



CITY of CALABASAS

## CITY COUNCIL AGENDA REPORT

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**TO:** HONORABLE MAYOR AND COUNCIL MEMBERS

**FROM:** TOM BARTLETT, AICP, CITY PLANNER  
TEAL PACYNA, ASSISTANT PLANNER

**SUBJECT:** CONSIDERATION OF ORDINANCE 2021-393, AMENDING THE CITY OF CALABASAS LAND USE AND DEVELOPMENT CODE BY STRENGTHENING THE DEFINITIONS OF PERMEABLE PAVING AND PERVIOUS SURFACE. THE PLANNING COMMISSION RECOMMENDED APPROVAL OF THE ORDINANCE TO THE CITY COUNCIL AT A PUBLIC HEARING HELD ON SEPTEMBER 2, 2021

**MEETING DATE:** OCTOBER 27, 2021

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### **STAFF RECOMMENDATION:**

Staff recommends that the City Council introduce and waive further reading of Ordinance No. 2021-393 (Attachment A), amending the City of Calabasas Land Use and Development Code by strengthening the definitions of permeable paving and pervious surface.

### **BACKGROUND:**

On September 17, 2020 staff presented an overview to the Planning Commission regarding pervious surfaces and permeable paving systems. Commissioners requested that the definition of permeable pavement be modified to better establish a minimum standard for paving systems that are intended to function as pervious surfaces.

On September 2, 2021, Staff presented a modified definition of permeable pavement utilizing engineering standards from American Society of Civil Engineers (ASCE) and American Society of Testing and Materials (ASTM) to determine design minimums for permeable pavement. Staff also presented to the Commission a corresponding proposed update to the definition of pervious surface because permeable pavement relates directly to pervious surface.

The Planning Commission reviewed the draft ordinance at a public hearing on September 2, 2021, and unanimously adopted Resolution 2021-718 (Attachment B),

recommending to the City Council adoption of the ordinance.

**STAFF ANALYSIS:**

A detailed analysis and explanation on permeable paving has been provided within the September 2, 2021, Planning Commission staff report (Attachment C). In summary, not all pavers or paving materials classified as “pervious” or “permeable” meet the City’s intended definition of pervious surface. The consequences of an incorrectly designed “permeable” paver system is that it will not permit sufficient water infiltration, and can actually increase the quantity and velocity of storm water runoff, which is contrary to the expressed purpose of the pervious surface regulation. The rewritten definition of permeable pavement eliminates the ambiguity by referencing well-established engineering standards for “pervious” or “permeable” paving systems. Below is the modified definition of **permeable paving**.

*“Permeable paving” means any paving material or paving system that permits water penetration to a soil depth of eighteen (18) inches or more. Paving systems may include combinations of nonporous surface material poured or laid in distinct and separate sections installed in combination with permeable materials (examples include crushed stone, gravel or equivalent) such that at least two-thirds of the total surface area of the system permits water penetration to a soil depth of eighteen (18) inches or more. Permeable paving systems that require drainage to the curb or direct connection to the storm drain system do not qualify as permeable paving. Engineered paving systems under this definition include interlocking concrete pavers installed to comply with the standard from the American Society of Civil Engineers (ASCE) – Standard 68-18 for Permeable Interlocking Concrete Pavement, or an equivalent standard for interlocking concrete pavers may be adopted by Resolution by the City Council. Individual paving units must have a minimum surface open area void space of 5% and a minimum in-service infiltration rate of not less than 10in/hr and complying with ASTM Standard C1781 – Standard Test Method for Surface Infiltration Rate of Permeable Unit Pavement Systems, or an equivalent standard as may be adopted by Resolution by the City Council. Alternative designs, which meet infiltration testing in accordance with ASTM Standard C1781, or an equivalent standard as may be adopted by Resolution by the City Council, may be considered subject to review and approval by the Director. Any permeable paving system must be certified by a licensed civil engineer, landscape architect, or other qualified, licensed professional, as meeting the requirements of this definition.*

In addition, to achieve sufficient internal consistency within the Land Use and Development Code, staff has also improved the definition of “pervious surface”. This

re-written definition also corrects a spelling error. Now, as revised, the definition of “pervious surface” reads as follows:

*“Pervious surface” means those portions of a property or site that allow for water penetration into the soil, to a soil depth of 18 inches or more, such as landscaped areas, natural areas, and developed hardscape areas where permeable paving has been used or which otherwise includes storm water runoff features consistent with Calabasas Municipal Code Chapter 17.26. Pervious surfaces may not be covered with structures that prevent water penetration into the soil, to a depth of at least 18 inches.*

As a result, the updated Code definition for **pervious surface** better explains which elements of a property development appropriately fall within that term; while the updated Code definition for **permeable paving** now clarifies how hardscape areas must be specified, engineered and installed to fall within, and contribute to, the overall pervious surface area for a project.

**REQUIRED FINDINGS:**

The findings required in Section 17.76.030 of the Calabasas Municipal Code for development code amendments are contained in Planning Commission Resolution 2021-718 and City Council Ordinance No. 2021-393.

**ENVIRONMENTAL REVIEW:**

This project is exempt from environmental review under CEQA, based upon Sections 15061(b)(3), 15183, and 15308 of the CEQA Guidelines for the reasons specified within the ordinance.

**REQUESTED ACTION:**

That the City Council waive further reading and introduce Ordinance No. 2021-393, amending the Calabasas Land Use and Development Code.

**ATTACHMENTS:**

- Attachment A: City Council Ordinance No. 2021–393
- Attachment B: Planning Commission Resolution No. 2021–718
- Attachment C: September 2, 2021, Planning Commission Staff Report
- Attachment D: PowerPoint Presentation