistent with the general plan land use designation. The project is consistent with the following General Plan Policies: II-8, II-9, II-10, II-11, II-14, III-14, III-17, IV-2, IV-3, IV-4, IV-5, IV-6, IV-7, IV-11, IV-14, IV-15, IV-17, IV-21, IV-22, IV-23, IV-25, IV-27, IV-28, IV-29, IV-30, IV-31, IV-34, IV-35, IV-36, IV-38, V-8, V-9, V-17, V-21, VI-2, VI-7, VI-13, VI-18, VI-19, VI-21, VI-22, VII-1, VII-8, VIII-2, IX-1, IX-3, IX-5, IX-8, IX-9, IX-11, IX-13, IX-14, IX-25, IX-28, X-1, X-4, XI-7, XII-29, XII-30, XI-31 and XII-32. Furthermore, the Zone Change will not eliminate any anticipated future housing sites in contradiction to the Housing Element; and traffic conditions and requirements will not conflict with the policies and provisions of the Circulation Element. In fact, the proposed Zone Change would allow for the development of additional housing units not originally anticipated in the Housing Element. The design of the proposed development will conform to the City's stated policies and objectives for control of storm water runoff, control and management of light

pollution. Therefore, assuming the General Plan Amendment is approved, the proposed Zone Change meets this finding. If the General Plan Amendment is not approved, the proposed Zone Change does not meet this finding.

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

Once the Zone Change go into effect to allow for a mixed-use project with residential and commercial uses, the proposed development will conform to General Plan and Development Code standards and procedures and will not be detrimental to public interest, health, safety, convenience, or welfare. Furthermore, the project has been reviewed by various agencies, such as the Los Angeles County Fire Department and Las Virgenes Municipal Water District and has received preliminary approval. Final building permit approval will be based upon meeting the required standards of all the necessary agencies, including the safety, accessibility, and universal design standards of the building code. Furthermore, potential traffic impacts have been reduced to a level below significant via project design and mitigation measures. Therefore, the proposed Zone Change meets this finding.

3. *The proposed amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA).*

The City Council has reviewed and considered the Mitigated Negative Declaration and in view of all of the evidence concludes as follows:

Based upon the facts and information contained in the proposed Final Mitigated Negative Declaration, together with all written and oral reports included for the environmental assessment for the application, the City Council finds that with the proposed mitigation measures, there is no substantial evidence that the project will have a significant effect upon the environment and adopts a Mitigated Negative Declaration based upon the findings as follows:

- a) The Mitigated Negative Declaration has been prepared in compliance with the California Environmental Quality Act and the State CEQA guidelines promulgated there under; that said, the Mitigated Negative Declaration and the Initial Study prepared reflect the independent judgment of the City Council; further, this Council has reviewed and considered the information contained in said Mitigated Negative Declaration with regard to the application.

- b) Based upon the design of proposed project and the mitigation measures incorporated, no significant adverse environmental effects will occur.
- c) Pursuant to the provisions of Section 15074 of Title 14 of the California Code of Regulations, the City Council finds that in considering the record as a whole, including the Initial Study and Mitigated Negative Declaration for the project, there is no evidence that the proposed project will have potential for an adverse impact upon wildlife resources or the habitat upon which wildlife depends. Furthermore, based upon substantial evidence contained in the Mitigated Negative Declaration, the staff reports and exhibits, and the information provided to the City Council during the public hearing, the City Council hereby finds that there is no substantial evidence that the project will have a significant effect on the environment.

4. *The site is physically suitable (including access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designations and anticipated land uses/developments.*

The project site is already developed with an existing office complex, asphalt parking lot, walkways and manicured lawn; therefore, the availability of utilities and site access are present. The site is surrounded by office buildings, another mixed use project and the Calabasas Tennis and Swim Center, and is therefore physically suitable for the requested land use development. The proposed project is also compatible with the adjacent creek and is designed and conditioned to avoid significant impacts on the creek and its watershed by prohibiting development within the creek bed and requiring restoration of the creek bed under the supervision of the City Engineer. Additionally, the project has been reviewed by various agencies, such as the Los Angeles County Fire Department and Las Virgenes Municipal Water District and has received preliminary approval. Final building permit approval will be based upon meeting the required standards of all the necessary agencies, including the safety, accessibility, and universal design standards of the building code. Therefore, the proposed Zone Change meets this finding.

SECTION 3. Severability Clause:

Should any section, clause, or provision of this Ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part so declared to be invalid.

SECTION 4. Effective Date:

This Ordinance shall take effect 30 days after its passage and adoption pursuant to California Government Code Section 36937 and shall supersede any conflicting provision of any City of Calabasas ordinance.

SECTION 5. Certification:

The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published or posted according to law.

PASSED, APPROVED AND ADOPTED this ___ day of March, 2018.

Fred Gaines, Mayor

ATTEST:

Maricela Hernandez, MMC
City Clerk

APPROVED AS TO FORM:

Scott H. Howard
Colantuono, Highsmith & Whatley, PC
City Attorney

Attachments:

Attachment A: Existing and Proposed Zoning Map

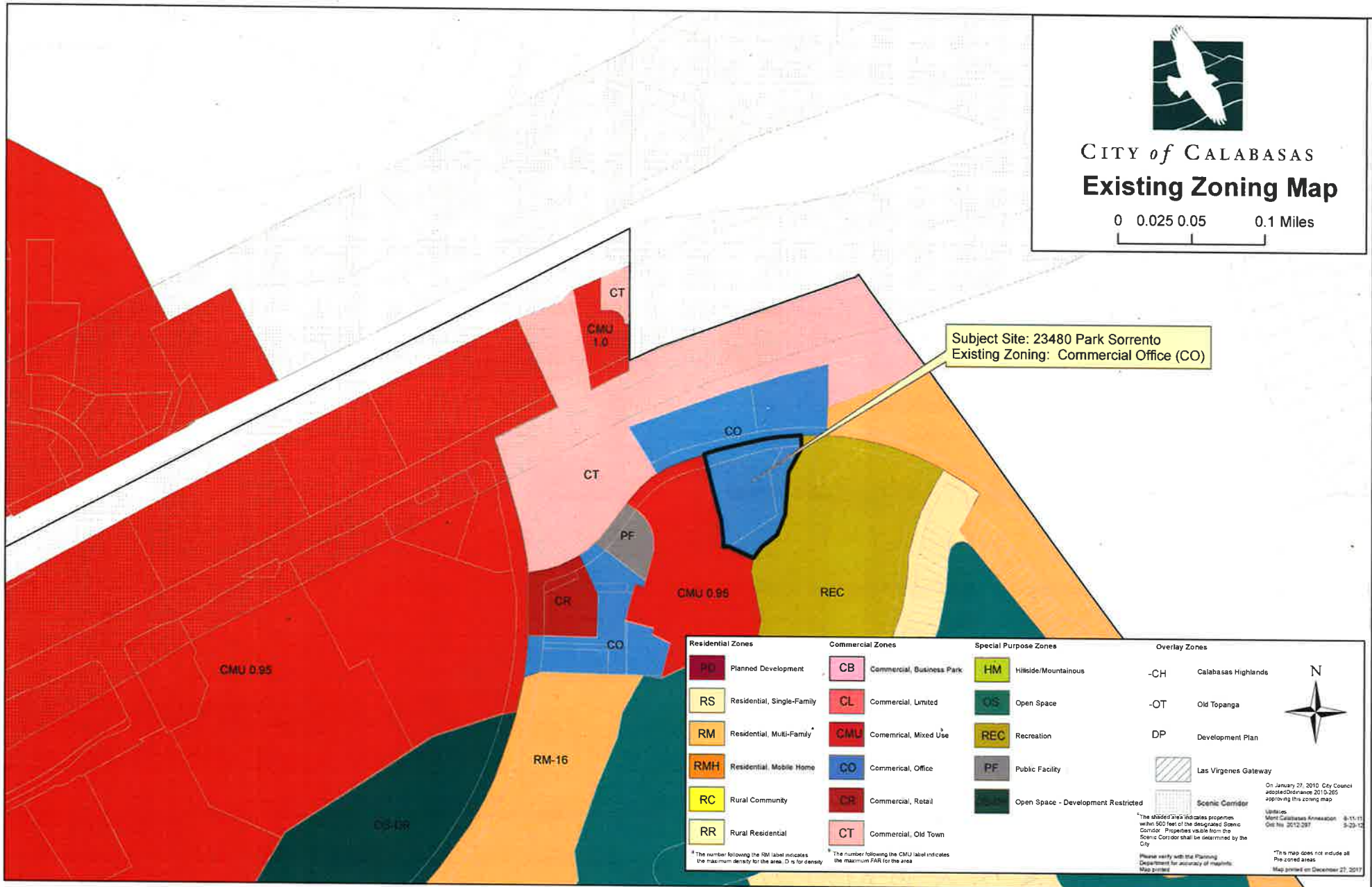
Attachment A



CITY of CALABASAS Existing Zoning Map

0 0.025 0.05 0.1 Miles

Subject Site: 23480 Park Sorrento
Existing Zoning: Commercial Office (CO)



Residential Zones	Commercial Zones	Special Purpose Zones	Overlay Zones
PD Planned Development	CB Commercial, Business Park	HM Hillside/Mountainous	-CH Calabasas Highlands
RS Residential, Single-Family	CL Commercial, Limited	OS Open Space	-OT Old Topanga
RM Residential, Multi-Family	CMU Commercial, Mixed Use	REC Recreation	DP Development Plan
RMH Residential, Mobile Home	CO Commercial, Office	PF Public Facility	Las Virgenes Gateway
RC Rural Community	CR Commercial, Retail	OS-DR Open Space - Development Restricted	Scenic Corridor
RR Rural Residential	CT Commercial, Old Town		



On January 27, 2010, City Council adopted Ordinance 2010-0205 approving this zoning map.

Adopted: Mont Calabasas Annexation 8-11-11
City Res. 2012-287 9-23-12

Please verify with the Planning Department for accuracy of map/prints. Map printed

*This map does not include all Parcel numbers.

Map printed on December 27, 2011

^a The number following the RM label indicates the maximum density for the area. D is for density.

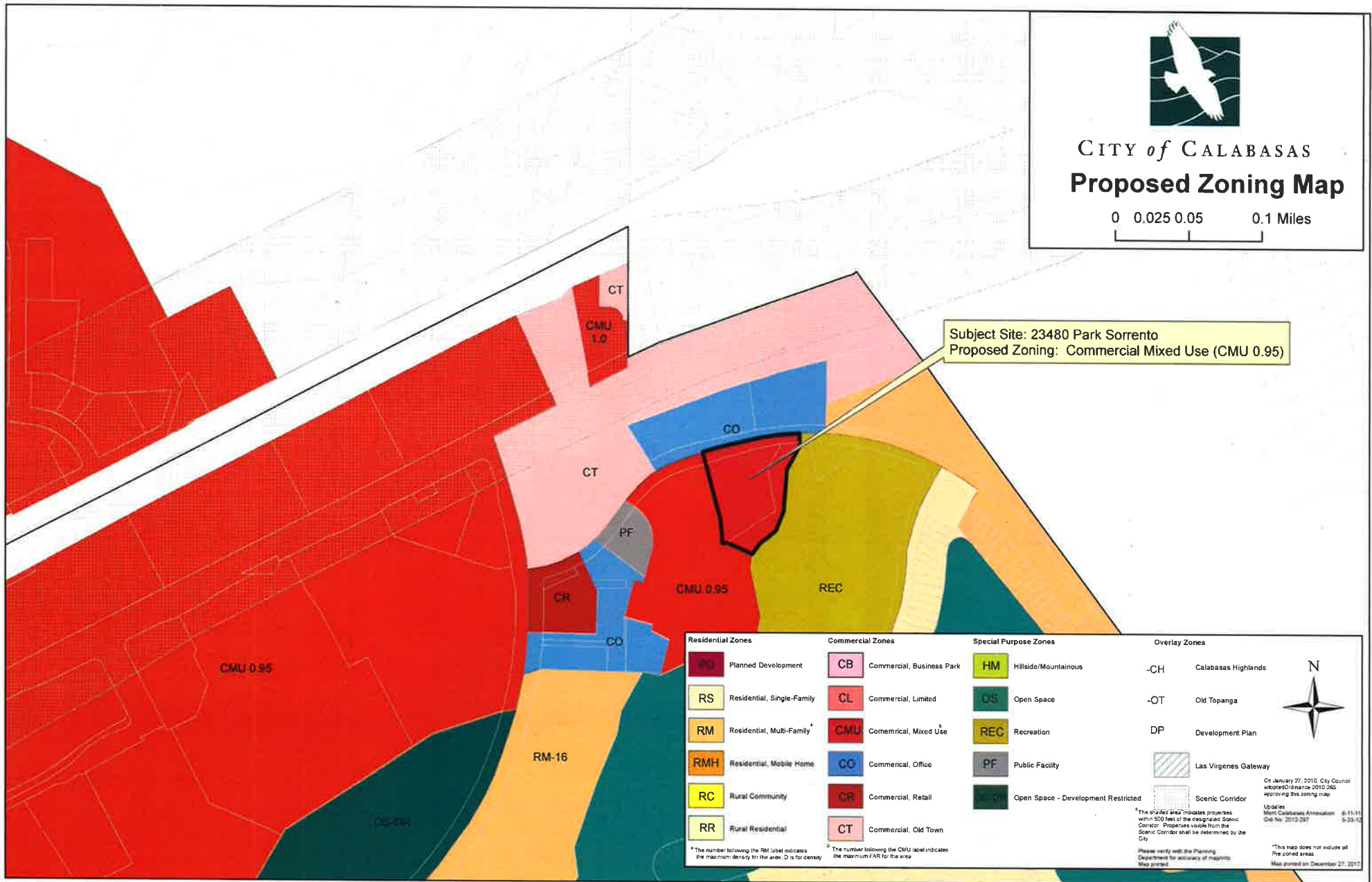
^b The number following the CMU label indicates the maximum FAR for the area.



CITY of CALABASAS Proposed Zoning Map

0 0.025 0.05 0.1 Miles

Subject Site: 23480 Park Sorrento
Proposed Zoning: Commercial Mixed Use (CMU 0.95)



Residential Zones	Commercial Zones	Special Purpose Zones	Overlay Zones
PD Planned Development	CB Commercial, Business Park	HM Hillside/Mountainous	-CH Calabasas Highlands
RS Residential, Single-Family	CL Commercial, Limited	OS Open Space	-OT Old Topanga
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RR Rural Residential	CT Commercial, Old Town		

* The number following the RM label indicates the maximum density for the area. D is for density.
 ** The number following the CMU label indicates the maximum FAR for the area.

On January 27, 2010, City Council adopted Ordinance 2010-060 approving this zoning map.
 Updates: Most Calabasas Annotations 8-11-11
 Ord. No. 2012-287 5-25-12
 *This map does not include all Pre-coded areas.
 Map printed on December 27, 2012