



*CITY of CALABASAS*

**CITY COUNCIL AGENDA REPORT**

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**DATE: SEPTEMBER 10, 2024**

**TO: HONORABLE MAYOR AND COUNCILMEMBERS**

**FROM: MICHAEL KLEIN, COMMUNITY DEVELOPMENT DIRECTOR  
TOM BARTLETT, CITY PLANNER**

**SUBJECT: AN URGENCY ORDINANCE AMENDING URGENCY ORDINANCE NO. 2022-399U, THE WOOLSEY FIRE OVERLAY ZONING ORDINANCE, BY ADDING A PROVISION REQUIRING NEW REPLACEMENT STRUCTURES ON PROPERTIES LOCATED WITHIN THE OVERLAY ZONE TO BE COMPATIBLE IN ARCHITECTURAL DESIGN WITH STRUCTURES ON OTHER PROPERTIES IN THE VICINITY**

**MEETING**

**DATE: SEPTEMBER 25, 2024**

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**SUMMARY RECOMMENDATION:**

That the City Council adopt and approve Urgency Ordinance No. 2024 – 408U, amending Urgency Ordinance No. 2022-399U, the Woolsey Fire Overlay Zoning Ordinance, by adding a provision requiring new replacement structures on properties located within the overlay zone to be compatible in architectural design with structures on other properties in the vicinity through the application of objective neighborhood design standards. [Requires 4/5 Council vote]

**BACKGROUND:**

Between November 8 and November 10, 2018, the Woolsey Fire burned more than 96,000 acres between the Santa Susana Mountains above Simi Valley and the Pacific Coast. The Woolsey Fire destroyed 1,500 structures, damaged an additional

300 structures, threatened another 50,000 structures and caused the mandatory evacuation of more than 250,000 people throughout Ventura and LA County.

The Woolsey Fire was one of the most devastating fires in the City's history. In addition to burning thousands of acres, damaging numerous City facilities and public infrastructure, the Woolsey Fire caused significant damage to private property. Nine single-family homes were destroyed, and six other residential and non-residential structures sustained damage.

On November 28, 2018, the City Council adopted Urgency Ordinance No. 2018-372U, which created a new overlay zone for the purpose of assisting impacted property owners with rebuilding. The ordinance established a streamlined and more expedient project review process, provided for development review fee waivers, set parameters for the rebuilding of conforming structures, and set parameters for rebuilding previously legal non-conforming structures. Oak Tree Permit requirements that would otherwise have been triggered by site development were suspended for Woolsey Fire rebuilds as well.

Urgency Ordinance No. 2018-372U was succeeded by Ordinance No. 2022-399U on October 12, 2022. The new urgency ordinance maintained the substantive provisions of the original ordinance, but extended the effective time period an additional three years, from December 31, 2022 to December 31, 2025. A copy of Urgency Ordinance No. 2022-399U is included as Exhibit B. By that time, most of the properties covered by the overlay zone had already been processed for rebuilding approvals and permits; therefore, the 2022 ordinance included only the five remaining properties for which no rebuilding efforts had yet been proposed to, and reviewed by, the Department.

The Woolsey Fire Overlay Ordinance allows owners to rebuild up to 20% more square-footage than existed prior to the fire with a Zoning Clearance (ministerial permit with no public hearing), provided that the new house either fully conforms to applicable development standards or does not encroach into setbacks any more than legally existed prior to the fire. The ordinance also provides for an Administrative Plan Review (Director decision at a public hearing) for a rebuild involving 20% to 50% greater floor area than existed prior to fire, and a Site Plan Review to rebuild an additional 50% or greater amount of square footage. A Site Plan Review and/or Variance would be required if the proposed rebuild fails to meet current development standards or would increase an existing legal nonconforming aspect (see table on the following page).

<b>Summary of Woolsey Fire Rebuild Permitting Process</b>		
<b>Status of the Original Structure</b>	<b>Rebuild Type / Description</b>	<b>Permit Required</b>
Conforming	Same footprint as original / previous structure	Zoning Clearance
	Varies from original configuration, but otherwise complies with the CMC development standards and does not increase the building area by more than 20%	Zoning Clearance
	Varies from original configuration, but otherwise complies with the CMC development standards and does not increase the building area by more than 20%-50%	Administrative Plan Review
	Varies from original configuration, but otherwise complies with the CMC development standards but increases the building area by more than 50%	Site Plan Review
	Does not comply with CMC standards	Site Plan Review and Variance
Legal Nonconforming	Same footprint as previous	Zoning Clearance
	Varies from original configuration, but otherwise complies with the CMC development standards	Zoning Clearance
	Varies from original configuration, but otherwise complies with the CMC development standards, except for the previously existing legal nonconforming aspect, and does not increase the building area by more than 20%	Zoning Clearance
	Varies from original configuration, but otherwise complies with the CMC development standards, except for the previously existing legal nonconforming aspect, and does not increase the building area by more than 50%	Administrative Plan Review
	Varies from original configuration, but otherwise complies with the CMC development standards, except for the previously existing legal nonconforming	Site Plan Review

	aspect, but increases the building square-footage by more than 50%	
	Does not comply with CMC standards and increases an existing legal nonconforming aspect	Site Plan Review and Variance

As is the case for all other provisions of the Land Use and Development Code (Title 17 of the CMC), the Woolsey Fire Overlay Ordinance does not distinguish between different types of property ownership status or occupancy (e.g., renter-occupied or owner-occupied). Consequently, a change in ownership for any property included in the overlay zone would not affect the property owner’s rights and responsibilities under the two overlay ordinances.

Status of the Overlay Zone Properties Today

Fifteen properties were included in the original overlay zone. Below is a summary of the status for each property as of the date of this report.

<b>Property Address</b>	<b>Land Use</b>	<b>Re-Build Status</b>
26187 Adamor Road	S F Residential	Completed
26197 Adamor Road	S F Residential	Under Const.
27005 Eward Drive	S F Residential	Completed
5415 Parkmor Road	S F Residential	Completed
5421 Parkmor Road	S F Residential	Approved*
5427 Parkmor Road	S F Residential	Has Permits
5433 Parkmor Road	S F Residential	Completed
5444 Parkmor Road	S F Residential	Completed
5450 Parkmor Road	S F Residential	No Application
5456 Parkmor Road	S F Residential	Completed
5460 Parkmor Road	S F Residential	Approved*
26557 Agoura Road	Comm. (hotel)	Completed
4919 Las Virgenes Road	Comm. (Accessory)	Completed
4929B Las Virgenes Road	Commercial	Completed
5922 Las Virgenes Rd. (#s 555 & 565)	Multi-Fam. Res.	Completed

*\* Zoning approval obtained; construction permits pending*

From the above list, only one property now remains for which planning entitlements have not been issued to rebuild – 5450 Parkmor Road (highlighted in the table).

## Planning Commission Recommendation

On March 21, 2024, the Planning Commission discussed the potential merits of amending the Woolsey Fire Overlay Zoning Ordinance. The Commission concluded that the sunset date of December 31, 2025 need not be extended, but that a provision should be added to require neighborhood compatibility regarding architectural design. The proposed ordinance now before the City Council includes language to this effect - see the second paragraph on page two of the Ordinance (Attachment A).

### **REQUESTED ACTION:**

That the City Council adopt and approve Urgency Ordinance No. 2024-408U, amending Urgency Ordinance No. 2022-399U, the Woolsey Fire Overlay Zoning Ordinance, by adding a provision requiring new replacement structures on properties located within the overlay zone to be compatible in architectural design with structures on other properties in the vicinity through the application of objective neighborhood design standards.

### **ATTACHMENTS:**

- A. Urgency Ordinance No. 2024-408U
- B. Urgency Ordinance No. 2022-399U