



CITY of CALABASAS

PLANNING COMMISSION AGENDA REPORT
JUNE 6, 2024

TO: Members of the Planning Commission

FROM: Tom Bartlett, AICP, City Planner

PROPOSAL: Review of the proposed City of Calabasas 2024 – 2029 Five-Fiscal-Years Capital Improvements Program to determine conformance with the policies and programs of the Calabasas 2030 General Plan.

RECOMMENDATION: That the Planning Commission determine that the 2024 – 2029 Five-Fiscal-Years Capital Improvements Program for the City of Calabasas conforms to the goals and policies of the City of Calabasas 2030 General Plan, in accordance with California Government Code sections 65401 and 65402

STAFF RECOMMENDATION:

That the Planning Commission determine the 2023/24 – 2027/28 five-year Capital Improvements Program for the City of Calabasas is consistent with the goals and policies of the City of Calabasas 2030 General Plan, as required by California Government Code sections 65401 and 65402.

REVIEW AUTHORITY:

In accordance with section 65401 of the California Government Code, a coordinated program of ensuing public works projects (e.g., a Capital Improvements Program, or CIP) shall be submitted to the city planning agency for a review and determination that the projects listed conform to the adopted General Plan. Similarly, any land acquisitions or real property dispositions by the City must be determined by the city planning agency to be conformant to the adopted General Plan (Cal. Gov. Code section 65402). The Planning Commission is the official planning agency for the City of Calabasas, and therefore plays the role of determining General Plan conformity for the City's CIP.

In addition, the General Plan itself states: "The city will continue to maintain a five-year capital improvement program that will be consistent with the goals, policies, and programs

of the General Plan. (Reference page XIII-5 within Chapter XIII, “General Plan Implementation”.)

BACKGROUND:

A capital improvement program is typically a multi-year funding plan for a governmental agency’s planned physical improvements (namely, buildings, fixed equipment and operational systems, street and sidewalk installations and extensions, and other infrastructure). A CIP does not typically include costs for operational functions, programs, and routine maintenance activities. For municipal budgeting purposes, a CIP will typically include anticipated funding sources for the listed improvements, such as grant funds, bond proceeds, impact fee revenues, General Fund monies, etc.

This report discusses the proposed coordinated five-year Capital Improvements Program (CIP) covering the fiscal years of 2024/25 through 2028/29. Listed projects included in this report were contributed by the Directors for the following city departments: Public Works and Engineering, Community Services, and Community Development. Exhibit A provides a summary list of the pertinent CIP projects (e.g., those subject to Planning Commission review), along with Planning Staff’s documentation of the applicable General Plan policies. The full CIP list is available in the draft 2024 – 2025 budget, at the following:

www.cityofcalabasas.com/home/showpublisheddocument/30784/638514685145170000

Proposed construction of only new or expanded physical infrastructure, acquisitions of land and/or structures, substantial new additions to existing structures, substantial structure rehabilitation, and similar projects warrant General Plan consistency review. General Plan consistency review is not warranted for minor improvements for existing public facilities, replacement of obsolete or failed/failing structure components, facilities, or systems, and maintenance of existing structures and facilities. Examples include: street resurfacing, landscape improvements for existing parks and rights-of-way, replacement roofing, traffic calming features, tree planting, park playground equipment replacements and upgrades, storm drain system maintenance and upgrades, concrete rehabilitation and sidewalk replacement, and equipment replacements and upgrades. The listed projects are far more substantial.

STAFF ANALYSIS:

On May 19, 2022 the Planning Commission reviewed the five-year 2022/23 – 2027/27 Capital Improvements Program (CIP) and found the CIP conformant with the goals and policies of the City of Calabasas 2030 General Plan. And on May 18, 2023 the Planning Commission reviewed the five-year 2023/24 – 2027/28 Capital Improvements Program (CIP) and found the CIP conformant with the goals and policies of the City of Calabasas

2030 General Plan. Previously reviewed CIP projects need not be re-reviewed for General Plan consistency; therefore, this report covers only new projects and those which involve new phases warranting review. The projects are listed and summarized in the attached consistency review table (Exhibit A). Based on the information provided in the consistency review table, staff has determined that the 2024/25 – 2028/29 CIP projects conform to, and are consistent with, the City's adopted General Plan because the listed projects support, promote, or implement the statements, goals, policies and programs in the General Plan.

ENVIRONMENTAL REVIEW:

For the reasons explained below, review of the CIP list by the Planning Commission does not require environmental review under the California Environmental Quality Act (CEQA) and the CEQA Guidelines.

- 1) The Planning Commission is required to review the CIP list for General Plan consistency by Gov. Code section 65401, which speaks only of proposed projects. Nothing in the Commission's review commits the City to actually going forward with any of the projects, and the Commission's review does not constitute any approval or recommendation for approval by the Commission of the individual CIP projects themselves. A project "approval" occurs only when the agency commits to a definite course of action, to include funding and authorization to initiate work (such as via a construction contract). Thus, the General Plan conformance review fails to meet the "project approval" requirement under CEQA, and no environmental impact review is required.
- 2) Furthermore, under CEQA Guidelines section 15378, organizational or administrative activities by a governmental agency that will not result in direct or indirect physical changes in the environment are exempt from CEQA. Commission review of a list of proposed projects to determine whether the projects conform to the General Plan will not result in direct or indirect physical changes in the environment. Therefore, review by the Commission of the five-year 2023/24 – 2027/28 CIP is not a project for purposes of CEQA.

RECOMMENDED COMMISSION ACTION:

Staff recommends that the Planning Commission determine that the 2024/25 – 2028/29 Five-Year Capital Improvements Program for the City of Calabasas is consistent with the goals and policies of the City of Calabasas 2030 General Plan, as required under California Government Code sections 65401 and 65402. The Commission need only accomplish a roll-call vote to make the determination (such vote to be reflected in the

meeting minutes). No written resolution is necessary.

ATTACHMENTS:

Exhibit A: Summary list of F.Y. 2024/25 – 2028/29 CIP projects, and General Plan consistency determinations.