



CITY of CALABASAS

PLANNING COMMISSION AGENDA REPORT
MARCH 4, 2021

TO: Members of the Planning Commission

FROM: Judie Gilli, Associate Planner
Jaclyn Rackerby, Assistant Planner

SUBJECT: Discussion of a Lakeside Overlay Zone to modify the development standards for uniquely configured, existing attached homes adjacent to the Calabasas Lake.

STAFF RECOMMENDATION:

That the Commission discuss a Lakeside Overlay Zone to modify the development standards for uniquely configured, existing attached homes located adjacent to the Calabasas Lake.

REVIEW AUTHORITY:

The matter for discussion involves proposed amendments to the Calabasas Municipal Code (CMC). The CMC Chapter 17.76 requires that the Planning Commission review proposed amendments to the Development Code, and make recommendations accordingly to the City Council.

BACKGROUND:

Adjacent to Calabasas Lake, there are 43 attached single-family homes, uniquely configured with shared walls. The homes are clustered in small groups; each home is located on its own separate lot, and the majority have no side setback. This area was developed in 1969, in the County of Los Angeles, with attached single-family homes with the zoning designation of RPD (Residential Planned Development).

In 1991, the City of Calabasas was incorporated, and in 1998 when the City replaced the Los Angeles County Development Code and adopted its own Development Code and standards, these homes were included in a City wide re-zoning category of Residential Single-family (RS) zoning designation. Including these properties in a general RS zone should not have occurred in hindsight, as their "legal nonconforming"

status does not even remotely resemble the typical required development standards for the RS, specifically site coverage and setbacks.

Therefore, whenever a property owner in this lakeside neighborhood proposes to demolish their existing structure and build a new house, the code nonetheless requires them to meet RS development standards, which is impractical. This forces property owners to request a variance from the development standards if they wish to re-build or add onto a home in this area. The Planning Commission has reviewed and approved five variance applications on properties in this neighborhood from 2005 to 2020, and has concurred that code amendments addressing the communities unique configuration should be explored.

To address these circumstances, Staff recommends development of an Overlay Zone to revise the development standards for homes in this area, so that property owners would not have to request nor pay for variances in order to develop a site with a new house or improvements due to the zoning designation oversight.

STAFF ANALYSIS:

A. Lakeside Overlay Discussion

The homes on Park Mirasol were originally constructed in 1969, as part of a tract townhome development with the County of Los Angeles, originally zoned RPD (Residential Planned Development). This development included 43 attached homes built along the lake, for Tract 28212. These homes were built in groupings of 5-9 residences attached by shared walls, with two end units each. These homes, although attached, are uniquely constructed in that each home can be demolished and rebuilt independently. In contrast, the townhomes along Park Sorrento, in the Las Villas HOA, were constructed as a single building with multiple units.

When the City of Calabasas incorporated, the homes located in the Lakeside Overlay area were inconsistently zoned Residential, Single-Family (RS), which is intended for detached, single-family homes, including large estate lots. Due to this zoning designation, all of the homes on Park Mirasol became legal, nonconforming because they do not comply with the required development standards for the RS zoning district, specifically site coverage and setbacks. All five previous variance applications were located within this area.

Based on the above mentioned circumstances, the Planning Commission should review and comment on the creation of a Lakeside Overlay Zone in order to develop specific standards that will address the hardships for this neighborhood. Table 1 is a summary of the homes within the potential Lakeside Overlay Zone.

Table 1: Homes within Lakeside Overlay

Street	# of Homes	Existing Zoning District
Park Mirasol	43	RS

A map of the proposed “Lakeside Overlay Zone” is attached as Exhibit A.

B. Existing Zoning and Development Regulations.

The RS (Residential, Single-Family) zone is intended for detached, single-family homes, including large lot estates, typical suburban tract developments, small detached single-family homes and similar and related uses compatible with a quiet, family living environment. The RS zoning district is consistent with the R-SF, residential single-family land use district of the General Plan. The following table shows the RS development standards.

RS Development Standards

	Setbacks					Site Coverage	Height
	Front	Side	Side Street	Rear	Between Structures		
RS Zone	20'	10'	15'	20'	10'	50% max (lots < 1/3 acre)	35 Feet

Strict application of the RS zoning standards on properties located within the affected area would require that a new home is constructed at least 10’ from each side property line, and at least 20’ from both the front and rear property lines. With existing lot widths averaging approximately 30’, it is not practical or possible to redevelop any property in compliance with side setback standards for the RS zones. For example, construction of a new home on a typical lot in this area which met all minimum setbacks and the maximum site coverage requirement would have a practical building envelope of no larger than 10’ wide by 50’ long, and therefore, would not comply with the minimum size requirement of a garage of 20’ by 20’. To this end, applications for the construction of a new home would require at least one variance request related to parking. Additionally, strict application of the setback requirements would force the building to be detached, which is incompatible with the existing attached homes in the neighborhood. Since the RS development standards are intended for detached single-family homes, it is not possible to meet the setback or site coverage requirements of the RS zone for existing attached homes within the Lakeside Overlay area.

C. Previous Variance Applications

The City has reviewed five variance applications in this area from 2005 to 2020. Four of the five variance applications have been approved by the Planning Commission. Table 3 summarizes each variance project with their decision.

Table 3: Previous Variance Applications

Address	Zone	# of Variances	Description of Variances	Decision
4637 Park Mirasol	RS	1	Side setback, to enclose existing porch	PC Approved
4645 Park Mirasol	RS	1	Site coverage, for an exterior staircase	PC Approved
4615 Park Mirasol	RS	5	Setbacks on all sides and site coverage for new residence	PC Approved
4625 Park Mirasol	RS	5	Setbacks on all sides and site coverage for new residence	PC Approved
4602 Park Mirasol	RS	4	Rear and both side setbacks, site coverage for new residence	PC Denied without Prejudice

D. Suggested Lakeside Overlay development standards:

Based on the discussion above, staff recommends that the Commission review and comment on suggested development standards for a Lakeside Overlay zone. The purpose of these standards is to address the unique circumstances of development within this neighborhood, and eliminate the need for a variance(s) for property improvements that are common to older home stock. The table below includes a comparison of existing development standards that staff recommends should be considered for modification:

Development Regulation	Current RS Standards	Suggested Standards
Floor Area (FAR)	N/A	Further investigation
Site Coverage	50% max	2,500 sq ft or 50% max, whichever is greater
Setbacks:		
Front	20 ft	20 ft or existing setback based on a survey**
Side	10 ft	0 ft for shared lot lines 5 ft for non shared lot lines on end units*
Street Side	15 ft	5 ft for non shared lot lines on end units*
Rear	20 ft	20 ft or existing setback based on a survey**
Height	35 ft	Further investigation

* End unit is defined as a property which is adjacent to commonly owned open park lots.

** Existing setback should be confirmed with a survey, prepared by a licensed engineer or surveyor.

ENVIRONMENTAL REVIEW:

This item is a discussion only and no legislative decisions, or actions are being taken; thus, this discussion is not a project under CEQA and is therefore not subject to environmental review, per California Environmental Quality Act (CEQA) Guidelines Section 15378. Moreover, planning studies are statutorily exempt from environmental review under CEQA Guidelines 15262. At such future time a selected approach would be carried forward as a rezoning effort, review for potential environmental impacts under CEQA would be accomplished as part of the process.

RECOMMENDATION:

That the Commission provide staff with direction on development of the proposed Lakeside Overlay. Specifically, staff would like the Commission's recommendation on floor area Ratio (FAR), site coverage, setbacks and height.

ATTACHMENTS:

Exhibit A: Proposed Lakeside Overlay Zone Map