

**PLANNING COMMISSION
RESOLUTION NO. 2021-718**

**A RESOLUTION OF THE PLANNING
COMMISSION OF THE CITY OF CALABASAS
RECOMMENDING TO THE CITY COUNCIL
ADOPTION OF AN ORDINANCE TO AMEND
CHAPTER 17.90 OF THE LAND USE AND
DEVELOPMENT CODE TO REVISE THE
DEFINITIONS OF PERMEABLE PAVING AND
PERVIOUS SURFACE**

Section 1. The Planning Commission has considered all of the evidence submitted into the administrative record, which includes, but is not limited to:

1. Agenda reports prepared by the Community Development Department, including the draft of Ordinance No. 2021-393.
2. Staff presentation at the public hearing held on September 2, 2021, before the Planning Commission.
3. The City of Calabasas Land Use and Development Code, General Plan, and all other applicable regulations and codes.
4. All related documents received and/or submitted at, or prior to, the public hearing.

Section 2. Based on the foregoing evidence, the Planning Commission finds that:

1. Notice of the September 2, 2021, Planning Commission public hearing was posted at Juan Bautista de Anza Park, the Calabasas Tennis and Swim Center, Gelson's market and at Calabasas City Hall.
2. Notice of the Planning Commission public hearing was published in the Enterprise newspaper.

3. Notice of the Planning Commission public hearing included the notice requirements set forth in Government Code Section 65009 (b)(2).
4. Section 17.76.050(B) of the Calabasas Municipal Code stipulates that the Planning Commission shall be the recommending body to the City Council for amendments to any part of Calabasas Municipal Code Title 17 (Land and Development Code), inclusive of Chapter 17.90.

Section 3. In view of all of the evidence and based on the foregoing findings, the Planning Commission concludes as follows:

FINDINGS

Section 17.76.050(B) of the Calabasas Municipal Code allows the Planning Commission to recommend, and the City Council to approve, a Development Code change provided that the following findings are made:

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

The proposed amendment meets this finding because it improves the ability for staff and decision making bodies to apply pervious surface standards and requirements to development proposals, in a manner that is consistent with General Plan policies in the Land Use Element and the Conservation Element, specifically policies II-8, IV-26, and IV-27. Respectively, these policies promote: retention of Calabasas' natural environmental setting; monitoring and employment of emerging technologies and techniques for minimizing water quality impacts from urban runoff; and, prevention of pollutants from running off into area waterways through use of subsurface filtration techniques.

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

The proposed amendment is not detrimental to the public interest, health, safety, convenience, or welfare of the City as the proposed amendment provides more clarity as to how to ensure infiltration when using pervious pavement by establishing a minimum standard.

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

The proposed amendment is categorically exempt from environmental review in accordance with section 15061(b)(3) of the CEQA Guidelines, General Rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The proposed amendment will not result in additional development opportunities or any foreseeable environmental impact. Furthermore, this project is exempt under CEQA Guidelines sections 15183 and 15308.


4. *The proposed amendment is internally consistent with other applicable provisions of this development code.*

The proposed amendment updates the current definitions of Pervious Surface and Permeable Pavement to provide greater understanding and clarity. Furthermore, the proposed amendment supports and improves the ability for planning staff and decision makers to apply the provisions of CMC Chapter 17.26 (Landscaping) to development projects with pervious surface elements. Lastly, the amendment does not conflict with any other provision of the Development Code. Therefore, the proposed amendment meets this finding.

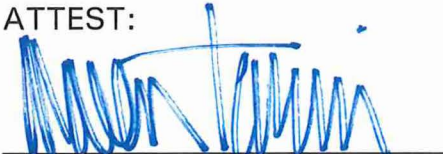
Section 4. In view of all of the evidence and based on the foregoing findings and conclusions, the Planning Commission hereby recommends to the City Council adoption of Ordinance No. 2021-393, amending Chapter 17.90 of the City of Calabasas Municipal Code.

Section 5. All documents described in Section 1 of PC Resolution No. 2021-718 are deemed incorporated by reference as set forth at length.


PLANNING COMMISSION RESOLUTION NO. 2021-718 PASSED,
APPROVED AND ADOPTED this 2nd day of September, 2021.


Wendy Fassberg
Chairperson

ATTEST:


Maureen Tamuri
Community Development Director

APPROVED AS TO FORM:


Matthew T. Summers
City Attorney

Planning Commission Resolution No. 2021-718, was adopted by the Planning Commission at a meeting held September 2, 2021, and that it was adopted by the following vote:

AYES: Chair Fassberg, Commissioners Washburn, Mueller, Lia, and Harrison

NOES: None

ABSENT: None

ABSTAINED: None

"The Secretary of the Planning Commission shall certify the adoption of this Resolution, and transmit copies of this Resolution to the applicant along with proof of mailing in the form required by law and enter a copy of this Resolution in the book of Resolutions of the Planning Commission."