

**P.C. RESOLUTION NO. 2024-795
[DENIAL VERSION]**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CALABASAS RECCOMENDING TO THE CITY COUNCIL THAT ORDINANCE NO. 2024-XXX TO AMEND SECTION 17.30.050 (SIGN PERMITS), SECTION 17.30.080 (ON-SITE SIGN REGULATIONS), AND A PORTION OF SUBSECTION (S) OF SECTION 17.90.020 (DEFINITIONS OF SPECIALIZED TERMS AND PHRASES) AND ADDING A NEW SECTION 17.30.065 (KIOSKS) TO TITLE 17 (LAND USE AND DEVELOPMENT) OF THE CALABASAS MUNICIPAL CODE NOT BE ADOPTED.

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 and the City Attorney.
2. The City of Calabasas Land Use and Development Code, General Plan, and all other applicable regulations and codes.
3. On June 19, 2024, the City Council directed staff to prepare a draft ordinance to allow digital kiosks with security cameras in shopping centers.
4. On July 18, 2024 and August 15, 2024, the Planning Commission discussed a preliminary draft ordinance to allow digital kiosks with security cameras in shopping centers. Following the second discussion, the Commission directed staff to return with an updated draft ordinance at a public hearing.
5. Staff presentation at the public hearing held on September 19, 2024 before the Planning Commission.
6. Public comments, both written and oral, received and/or submitted at or prior to the public hearing, supporting and/or opposing the applicant's request.

7. All related documents received and/or submitted at or prior to the public hearing.

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

1. Notice of the September 19, 2024 Planning Commission public hearing was posted at Juan de Anza Bautista Park, the Calabasas Tennis and Swim Center, the Calabasas Community Center, and at Calabasas City Hall.
2. Notice of the September 19, 2024 Planning Commission public hearing was provided to property owners of all shopping centers located in the Commercial, Retail (CR) and Commercial, Mixed-Use (CMU) zoning districts.
3. Notice of the September 19, 2024 Planning Commission public hearing was published in the *Calabasas Enterprise* newspaper at least ten (10) days prior to the hearing date.
4. Notice of Planning Commission public hearing included the notice requirements set forth in Government Code Section 65009 (b)(2).
5. A public hearing was held at the September 19, 2024 Planning Commission meeting, during which public testimony was taken.

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

FINDINGS

Section 17.76.050(B) Calabasas Municipal Code stipulates that prior to consideration by the City Council of a proposed amendment to the Development Code, the Planning Commission shall conduct a public hearing and recommend to the City Council whether to approve the proposed amendment, provided that the following findings are made:

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

2. *The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City;*
3. *The proposed amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA).*
4. *The proposed amendment is internally consistent with other applicable provisions of the Development Code.*

The Planning Commission has reviewed the draft ordinance and does not agree with the findings for approval stated therein. Therefore, the Planning Commission recommends the City Council deny this proposed ordinance, as it finds that the required findings for approval cannot be met.

Section 4. In view of all of the evidence and based on the foregoing findings and conclusions, the Planning Commission hereby does not recommend to the City Council adoption of Ordinance No. 2024-XXX, amending Section 17.30 (Signs) of the Calabasas Municipal Code.

Section 5. All documents described in Section 1 of PC Resolution No. 2024-795 are deemed incorporated by reference as set forth at length.

PLANNING COMMISSION RESOLUTION NO. 2024-795 PASSED, APPROVED AND ADOPTED this 19th day of September, 2024.

Wendy Fassberg
Chairperson

ATTEST:

Michael Klein, AICP
Community Development Director

APPROVED AS TO FORM:

Vernetra Gavin
Colantuono, Highsmith and Whatley, PC
Assistant City Attorney

Planning Commission Resolution No. 2024-795, was adopted by the Planning Commission at a regular meeting held September 19, 2024 and that it was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

“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. Section 1094.6 of the Civil Code of Procedure governs the time in which judicial review of this decision may be sought.”