



CITY of CALABASAS

**PLANNING COMMISSION AGENDA REPORT**  
**SEPTEMBER 17, 2020**

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**TO:** Members of the Planning Commission

**FROM:** Teal Pacyna, Assistant Planner

**SUBJECT:** Report regarding the history and purpose of regulating pervious surface.

**RECOMMENDATION:** Receive and file the report regarding history and purpose of pervious surface regulations and guidelines.

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**STAFF RECOMMENDATION:**

Receive and file this report on pervious surface history and purpose. At this time staff recommends no further action.

**BACKGROUND:**

Planning Commission requested an overview regarding the role and application of pervious surface requirements in the City of Calabasas. Pervious surfaces allow infiltration or retention of storm water, thus minimizing surface water runoff. Pervious surfaces may include porous paving materials, landscaping, natural areas, lakes, ponds and pools. Pervious surface requirements are regulated by the City's Planning Division and Public Works Department through a combination of storm water management methods and practices.

**DISCUSSION/ANALYSIS:**

The topic of pervious surface is directly linked to the broader goal of collecting and managing storm water runoff. Proper storm water management aims to preserve public safety and protect resources by reducing runoff volume and velocity, preventing flooding and erosion, and preventing water pollution (including siltation of natural watercourses). The use of Best Management Practices (BMPs) in relation to storm water management can support the conservation of water resources by encouraging the recharge of groundwater aquifers, as well as harvesting, treating and re-using storm water for secondary purposes.

Since development typically alters the land's natural storm water collection and runoff processes, the City has adopted a set of regulations, implemented through Planning Division and Public Works Department, that contain qualitative and quantitative methods to achieve optimal storm water management in order to achieve the above stated goals. The following discussion focuses on the methods and practices implemented by both Planning and Public Works.

## 1. Planning and Zoning Code Requirements

The Planning Division mainly implements Title 17 Land Use and Development requirements, of the Calabasas Municipal Code. The two main sections in Title 17 of the Calabasas Municipal Code (CMC) that specifically address storm water management issues relate to impervious surface limitations, contained in Chapter 17.26 (Landscaping) and Section 17.20.180 (Setbacks). These two sections are divided into qualitative methods and quantitative methods.

### *a. Qualitative Methods:*

The qualitative elements of pervious surface requirements are addressed in the purpose statement of section 17.26 of the CMC. The intended purpose of the landscaping ordinance is to establish landscape regulations that enhance a development's appearance, reduce heat and glare, control erosion, retain and conserve water, screen incompatible land uses, preserve neighborhood integrity, and improve pedestrian and vehicular traffic and safety. The goals of the landscape ordinance focus on the following elements:

Enhancement of a development's appearance - this ordinance provides an opportunity for developments to use landscaping to enhance its aesthetic presentation, and also blend development with its surroundings. Property owners benefit from an increase in values created by the pleasing environment which is created.

Reduction of heat and glare - the requirements of the ordinance support removal of concrete and hard surfaces to make room for pervious surfaces.

Erosion control - landscape ordinance requirements help control erosion by allowing water absorption which slows the rate of runoff and helps to prevent scouring. A secondary benefit of landscape is that it aids in filtering pollutants from storm water runoff.

Retention and conservation – the landscape ordinance benefits water retention and conservation on-site by increasing pervious surfaces which results in groundwater infiltration and aquifer recharge. Water retention and conservation can also be

achieved by mechanical techniques including but not limited to cisterns, pools, barrels, etc.

b. Quantitative Methods:

The quantitative elements of pervious surface requirements are addressed in Chapter 17.26 and Section 17.20.180 of the CMC. These two Sections require a minimum of pervious surfaces as a percentage of the gross lot size.

<b>17.26.040</b> - Minimum Percentage of landscaping and pervious surfaces for the RS zones	
Lot size less than 14,520SqFt	50% Minimum
Lot size 14,520SqFt or more	65% Minimum

Additionally, Section 17.20.180 of the CMC requires setbacks from property lines around all structures, and is intended to provide separation between structures for physical access, natural light access, ventilation, privacy, landscaping and recreation. Section 17.20.180 of the CMC establishes a limit on allowable hardscape within the front yard setback of developed lots within the RS zoning district. "No more than 50% of the required front setback for any lot in a RS zone that contains a single-family dwelling shall be paved with asphalt, cement or any other impervious surface." (CMC 17.20.180)

2. Public Works Code Requirements

The City has an obligation to the Regional Water Quality Control Board (RWQCB) to participate in a watershed management program. The Regional Water Quality Control Board (RWQCB) issued the municipal storm water National Pollutant Discharge Elimination System (NPDES) permit to Los Angeles County, Los Angeles County Flood Control District and 84 cities which included the City of Calabasas. The permittee (the City) has an obligation to the RWQCB to participate in a watershed management program. The City of Calabasas is divided between two different watersheds, Upper Los Angeles River and Malibu Creek. As a result, the City is required to participate in two separate watershed programs. Both watersheds have a Coordinated Integrated Monitoring Program (CIMP) and an Enhanced Watershed Management Program (EWMP). Each watershed contributes to water bodies which are impaired relative to various pollutants of concern, and monitoring sites have been established to measure pollution contamination levels. Watersheds may contain multiple cities, and these jurisdictions are responsible for their contribution to storm water runoff and related water quality. The Upper Los Angeles watershed programs have 18 participating jurisdictions and Malibu Creek Watershed has 5 participating jurisdictions. Between the 23 responsible entities, every jurisdiction is accountable for their pollution contributions to downstream water bodies. As a City/NPDES permittee, Calabasas has a responsibility to mitigate storm water runoff and related pollutants of concern within the City

boundaries. The RWQCB stipulates that the best way to control contamination to storm water is at the source. Any portion of the storm water runoff that is not retained on-site must be treated to meet water quality standards established by the RWQCB. In response, Public Works has established mechanisms to ensure compliance with the RWQCB including the Low Impact Development (LID) program, a Storm Water Pollution Prevention Plan (SWPPP) as well as, a mobile car wash permitting process.

The storm water management and discharge control ordinance (CMC 8.28) establishes requirements for construction activities intended to ensure compliance with the storm water mitigation measures prescribed by the NPDES permit. This chapter clarifies the requirements of the adopted Low Impact Development (LID) Manual and the intent of the Storm Water Pollution Prevention Plan (SWPPP).

The adopted LID manual contains several storm water pollution control measures that are referred to as Best Management Practices (BMPs). Utilizing both the SWPPP and LID requirements, Public Works has established a review process on a site basis that frequently focuses on the means of managing storm water quality through BMPs. These BMPs include storm water retention, infiltration and channeling on a site by site basis as determined by the project topography, grading, and hydrology report.

Each construction project is required to develop a local Storm Water Pollution Prevention Plan (SWPPP) and a Wet Weather Erosion Control Plan (WWECP). The local SWPPP portion is implemented year-round throughout construction while the WWECP is implemented throughout the rainy season from October through April. Both plans in order to assess site conditions, identify construction activities having the potential to cause storm water pollution, and then identify the BMPs that will best suit the construction activities. The goal of both plans is to develop a plan to control erosion and sediment while taking rainfall into consideration.

To mitigate pollutants discharge a step further, the City adopted the Mobile Commercial Washing Operation Ordinance (No. 2008-251). The ordinance is intended to regulate mobile vehicle washing operations by requiring mobile car wash businesses to obtain permits from the City in order to prevent detergents and other pollutants from being discharged in to the City's storm drain systems. All permitted mobile car operators collect their waste water from the car wash operation and dispose of it at waste water discharge facility for treatment.

### **SUMMARY:**

The City's Land Use and Development Code (Title 17 of the CMC) and the Public Works water quality control measures (Title 8 of the CMC) are both influenced by pervious surface to manage storm water runoff. The RWQCB stipulates that the best way to control

contamination of storm water is at the source. Any portion of the storm water runoff that is not retained on-site must be treated to meet water quality standards established by the RWQCB. The cumulative effect of implementing requirements of Title 17 and Title 8 requirements ensure that increases in storm water volume due to development are controlled, and that excess runoff detained, treated and released in a way that is consistent with the goals of the City's Municipal Code and regulatory requirements.

**ATTACHMENTS:**

Exhibit A: Report regarding the history and purpose of regulating pervious surface - Power Point Presentation