

TABLE 1. PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS

	USE, SERVICE OR FACILITY	COMMERCIAL					BUSINESS PARK	
		CS	CRS	CR	CN	CS-MU	BP-OR	BP-M
	Unless otherwise indicated, listings denote retail sales operations							
A.								
1.	Addressing and mailing service	B	B		<u>B</u>	<u>B</u>	X	X
2.	Advertising business office						X	X
3.	Alarm and warning systems sales and services	X	X		<u>X</u>	<u>X</u>		
3.5.4.	Alcoholic beverage establishments, off-sale	W	W	W	<u>W</u>	<u>W</u>	W	W
3.6.5.	Alcoholic beverage establishments, on-sale	W	W	W	<u>W</u>	<u>W</u>	W	W
4.6.	Ambulance service		K					K
5.7.	Animal hospital/veterinarian		X					X
6.8.	Antique store	X	X		<u>X</u>	<u>X</u>		
7.9.	Appliance store	X	X		<u>X</u>	<u>X</u>		
8.10.	Appliance repair shop	X	X		<u>X</u>	<u>X</u>		X
9.11.	Arcade, electronic, mechanical, video games, or internet arcade	K	K	K	<u>K</u>	<u>K</u>		
10.12.	Armored car service	X	X		<u>X</u>	<u>X</u>		X
11.13.	Art gallery	X	X		<u>X</u>	<u>X</u>		
12.4.	Art studio	X	X		<u>X</u>	<u>X</u>		X
13.15.	Assembly, light manufacturing							X
14.16.	Athletic equipment and sporting goods store	X	X		<u>X</u>	<u>X</u>		
15.17.	Auto sales; new and used		J					K
16.18.	Auto rental or lease agency	J	J		<u>J</u>	<u>J</u>		J, U
17.19.	Auto wholesaler, office-only (no on-site storage of vehicles)		X				X	
2.10.8.	Auto service station, primary	X	X		<u>X</u>	<u>X</u>	K, U	X
19.2.1.	Auto, minor service, repair, replacement							
	a. Automatic transmission	C	X		<u>C</u>	<u>C</u>		X
	b. Auto tire sales, service	C	X		<u>C</u>	<u>C</u>		X
	c. Auto seat covers, reupholstery shop	C	X		<u>C</u>	<u>C</u>		X
	d. Auto battery and ignition	C	X		<u>C</u>	<u>C</u>		X
	e. Auto radio, stereo, CB	X	X		<u>X</u>	<u>X</u>		X
	f. Auto radiator replacement, service		X					X
	g. Auto muffler, replacement, service		X					X
	h. Auto electric (starter-generator) replacement, service	C	X		<u>C</u>	<u>C</u>		X
	i. Auto brake replacement, service	C	X		<u>C</u>	<u>C</u>		C
	j. Auto minor repair, services, adjustment	C	X		<u>C</u>	<u>C</u>		C
	k. Auto trailer hitch installation	C	X		<u>C</u>	<u>C</u>		C
	l. Auto diagnosis and tune-up	C	X		<u>C</u>	<u>C</u>		X
	m. Auto detailing (servicing and cleaning for resale)	C	X		<u>C</u>	<u>C</u>		X
	n. Auto glass installation and sales	C	X		<u>C</u>	<u>C</u>		X
20.2.2.	Auto, major							
	a. Auto, major repair							C
	b. Auto, transmission rebuild							C
	c. Auto, radiators rebuild							C
	d. Auto, starter-generator rebuild							C
	e. Auto, body repair							C

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f.	Auto, paint shop							C
g.	Auto, machine shop							C
2123.	Auto storage, antique		J					X
2224.	Auto parts and accessory store	X	X		X	X		X
2325.	Auto wash, self-service or automatic		X					X
(Ord. No. 207 S. 1, 4-8-92; Ord. No. 229, S. 1, 5-26-93; Ord. No. 04-325, S. 1, 8-25-2004)								
B.								
1.	Bakery/pastry shop	X	X		X	X		
2.	Bakery, wholesale							X
3.	<u>Banks and financial institutions</u>	X	X		X	X	X	X
34.	Bar/tavern	W	W		W	W	U	W
45.	Bath house/sauna, Turkish, steam			G			G, U	G
56.	Barbershop	X	X		X	X	E, U	X
67.	Beverage bottling works							X
78.	Bicycle sale, rent, service		I					
89.	Blueprinting/photostating service	X	X		X	X	X	X
910.	Boat sale, rent, service		I					
1011.	Boat parts and accessory store	D	D		D	D		D
1112.	Bookstore	X	X		X	X	U	X
1213.	Bookstore, adult	Q	Q		Q	Q	Q, U	Q
1314.	Building trades contractors office		X				X	X
1415.	Building trades service yard		I					I
1516.	Building material and lumber sales	C	I, J		I, J	C		I, J
16.	Business school	X	X				U	X
1717.	Butcher and meat market	X	X		X	X		
1818.	Butcher, wholesale, excluding slaughterhouse							X
(Ord. No. 09-362, S. 2, 7-8-09)								
C.								
1.	Cabinet shop		J					J
2.	Reserved	X	X				U	X
2.	Candy store	X	X		X	X	U	X
3.	Cemeteries, crematories and columbarium and related facilities			K				
4.	Certified farmer's market	K	K		K	K		
5.	Child care center	Y	Y		Y	Y	U	X
6.	Church/temple	K	K	K	K	K	K, U	K
7.	Clinic, child, family guidance	X	X		X	X	X	X
8.	Clinic, physical therapy	X	X		X	X	X	X
9.	Clothing and apparel store	X	X		X	X	G, U	G
10.	Coffee shop	X	X		X	X	U	X
11.	Coin operated amusement machine, incidental to a permitted use	X	X	X	X	X	X	X
12.	Coin operated dispense, collection of vending machines	X	X	X	X	X	X	X
13.	Community center/citizens improvement center	X	X	X	X	X	X	X
14.	Cold storage food locker		X					X

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	Unless otherwise indicated, listings denote retail sales operations							
15.	Computer programming/software and system design	X	X		<u>X</u>	<u>X</u>	X	X
16.	Computer sales, rental, lease, and service, and training	X	X		<u>X</u>	<u>X</u>	X	X
17.	Condominium, commercial	X	X		<u>X</u>	<u>X</u>	X	X
18.	Convenience store/neighborhood market	X	X		<u>X</u>	<u>X</u>		K
19.	Costume shop, sale and rent	X	X		<u>X</u>	<u>X</u>		
20.	Curio/novelty shop	X	X		<u>X</u>	<u>X</u>	G, U	G
(Ord. No. 173, S. 1, 8-22-90; Ord. No. 07-343, S. 2, 2-28-2007; Ord. No. 09-362, S. 2, 7-9-09)								
D.								
1.	Dance hall, ballroom, discotheque	K	K	K	<u>K</u>	<u>K</u>	G, U	G
2.	Dancing as an incidental use in a bar or restaurant	K	K	K	<u>K</u>	<u>K</u>	U	X
3.	Data processing service							X
4.	Delicatessen	X	X		<u>X</u>	<u>X</u>	U	X
5.	Delivery service						X	X
6.	Disinfecting/fumigating service							X
7.	Daytime dog care, including overnight care							DD
8.	Drafting service, including incidental printing and white printing	X	X	X	<u>X</u>	<u>X</u>	X	X
9.	Dressmaker	X	X		<u>X</u>	<u>X</u>	G, U	G
10.	Drive-in caferestaurant	X	X		<u>X</u>	<u>X</u>		
11.	Drive-in dairy, excluding creamery	X	X		<u>X</u>	<u>X</u>		
12.	Drive-in food market	X	X		<u>X</u>	<u>X</u>		
13.	Driving school	J	J		<u>J</u>	<u>J</u>	J, U	J
14.	Drugstore	X	X		<u>X</u>	<u>X</u>	E, U	J
(Ord. No. 09-361, S. 2, 5-26-09)								
E.								
1.	Electronic equipment store	X	X		<u>X</u>	<u>X</u>		X
2.	Electronic, mechanical, video games	X	X	G	<u>X</u>	<u>X</u>		X
3.	Equipment rental agency		J					J
4.	Emergency shelters	K	EE		<u>K</u>	<u>K</u>		
45.	Eye glasses and frames, and contact lens sales and service	X	X		<u>X</u>	<u>X</u>	E, U	
(Ord. No. 240, S. 12, 9-8-93)								
F.								
1.	Film studio, motion picture							<u>X</u>
12.	Floor covering, drapery or upholstery store	X	X		<u>X</u>	<u>X</u>		X
23.	Florist	X	X		<u>X</u>	<u>X</u>	E, G, U	E, G
34.	Food market ancillary to service station	K	K		<u>K</u>	<u>K</u>	K	K
45.	FortunetellingFortune telling	H	H		<u>H</u>	<u>H</u>		
56.	Funeral establishment							X
67.	Furniture store	X	X		<u>X</u>	<u>X</u>		X
78.	Furniture cleaning, refinishing or reupholstery shop		X					X
89.	Furniture rental agency	X	X		<u>X</u>	<u>X</u>		X
(Ord. No. 07-343, S. 12, 2-28-2007)								

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G.								
1.	Garden equipment and tool sales	X	X		<u>X</u>	<u>X</u>		X
2.	Gardening/landscaping service yard and workshop		J					J
3.	Gardening/landscaping supply store	J	J		<u>J</u>	<u>J</u>		J
4.	Gift/card shop	X	X		<u>X</u>	<u>X</u>	E, G, U	X
5.	Golf, full range			X			G, U	G
6.	Grinding/sharpening service		X					X
7.	Grooming service, such as poodle <u>dog grooming</u>	X	X		<u>X</u>	<u>X</u>		X
8.	Gun shop/gunsmith		X					
(Ord. No. 229, S. 1, 5-26-93)								
H.								
1.	Hardware store	X	X		<u>X</u>	<u>X</u>		
2.	Hay, seed, and grain store		X					J
3.	Hearing aids sales and service	X	X		<u>X</u>	<u>X</u>	U	X
4.	Hospital						U	K
5.	Hotel		K	X			U	K
6.	Hotel, restaurant equipment sales		X					X
7.	Hotel, single room occupancy						K, U	
8.	Household moving and storage service							X
I.								
1.	Interior decorator's office	X	X		<u>X</u>	<u>X</u>	X	X
2.	Interior decorator's service yard and workshop		J					J
3.	Internet cafe	X	X		<u>X</u>	<u>X</u>	U	
(Ord. No. 04-325, S.1, 8-25-2004)								
J.								
1.	Janitor service		X				X	X
2.	Jewelry store, sales, repair	X	X		<u>X</u>	<u>X</u>	G, U	G-
L.								
1.	Labor union temple center		X					X
2.	Laboratory, medical, dental or optical		X				E, U	X
3.	Laboratory, research, analysis							X
4.	Laboratory, materials testing							X
5.	Lapidary shop	X	X		<u>X</u>	<u>X</u>		
6.	Laundromat, self-service	X	X		<u>X</u>	<u>X</u>		
7.	Laundry or cleaning agency, retail (on-site cleaning permitted)	X	X		<u>X</u>	<u>X</u>	G, U	G
<del>8.</del>	<del>Live entertainment</del>	<del>F</del>	<del>F</del>	<del>K</del>			<del>T, U</del>	<del>F</del>
<del>9.</del>	<del>Live entertainment, adult</del>	<del>Q</del>	<del>Q</del>				<del>Q, U</del>	<del>Q</del>
108.	Laundry or cleaning pickup station	X	X		<u>X</u>	<u>X</u>		X
119.	Laundry or cleaning plant, wholesale facility							X
1210.	Lawn mower engine and garden power tool repair	D	X		<u>D</u>	<u>D</u>		D
1311.	Library	S	S		<u>S</u>	<u>S</u>	S	S
1412.	Liquor store	W	W		<u>W</u>	<u>W</u>	W	W
13.	Live entertainment	<u>I</u>	<u>I</u>	<u>K</u>	<u>I</u>	<u>I</u>	<u>T, U</u>	<u>I</u>

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14.	Live entertainment, adult	Q	Q		Q	Q	Q, U	Q
1515.	Live theater	K	K		K	K	Y, U	
16.16	Live theater, adult	Q	Q		Q	Q	Q, U	Q
8.	Live entertainment	T	T	K			T, U	T
9.	Live entertainment, adult	Q	Q				Q, U	Q
1717.	Locksmith/key and lock	X	X		X	X	U	X
1818.	Lodge/fraternal hall	M	M		M	M		MA
1919.	Lumber and building material sales	A	J		A	A		J
(Ord. No. 09-362, S. 2, 7-8-09)								
M.								
1.	Machine shop		J					X
2.	Mail order business, retail outlet	X	X		X	X		X
3.	Massage parlor/establishment	Q	Q		Q	Q	Q, U	Q
4.	Messenger service	X	X		X	X	X	X
5.	Military surplus store	X	X		X	X		X
6.	Motion picture theater	K	K		K	K	K, U	K
7.	Motion picture theater, adult	Q	Q		Q	Q	Q, U	Q
8.	Motel		K				K, U	K
9.	Motion picture filming, temporary	H	H	H	H	H	H	H
10.	Motorcycle, sports cycles, trail bikes, jet skis, snowmobile and moped sales and rent, service, repair and dismantling	D	D		D	D		D
11.	Moving and storage service							X
121.	Museum	X	X	X	X	X	X	X
1213.	Music store, including music sales and instrument sales and repair	X	X		X	X		
N.								
1.	Newspaper, magazine, book printing plant							X
2.	Newspaper/magazine stand	X	X		X	X	E, G	E, G
3.	Nursery, plants	J	J		J	J		J
O.								
1.	Office, business or professional	X	X		X	X	X	X
2.	Office, collection, counseling, personnel	X	X		X	X	X	X
3.	Office, bank, savings and loan, finance, loan, credit union	X	X				X	X
43.	Office, insurance	X	X		X	X	X	X
54.	Office, medical or dental	X	X		X	X	X	X
65.	Office, public relations or advertising	X	X		X	X	X	X
76.	Office, real estate	X	X		X	X	X	
87.	Office accountants, bookkeepers	X	X		X	X	X	X
98.	Office machines and equipment sales	X	X		X	X	X	X
109.	Ornamental rock sales and related storage		J					
(Ord. No. 130, S. 5, 7-29-87; Ord. No. 207, S. 2, 4-8-92)								
P.								
1.	Paint and wallpaper store	X	X		X	X		X

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2.	Pest control service							I
3.	Pet store, no kennel	X	X		X	X		
4.	Photocopy service	X	X		X	X	E	X
5.	Photographic supply/camera store	X	X		X	X		X
6.	Photographic processing plant, wholesale facility							X
7.	Photographic studio, including incidental processing	X	X		X	X	X	X
8.	Physical fitness studio <u>club</u>	X	X	X	X	X	K	X
9.	Picture framing shop	X	X		X	X		X
10.	Pool table sale and repair service	X	X		X	X		X
11.	Portable swimming pool supply sales	J	J		J	J		J
12.	Power tool sales, repair	C	X		C	C		X
13.	Prescription pharmacy	X	X		X	X	E, U	
14.	Printing plant							X
15.	Print shop	X	X		X	X		X
16.	Psychiatric facility, outpatient	K			K		K, U	K
17.								
1817.	Public and government uses within privately owned buildings, facilities, grounds	S	S		S	S	S	S
1918.	Public utility and public service							
	a. Wireless telecommunications facilities						K, BB	K
	b. Other	K	K	K	K	K	K, U	K
(Ord. No. 252, S. 1, 6-28-95; Ord. No. 07-343, S. 2, 2-28-2007)								
R.								
1.	Record store	X	X					X
21.	Recreation facility, indoor	X	X	K	X	X	K, U	K
3.	(Effective until 5/22/99)							
	Recreation facility, outdoor		AA	AA			G, U	G
	a. Miniature golf.							
	Incidental and compatible outdoor recreational uses, such as batting cages, boats and miniature cars, may be permitted, along with the miniature golf use is such uses are part of an integrated entertainment center.*							
3.	(Effective as of 5/22/99)							
2.	Recreation facility, outdoor			AA			G, U	G
	a. Miniature golf.							
	Incidental and compatible outdoor recreational uses, such as batting cages, boats and miniature cars, may be permitted, along with the miniature golf use is such uses are part of an integrated entertainment center.							
	b. Batting cage facility, primary use.		AA, CC					

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(Ord. No. 97-269, S. 1, 3-5-97; Ord. No. 97-274U, S. 4, 4-16-97; Ord. No. 98-271, S. 1, 4-22-98; Ord. No. 00-305, S. 1, 1-10-2001)								
43.	Recreation vehicle storage		V					
54.	Recycling center	J, K	J, K		J, K	J, K		J, K
65.	Remote teller, for pedestrian use	B	B		B	B	B	B
76.	Research and development						E	X
87.	Residence of a caretaker, proprietor or owner of a permitted use		M					
98.	Resorts			X			K, U	X
109.	Restaurant/cafe	X	X	X	X	X	X, U	X
1110.	Retail store	X	X		X	X		
1211.	Residential care facility of the elderly		K				K	
(Ord. No. 203, S. 2, 9-25-91; Ord. No. 229, S. 1, 5-26-93; Ord. No. 99-299, S. 2, 11-17-99)								
S.								
1.	Saddlery shop	X	X		X	X		
2.	Sanitarium <u>Salon, hair, nails</u>	X	X		X	X	E, UK, U	XK
3.	School, business	X	X		X	X	U	X
4.	School, charm, culture, <u>modeling, acting</u>	X	X		X	X	U	X
5.	School, college and university	K	K		K	K	K, U	K
6.	School, private K-6						K	
7.	<u>School, private high school</u>							K
78.	School, trade	X	X		X	X	U	X
89.	School, self-defense, judo, boxing, gymnastics <u>School, vocational</u>	X	X	X	X	X	U	X
910.	Shoe repair shop	X	X		X	X	E, U	X
1011.	Shoe shine parlorestablishment	X	X		X	X	E, G, U	E, G
1112.	Shoe store	X	X		X	X		
1213.	<u>Snack shops, ice cream, frozen yogurt, coffee, juiceoda fountain/ice cream parlor</u>	X	X	X	X	X	E, U	
1314.	Sporting goods and athletic equipment store	X	X	X	X	X		
1415.	Stamp/coin store	X	X		X	X		
1516.	Stationery store	X	X		X	X	E, U	X
16.	Stenographic service	X	X				X	X
17.17.	Storage building, mini		V					V
18.18.	Storage and warehouse uses:							
	a. Wholesaling and warehousing							V
19.19.	Studio; <u>voice, music, gymnastics</u>	X	X	X	X	X		
20.20.	Studio, dance, yoga	X	X	X	X	X	K	K
21.21.	<u>Studio, martial arts, gymnastics</u>	X	X	X	X	X	U	X
22.22.	Studio; <u>radio, television, recording- office only</u>	X	X		X	X	X	X
23.23.	Supermarket/food store	X			X	X		
24.24.	Swimming pool, spa – sales and service	D	J		D	D		
(Ord. No. 174, 8-22-90)								
T.								
1.	Tailor	X	X		X	X	G, U	G

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2.	Taxicab service and storage facility		J					
3.	Taxidermist		X					K
4.	Telegraph office	X	X				X	X
54.	Telephone answering service	X	X		X	X	X	X
65.	Television and radio sales	X	X		X	X		
76.	Television and radio repair shop	A	X		A	A		X
87.	Temporary uses	R	R	R	R	R	R, U	R
98.	Ticket agency	X	X		X	X	E, G, U	G
109.	Tobacco shop	X	X		X	X	E, G, U	G
1110.	Tool reconditioning		J					J
1211.	Towing service, office only		X				K	K
1312.	Toy store	X	X		X	X		
1413.	Travel trailer/mobile home, motor home, camper sales, rent, storage		V					
1514.	Travel trailer, mobile home, camper, motor home, repair or service		V					
1615.	Travel agency	X	X		X	X	U	X
1716.	Tree service		J					
1817.	Trophy/emblem store	X	X		X	X		
1918.	Truck sale or rent		J					
U.								
1.	Utility trailer rental, service, sales	J				J		
2.	Utility trailer or truck, rent or storage as ancillary to service stations						J, U	J
V.								
1.	Veterinarian/animal hospital		K					X
W.								
1.	Welding shop							J
2.	Watches, sale, repair	X	X		X	X	E, G, U	G
3.	Wholesale distributor's service							J
4.	Wholesale store		X					X
5.	Wig sales and service	X	X		X	X		
6.	Winery sales facility/tasting room	W	W		W	W		W

(Ord. No. 170, S. 1, 5-9-90; Ord. No. 227, S. 1, 3-24-93)

**9312.3. - Special conditions.**

The following special conditions apply to the uses indicated by the corresponding letter in table I described in section 9312.2:

A.

Permitted as an incidental sales operation in conjunction with a permitted retail sales use provided the entire sales operation takes place within a completely enclosed building.



B.

Permitted as an incidental service function intended to satisfy the normal operating needs of a permitted retail use on the property. An independent servicing facility oriented toward generating its trade from the general public is not permitted in this zone.

C.

Permitted as an incidental service in conjunction with a permitted retail sales or automobile service station operation provided all adjustments and installations are conducted completely within an enclosed building. Permitted as the principal use of the premises subject to issuance of a conditional use permit.

D.

Sale, installation and serving are permitted provided the use is conducted completely within an enclosed building. The reconditioning of used merchandise for resale is permitted as an incidental use. Reconditioning of used merchandise for resale as the principal use of the premises is permitted subject to issuance of a conditional use permit.

E.

Permitted as an incidental service in an office complex. The primary entrance to such facility shall be from within a main building or from an interior court.

F.

Permitted only if specific approval is granted by the planning commission. Such approval may specify location, time period, hours, lighting, parking and related conditions of operation.

G.

Permitted as an incidental service in a hotel or motel physician fitness complex.

H.

Permitted subject to special permit procedures under other provisions of the Municipal Code.

I.

Permitted provided storage is within an enclosed building.

J.

Permitted if the entire operation, including parking and storage of vehicles used in connection with the operation, is conducted within a completely enclosed building or within a walled area on the buildable area of the lot, pursuant to the outdoor display and storage provisions of chapter 6.

K.

Permitted subject to the issuance of a conditional use permit by the planning commission.

L.

Permitted subject to issuance of a conditional use permit by the planning commission and provided a valid dancing license is obtained.

M.

Permitted subject to issuance of a conditional use permit by the zoning administrator.

N.

Signs and other structures may be placed in the required yards and other open spaces, provided they meet all development standards provided by chapter 6.

O.

Permitted as an ancillary use to an automobile service station subject to issuance of a conditional use permit by the planning commission.

P.

Permitted subject to issuance of a conditional use permit by the planning commission; and further provided that only one (1) concrete mixer with a capacity of one (1) cubic yard or less may be located on the premises.

Q.

Such use is permitted by a conditional use permit subject to the required finding as stated in section 9673.7 being made.

R.

Permitted subject to the issuance of a temporary use permit by the zoning administrator.

S.

All government-and publicly owned and/or operated uses within privately owned buildings, facilities, and property will be regulated as provided for in this Code for the proposed use as if it were a permitted private use.

T.

Permitted in bars and restaurants which are licensed to serve alcoholic beverages subject to the issuance of a conditional use permit by the planning commission.

U.

A permitted use in the BP-OR only west of Palo Comado Canyon Road.

V.

Permitted subject to conditional use permit from the planning commission if the following conditions are met:

1.

No similar use is within five thousand (5,000) feet of the subject parcel, or within six hundred sixty (660) feet of the free-way right-of-way;

2.

Only within an enclosed building;

3.

Must be for more than five (5) vehicles.

W.

Such use is permitted by a conditional use permit subject to the required findings as stated in sections 9363.3 and 9673.8 being made. Off-sale alcoholic beverage establishments prohibited in the FC overlay district, except wholesale sales, and except supermarket/food stores with a floor area greater than 10,000 square feet.

X.

Planter boxes, retainer walls, foundations and ponds may be placed in yard area provided they are permanent parts of the overall landscaping development.

Y.

No sign or other advertising device shall be attached to lighting standards or fixtures. Lighting shall be arranged so as not to produce a glare on other properties in the vicinity and the source of light shall not be visible from adjacent property or a public street.

Z.

Service station pump islands, including display or incidental petroleum products may not be placed in required yards.

AA.

Permitted subject to issuance of a conditional use permit by the planning commission, pursuant to the provisions of chapter 3, standards for specific uses.

**BB.**

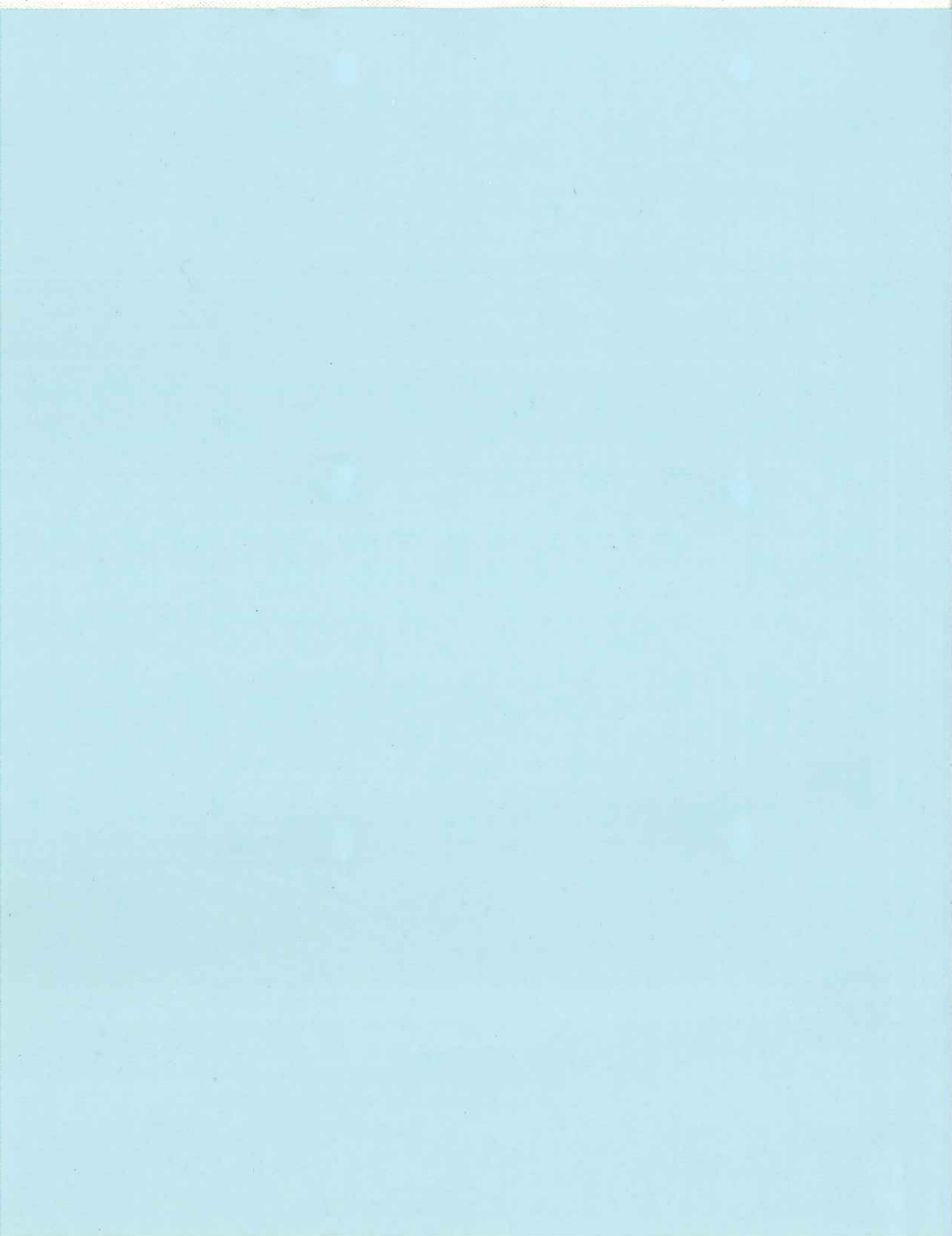
A permitted use in the BP-OR zone west of Palo Comado Canyon Road, and in the BP-OR zone east of Palo Comado Canyon Road on properties which front on Dorothy Drive.

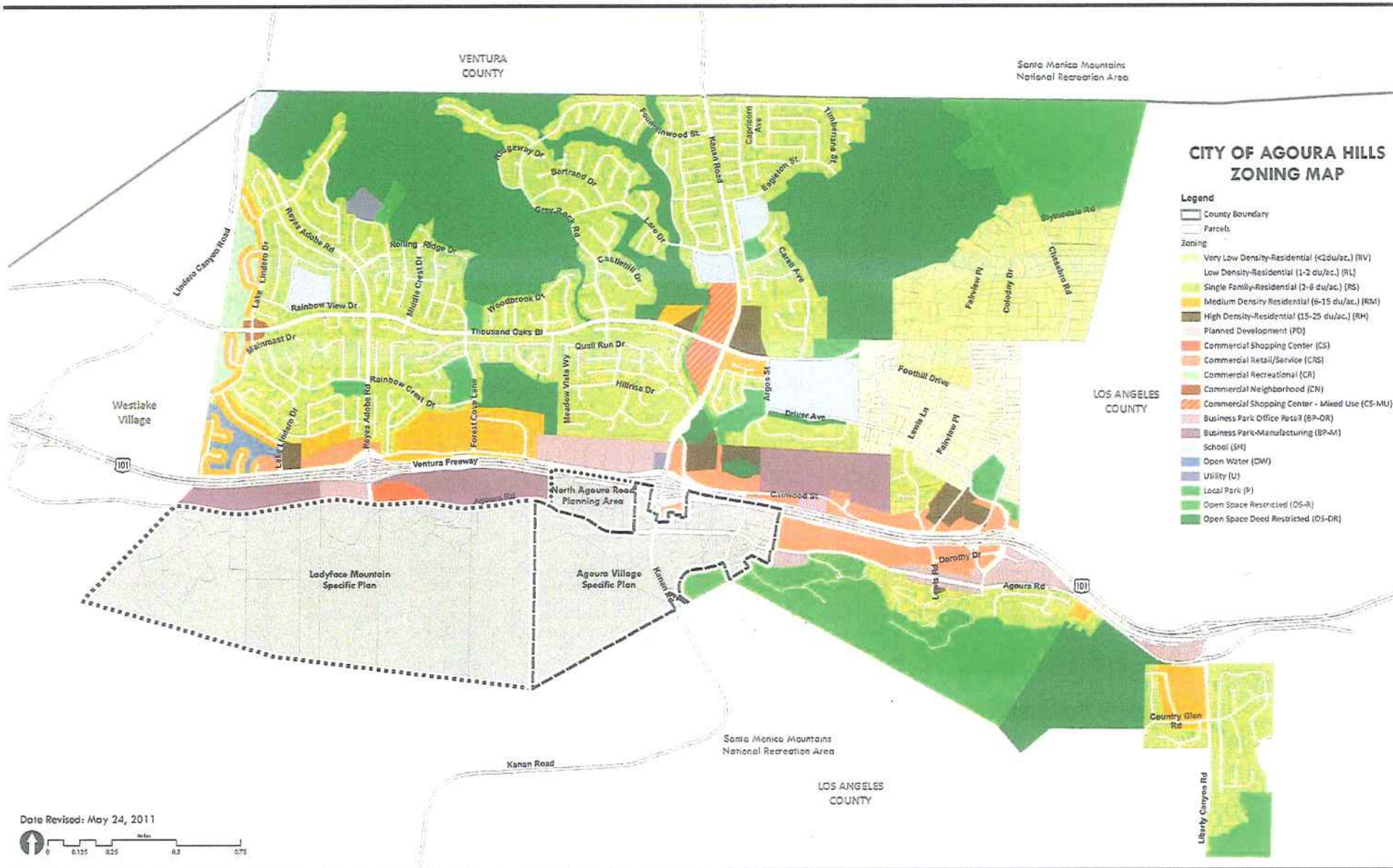
**CC.**

A permitted use in the CRS-FC-OA zone west of Lewis Place, east of Cornell Road, north of Agoura Road and south of Roadside Drive.

**DD.**

A permitted use in the BP-M zone for parcels located south of the 101 Freeway, subject to the issuance of a conditional use permit by the planning commission.





VENTURA COUNTY

Santa Monica Mountains National Recreation Area

### CITY OF AGOURA HILLS ZONING MAP

- Legend**
- County Boundary
  - Parcels
  - Zoning**
    - Very Low Density-Residential (<2 du/ac.) (RV)
    - Low Density-Residential (1-2 du/ac.) (RL)
    - Single Family-Residential (2-6 du/ac.) (RS)
    - Medium Density Residential (6-15 du/ac.) (RM)
    - High Density Residential (15-25 du/ac.) (RH)
    - Planned Development (PD)
    - Commercial Shopping Center (CS)
    - Commercial Retail/Service (CRS)
    - Commercial Recreational (CR)
    - Commercial Neighborhood (CN)
    - Commercial Shopping Center - Mixed Use (CS-MU)
    - Business Park Office/ Retail (BP-OR)
    - Business Park-Manufacturing (BP-M)
    - School (SH)
    - Open Water (OW)
    - Utility (U)
    - Local Park (P)
    - Open Space Restricted (OS-R)
    - Open Space Deed Restricted (OS-DR)

Westlake Village

LOS ANGELES COUNTY

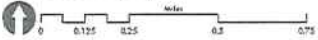
Ladyface Mountain Specific Plan

Agoura Village Specific Plan

Santa Monica Mountains National Recreation Area

LOS ANGELES COUNTY

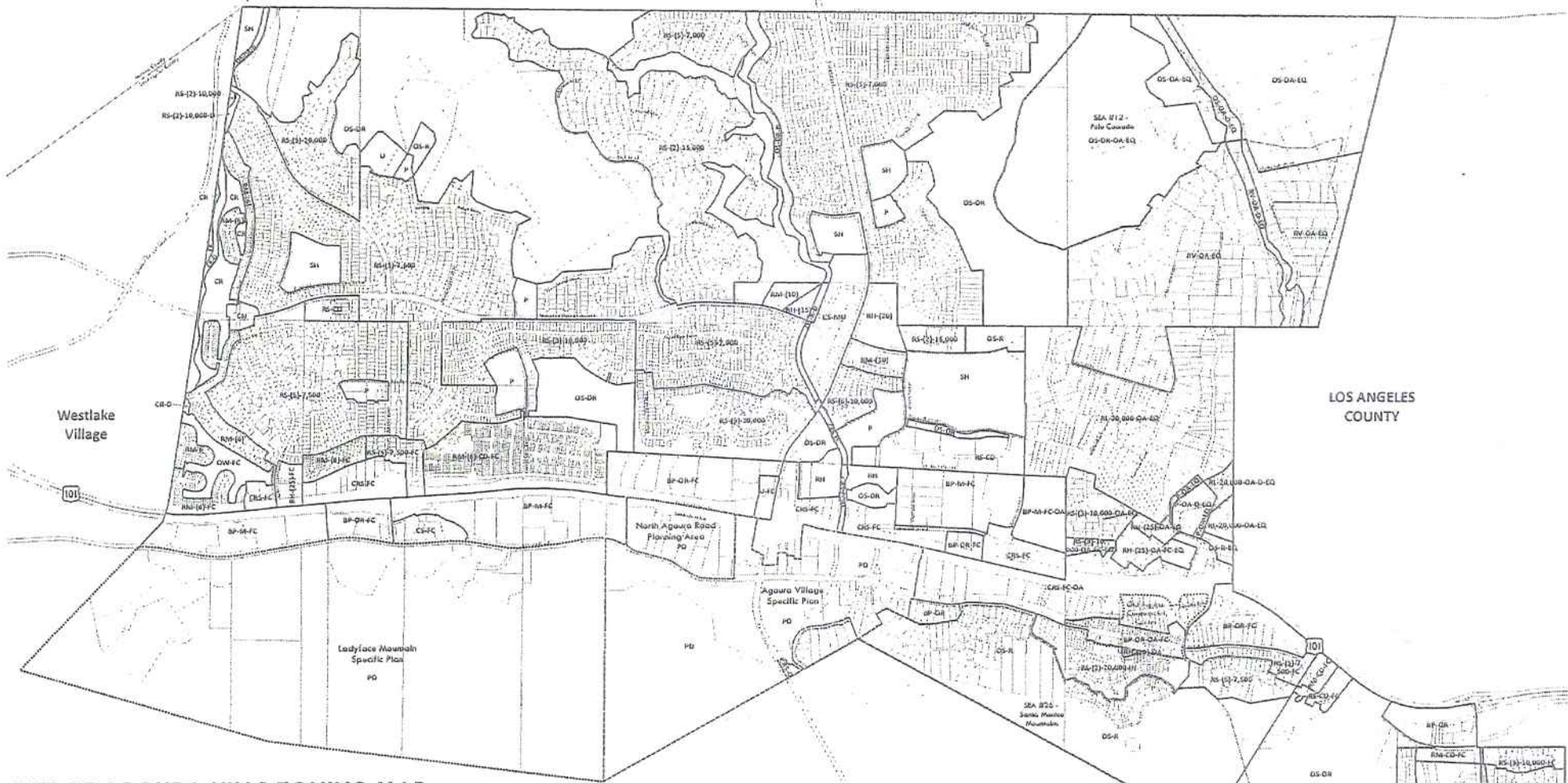
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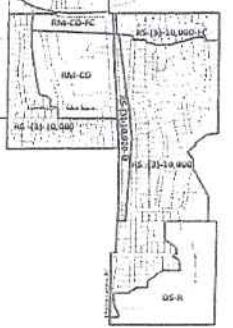
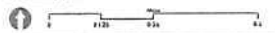
VENTURA COUNTY

Santa Monica Mountains National Recreation Area



### CITY OF AGOURA HILLS ZONING MAP

- Description of Basic Districts**
- RV - Very Low Density Residential
  - RL - Low Density Residential
  - RS - Single Family Residential
  - RM - Medium Density Residential
  - RH - High Density Residential
  - CR - Commercial Neighborhood
  - CS - Commercial Shopping Center
  - CBS - Commercial Road Service
  - CA-MU - Commercial Shopping Center-Mixed Use
  - CO - Commercial Recreation
  - BP-OR - Business Park-Office Retail
  - BP-M - Business Park-Manufacturing
- Description of Special Districts**
- P - Local Park
  - PD - Planned Development
  - SH - School
  - U - Utility
  - OW - Open Water
  - OS-R - Open Space - Reforest
  - OS-DR - Open Space-Divid Basins
- Description of Overlay Districts**
- O - Cottage Way, Foodplaza, Watercourse
  - FC - Freeway Corridor
  - OA - Old Agoura Overlay
  - US - Urban Hill Design
  - CU - Cluster Development
  - GD - Gopewash
- Other Additive Symbols**
- SEA (Significant Ecological Area) #12 - Pala Couada
  - SEA (Significant Ecological Area) #26 - Santa Monica Mountains
  - Old Agoura Commercial Center
- The numerical value in brackets when affixed to the RL, RS, RM, and BP districts indicates the density per acre, i.e. 10,000 sq ft medium lot size, four units per gross acre.**
- The numerical value after the basic residential district (RL, RS, RM, and BP) indicates the minimum lot size permitted, i.e. RS-10,000 means Single Family Residential 10,000 sq ft minimum lot size.**



Santa Monica Mountains National Recreation Area

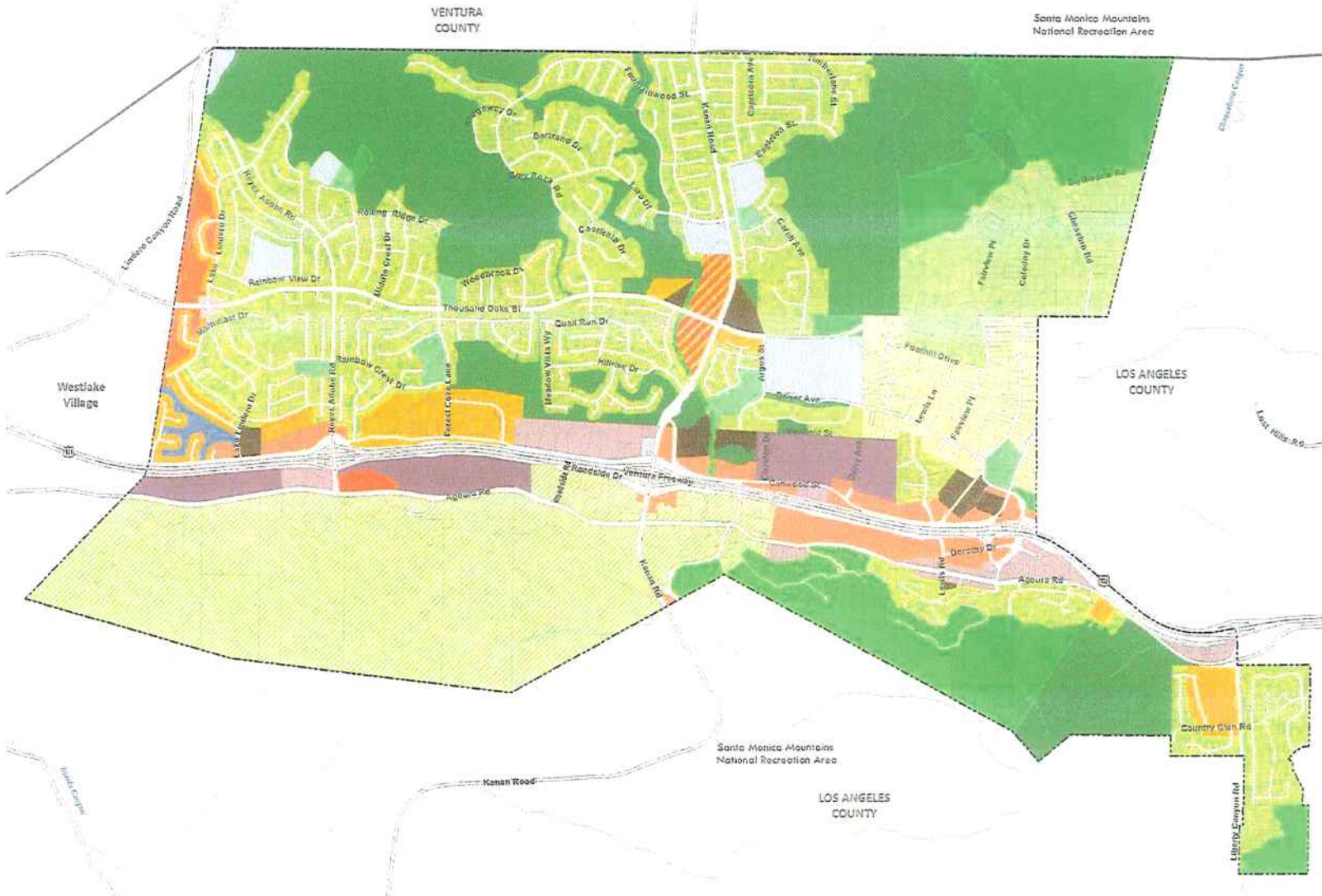
LOS ANGELES COUNTY





**CITY of AGOURA HILLS**  
General Plan Update

**LAND USE**  
**DIAGRAM**



**Legend**

- Residential Very Low Density (0.2-1.0 du/ac) (RV)
- Residential Low Density (1-2 du/ac) (RL)
- Residential Single Family (2-4 du/ac) (RS)
- Residential Medium Density (6-15 du/ac) (RM)
- Residential High Density (15-25 du/ac) (RH)
- Commercial Neighborhood Center (CN)
- Commercial Shopping Center (CS)
- Commercial Shopping Center/ Mixed Use (CS-MU)
- Commercial Retail Service (CRS)
- Commercial Recreation (CR)
- Business Park - Office Retail (BP-OR)
- Business Park-Manufacturing (BP-M)
- Planned Development District (PD)
- Public Facility (PF)
- Local Park (P)
- Open Space - Restricted (OS-R)
- Open Space - Deed Restricted (OS-DR)
- City Limits
- County Boundary
- Streams
- Open Water

Source: City of Agoura Hills, May 2011  
D21377\_Agoura\_Hills\_GPLU\_Update.mxd  
Date Revised: June 1, 2011







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DEPARTMENT OF PLANNING AND  
COMMUNITY DEVELOPMENT

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ACTION DATE: June 16, 2011

TO: Planning Commission

APPLICANT: City of Agoura Hills  
30001 Ladyface Court  
Agoura Hills, CA 91301

CASE NO.: 11-ZOA-003

LOCATION: Citywide

REQUEST: Request for a recommendation to the City Council to adopt an ordinance amending Article IX of the Municipal Code (Zoning Ordinance) to implement the City of Agoura Hills General Plan 2035 to: 1) Create the following new zoning districts: CS-MU (Commercial Shopping Center/Mixed Use); PD (Planned Development); CN (Commercial Neighborhood Center); OS-R (Open Space-Restricted); and OS-DR (Open Space-Deed Restricted); 2) Amend development standards of the following districts: CR (Commercial Recreation); CRS (Commercial Retail Service); CS (Commercial Shopping Center); BP-OR (Business Park-Office Retail); BP-M (Business Park-Manufacturing); and OA (Old Agoura Design Overlay); 3) Amend the Commercial Use Table; and 4) Delete districts no longer in use and update the Zoning Map. The ordinance also includes corrections of typographical errors within the Zoning Ordinance, and the incorporation of previous Planning Commission interpretations of the Zoning Ordinance.

ENVIRONMENTAL DETERMINATION: The proposed Ordinance is consistent with the Agoura Hills General Plan 2035 Final Environmental Impact Report, certified by the City Council on March 24, 2010.

RECOMMENDATION: Staff recommends the Planning Commission provide comments on the first phase of the draft Ordinance presentation.

## **I. BACKGROUND AND PURPOSE**

The purpose of the General Plan Implementation Measures Ordinance (Ordinance) is to accomplish the most important administrative items of the General Plan Implementation Program, adopted by the City Council and later prioritized by the City Council. In February 2010, the Planning Commission considered the General Plan 2035, along with the Final Environmental Impact Report (EIR), and recommended that the City Council adopt the General Plan and certify the EIR. Part of this recommendation included the adoption of the General Plan Implementation Program (Chapter 6 of the General Plan). When the City Council then adopted the General Plan 2035 on March 24, 2010, it also adopted the Implementation Program. The Implementation Program consists of measures to be undertaken to accomplish the goals and policies of the General Plan, and a general timeframe for accomplishing the implementation measures. The measures bring the theory of the General Plan into practice. Some implementation measures are qualitative in nature, while others are more quantitative.

Staff would like to present the Ordinance in three steps. While staff's presentation and the Planning Commission's review will occur over three meetings, this staff report is a comprehensive report that covers all the General Plan implementation measures in the proposed Ordinance. The first component of the Ordinance will be presented on June 16, 2011 at a noticed public hearing. The implementation measures to be reviewed by the Planning Commission at that meeting will include the most comprehensive implementation measures, and resulting in the following Zoning Ordinance changes:

- Amending the Business Park-Office (BP-OR) district and the Business Park-Manufacturing (BP-M) district to require minimization of the visual dominance of parking areas, and to include aspects of promoting pedestrian safety and amenities.
- Amending the Commercial Shopping Center (CS) district to incorporate aspects of promoting pedestrian safety and amenities.
- Creating the new Commercial Shopping Center/Mixed Use (CS-MU) district and development standards.
- Creating the new Planned Development (PD) district and development standards.
- Amending the Commercial Recreation (CR) district to allow only those uses that protect and complement the area's open space characteristics.
- Creating the new Commercial Neighborhood (CN) district and development standards.

- Amending the Old Agoura Design Overlay (OA) district to differentiate Subarea 11 of the General Plan from the remaining commercial areas of the district.
- Amending the Open Space (OS) district to distinguish the new Open Space-Restricted (OS-R) district and Open Space-Deed Restricted (OS-DR) district.
- Updating the Zoning Map and General Plan Land Use Diagram to be consistent with one another.
- Amending the Commercial Use Table to add two (2) new commercial zones (CN and CS-MU) and making a number of “clean-up” changes to the table.

On July 21, 2011, staff would like to present to the Planning Commission the following “housekeeping” components of the Ordinance:

- Deleting from the Zoning Ordinance text, districts that are no longer in use, and all references to those districts. The obsolete districts include the following:

*Base Districts*

Residential, Rural (RR)  
Residential, Medium High Density (RMH)  
Mixed Use Commercial/Residential (CM)

*Special Districts*

Park Regional (PR) Future  
Government Office (G)  
Open Space (OS)  
Specific Plan (SP)

- Deleting/correcting typographical errors within the Zoning Ordinance.
- Incorporating into the text of the Zoning Ordinance various zoning interpretations that have been made by the Planning Commission over the years, including:
  - Clarifying how building height is measured.
  - Allowing “recording studio” as an allowed use.
  - Allowing “film studio” as an allowed use.
  - Defining “concave lot” and associated provisions in the Hillside Ordinance.
  - Clarifying how the Floor to Area ratio is calculated in the Hillside Ordinance.

- Updating the City Architectural Design Standards and Guidelines for consistency with the General Plan.
- Any other items for which the Planning Commission would like staff to provide information.

Each review of the Ordinance will be conducted in a public hearing. It is staff's desire to receive comments and direction from the Planning Commission on the issues being presented at each meeting. In August, staff will present a final, comprehensive version of the draft ordinance. At that time, the Planning Commission will be asked to provide a recommendation to the City for final action on the Ordinance.

## II. IMPLEMENTATION MEASURES - PRIORITIZING

Upon adoption of the General Plan, staff coordinated with the City Council Subcommittee on the General Plan regarding prioritizing the implementation measures. A memorandum was subsequently provided to the City Council summarizing the priorities recommended by the Subcommittee. These priorities were then distributed to the Planning Commission on November 4, 2010. Attachment 1 is the priority table established by the City Council Subcommittee (Table 1 – General Plan Implementation Measures - ADMINISTRATIVE ITEMS TO COMPLETE IN 2010).

Some of the implementation measures, which had separate state deadlines for completing, have already been addressed by staff, including incorporating green building standards in the City Building Code (Implementation Measure U-50), and updating the City's water efficiency landscape ordinance per state requirements (Implementation Measure NR-19). This Ordinance, then, addresses the remainder of the first phase of implementation measures outlined in Table 1. These include "housekeeping" items that will ensure that the Zoning Ordinance and Zoning Map are consistent with the General Plan, as required by state law, and which are legally necessary to implement the General Plan. This Ordinance carries out measures identified primarily in the Land Use and Community Form Element of the General Plan. However, since that Element and the Mobility Element are intrinsically linked, especially regarding pedestrian amenities, some of the measures also implement some of the goals and policies of the Mobility Element.

In Table 1, Implementation Measure LU-1 calls for updating the Municipal Code, Zoning Map, and any applicable guidelines to be consistent with the policies and diagrams of the General Plan with regard to land use designations and standards. The remaining items in Table 1 accomplish this measure. Additionally, staff has made minor changes ("clean-up") to the Zoning Code to ensure this consistency; these changes, which have been noted above in Section I, include correcting typographical errors; removing small sections of text that are no longer applicable; removing districts no longer in use; and codifying Planning Commission interpretations.

The General Plan has a total of 235 implementation measures to be completed in the near-term, mid-term, long-term, annually, and on an ongoing basis. The implementation measures in Table 1 (Attachment 1), and which are addressed here for the Planning Commission's consideration, are near-term measures and recommended for action by 2011. The City Council is expected to prioritize implementation measures annually, so that each year some of the measures are carried out, eventually leading to the complete accomplishment of the Implementation Program.

It is important to note that the amendments to the Zoning Ordinance described in this report (with the exception of "clean up" items) are strictly directives from the General Plan, and their timing has been confirmed by the City Council (via implementation measure prioritization). The General Plan preparation process was extensive and many land use and development related topics were discussed and vetted. What emerged in the Implementation Program of the General Plan was the overall consensus of the General Plan Advisory Committee, staff and the public, and ultimately recommended for approval by the Planning Commission and adopted by the City Council. The General Plan Implementation Measures Ordinance, then, is a follow-up task to carry out a portion of the General Plan.

### **III. IMPLEMENTATION MEASURES – PROPOSED ZONING ORDINANCE AMENDMENTS**

The following segments of the report describe the changes proposed to the Zoning Ordinance and Zoning Map. Each segment identifies the particular implementation measure number and topic and Zoning Code section (e.g., 9341), followed by the text of the implementation measure, and a discussion of the changes, followed by staff's recommendation. Then, the actual revisions are shown in "strikeout-underline" mode in Attachment 7.

While the Ordinance is presented and attached in its entirety for reference purposes, for the June 16, 2011 Planning Commission meeting, staff is requesting the Planning Commission comments on strictly the proposed Zoning Ordinance text changes for the following General Plan Implementation Measures. Staff is requesting that the Planning Commission consider the Ordinance changes, and make a recommendation to the City Council for its consideration. The recommendations and comments of the Planning Commission will be conveyed to the City Council, including differing opinions; therefore, it is not necessary for the Planning Commission to reach consensus on each item. Because the following paragraphs reference specific items in the General Plan, it would be helpful to review this report along with a copy of the General Plan.

A. **Implementation Measure LU-31 (BP-OR and BP-M Districts) (Ordinance Sections 24-33; Zoning Sections 9371 to 9383.7)**

Implementation Measure LU-31 states as follows: *“The City shall adopt new Zoning Ordinance and/or guideline provisions that require business park and industrial park uses in the Business Park-Office Retail (BP-OR) and Business Park-Manufacturing (BP-M) districts to minimize the visual dominance of parking areas and to include aspects of promoting pedestrian activity. The provisions shall also encourage incorporation of retail service uses along the periphery of any parking structures that are proposed, as appropriate.”*

Staff Comments

This implementation measure addresses the following Policies in the General Plan relative to this implementation measure: LU-13.2 regarding high quality architectural and landscape design; LU-13.4 which promotes pedestrian activity; LU-16.1 regarding site planning to promote a campus environment with safe and convenient walking; LU-22.2 regarding cohesive site design; and M-7.2 regarding pedestrian connectivity.

Implementation Measure LU-31 incorporates the above Policies, as well as the Goals behind each of the Policies, into the zoning ordinance regarding BP-OR and BP-M zones through recognition of the opportunity for additional visual improvements to reduce visual prominence of parking lots in industrial and office complexes, and to enhance walkability and pedestrian friendliness, and opportunities to provide new commercial support uses, such as restaurants, that would serve the user of the industrial and office parks. Limited retail uses are currently allowed in the BP-OR and BP-M zones. Thus, this Implementation Measure does not change the permitted uses, nor does it change the parking requirements, but will restate that retail uses are permitted, and that such retail uses help in reducing the visual mass of parking lots, and provides nearby opportunities for workers to dine.

At many existing industrial and office parks, the parking lot is the predominant feature of the development. This Implementation Measure will refocus attention on aesthetics and good site planning while reducing the vehicular-dominant views and promoting pedestrian atmosphere and safety values. The revisions to the BP-OR and BP-M zoning districts include changes to the purpose section to encourage a campus themes with an emphasize on pedestrian connections; the permitted use sections to allow for related retails and restaurant uses; and changes to the development standards, landscaping, and access sections to ensure compatibility between adjacent uses and quality site design.



Recommendation

Staff recommends that the proposed language in section 9371 to 9383.7 be incorporated into the text of the zoning ordinance (reference ordinance section 24-33) and that Planning Commissioners advise staff of any other comments to convey to the City Council.

**B. Implementation Measure LU-32 (CS District) (Ordinance Sections 14-16; Zoning Ordinance Sections 9321 to 9323.9)**

Implementation Measure LU-32 states as follows: *“The City shall amend the Commercial Shopping Center (CS) district in the Zoning Ordinance and/or guidelines to incorporate aspects of promoting pedestrian activity.”*

Staff Comments

This implementation measure addresses the following goals and policies in the General Plan: Goal LU-13 to provide retail centers and corridors that are well-designed and attractive and that provide a positive experience for visitors and residents, as well as foster business activity; Policy LU-13.2 to provide quality architecture and site design; Goal LU-27 pertaining to community serving shopping centers, which is to improve the economic vitality of the centers and reposition them as a focal point of neighborhood identify, activity and socializing; Policy LU-27.1 to promote development improvements, such as pedestrian amenities; Policy LU-27.4 to provide streetscape improvements and inter-connectivity between shopping centers; Goal M-7 to promote and support walking; Policy M-7.2 to enhance pedestrian connectivity; and Policy M-7.3 to improve the pedestrian experience through enhancements.

The revisions to the Commercial Shopping Center (CS) district text consist of additions to the “purpose” section (Section 9321) to emphasize pedestrian amenities in the shopping centers that will provide a positive experience for visitors and to enhance business activity; pedestrian connections within the center and from the center to adjoining areas; and the importance of high quality design. A new section, “Required amenities,” (Section 9323.8) has been added to stipulate the pedestrian requirements for pathways and seating and gathering areas. Items pertaining to specific design elements of the district, such as the design of pedestrian pathways, are not incorporated into the CS district text, but are proposed for inclusion in the City’s Architectural Design Standards and Guidelines which will be presented to the Planning Commission at the July 21 meeting.

In addition to pedestrian improvements, the General Plan addresses other items pertaining to the CS district in the goals and policies of the Land Use and Community Form Element and the Mobility Element, such as landscaping, bike storage, and compatibility with residential neighborhoods. These items have no specific implementation measures, but are generally addressed in other areas of the Zoning Code. To further capture the intent of these other items and reinforce them specifically in the CS district, additional text is proposed.

Language has been added to the required landscaping section to indicate that landscaping shall be used to minimize the visual dominance of parking lots and to prevent a "heat island" effect. The requirement for bike racks or other public bike storage is specifically included in the text as well. Lastly, additional text to ensure that the shopping centers continue to be compatible with adjacent residential neighborhoods through screening of certain activities, enhanced architectural treatments, and low intensity lighting, is proposed (Section 9323.9).

#### Recommendation

Staff recommends that the proposed language in Sections 9321 to 9323.9 be incorporated into the text of the zoning ordinance (reference ordinance section 14-16) and that Planning Commissioners advise staff of any other comments to convey to the City Council.

#### **C. Implementation Measure LU-34 (CS-MU District) (Ordinance Section Sections 20-21; Zoning Ordinance Sections 9341 to 9343.12)**

Implementation Measure LU-34 states as follows: *"The City shall amend the Zoning Ordinance and Zoning Map, consistent with Figure LU-2, to create a new district, Commercial Shopping Center-Mixed Use (CS-MU), and establish standards for this district, which shall include those of the CS district, as revised, as well as standards for allowable density and the provision of housing. The district shall allow limited development of ancillary multi-family housing on the upper floors of buildings containing ground floor retail or office uses, providing the project incorporates all requirements of the CS district, as revised, as well as provides recreational and other resident-serving amenities; ensures compatibility between residential and non-residential uses in terms of design, safety, noise and privacy, including separate parking facilities for the residential uses. For existing retail shopping center uses proposing to add residential units, the existing buildings shall be required to conduct façade and other improvements to improve architectural design, and the site shall be brought up to all standards of the CS district."*

Staff Comments

This implementation measure establishes a new district, Commercial Shopping Center-Mixed Use (CS-MU). It carries out the following General Plan goals and policies: Goal LU-14 to create well-designed mixed-use districts that actively engage and enhance pedestrian activity; Policy LU-14.1 for planned development of mixed-use districts; Goal LU-27 pertaining specifically to the commercial shopping centers at Kanan Road and Thousand Oaks Boulevard to improve the economic vitality of the existing commercial shopping centers and re-positioning them as a focal point of neighborhood identity, activity and socialization; Policy LU-27.2 to encourage the renovation of the existing shopping centers by allowing limited multi-family housing on the upper floors of buildings containing ground floor retail and office uses, contingent upon the development of residential-serving amenities; Goal M-2 to create a transportation system that serves all modes of travel and meets the needs of all users; and, related to that goal, Policy M-2.3 to encourage desired land use patterns, such as mixed-use walkable developments, through transportation planning and design; Goal ED-1 to create a strong and sustainable economic base, and related to that, Policy ED-1.3 to target retail opportunities to reduce sales tax leakage from the community.

All of the standards and provisions of the CS district (as revised, noted above) apply and so are repeated here in the new district text (Sections 9343.1 – 9343.5), along with additional standards and provisions for the option of developing multi-family residential units as part of a mixed use development. The “Purpose” discussion of the text emphasizes pedestrian amenities, and describes the type of residential use that could be established and under what conditions it would be allowed (Section 9343.6). For example, existing shopping centers could only add residential units if the center completes a substantial remodel, renovation or redevelopment that improves the architecture and site design of the center. One of the reasons for allowing residential mixed use developments in this district is to provide an incentive to property owners to improve the design of their properties.

The specific requirements and standards pertaining to the residential multi-family use are outlined in several sections of the CS-MU district text. They include: residential uses must be ancillary to the commercial uses; a conditional use permit is required for the approval of residential units; the units must be apartments located on the upper floors of buildings containing ground floor retail or office uses; residential serving recreation and other amenities must be provided; residential and non-residential uses must be compatible and seamlessly integrated architecturally; and there must be separate and secured residential parking.

The CS-MU district is Subarea 8 of the General Plan, and encompasses three existing shopping centers (Twin Oaks, Agoura City Mall, Agoura Meadows) along Kanan Road

near Thousand Oaks Boulevard, and no other properties. Within two of the three centers, there are multiple parcel owners. In the General Plan, this area is referred to as Subarea 8. The General Plan assumed a maximum development of 44 multi-family dwelling units in Subarea 8, and potential impacts in the General Plan Environmental Impact Report (EIR) were calculated with that assumption. As such, the allowed density for this district was calculated so that no more than 44 dwellings units would be permitted. The allowed density, therefore, is 1.75 dwelling units per acre. To provide flexibility in the development of the units, and to encourage the development of cohesively planned complexes of multi-family units, a transfer of development credits may be allowed. The requirements and provisions of such a transfer are outlined in the text (Section 9343.8). An example of a possible transfer may be that an owner of a small parcel with a limited residential density allowance may "sell" the residential credit to a larger parcel owner wishing to create several apartments as part of a single complex. Without the ability to transfer credits, the likelihood of residential development occurring in the CS-MU is reduced; the number of units allowed to be developed per each parcel would most often be too small to create a unified residential complex.

#### Recommendation

The CS-MU district text replaces in its entirety the Mixed Use Commercial/Residential District (CM) text, which is proposed to be deleted. The latter district is no longer being used, and no properties are zoned CM. Staff recommends that the proposed language in Sections 9341 to 9343.12 be incorporated into the text of the zoning ordinance (reference ordinance sections 20-21) and that Planning Commissioners advise staff of any other comments to convey to the City Council.

#### **D. Implementation Measure LU-36 (PD District) (Ordinance Section 47; Zoning Ordinance Sections 9496 to 9499)**

Implementation Measure LU-36 states as follows: *"The City shall amend the Zoning Ordinance and Zoning Map, in accordance with Figure LU-2, to create a Planned Development (PD) district and establish standards for this district, which shall require the preparation of a specific plan, master plan, design guidelines or other regulatory document to ensure cohesive and integrated development, and incorporate provisions for mixed use development and promote pedestrian activity."*

#### Staff Comments

This measure implements numerous goals and policies of the General Plan. The most pertinent are: Goal LU-17 to achieve cohesive and integrated districts; Goal LU-24 for mixed-use centers; Goal M-7 to promote and support walking in the community; Goal M-

11 to ensure parking is convenient and efficient; Policy LU-17.1 that sets out site development standards; Policy LU-17.3 ensuring a high quality architectural mixed-use development; Policy M-7.2 to preserve and enhance pedestrian activity; and Policy M-7.4 to encourage mixed-use, walkable developments.

While this new district carries out the above noted goals and policies, the text changes to the Zoning Ordinance are limited. The reason for this is that the new Planned Development (PD) district is simply a name change for the current Specific Plan (SP) district. "Planned Development" is the more appropriate term for a zone in which the properties fall under a specific plan or other similar regulatory document that establishes more particular development and design standards than can be achieved in the Zoning Ordinance alone. Like the SP district, the PD district that replaces it refers one to the particular specific plan or similar document for a particular area. There are two SP areas in the City currently: Agoura Village Specific Plan and Ladyface Mountain Specific Plan. Upon approval of the General Plan, a third area of planned development was established, Subarea 5 (North Agoura Road Planning Area), bound on the north by Roadside Drive, on the south by Agoura Road, on the west by the County Animal Shelter, and on the east by the Kanan Village Center (within the Agoura Village Specific Plan area). This particular subarea is shown as "North Agoura Road Planning Area" in the new Zoning Map (see Attachment 3). All three areas will become PD districts. The aforementioned goals and policies are already embodied, or would be created (in the case of Subarea 5), in the individual specific plans/other regulatory documents for the three areas.

The text changes also reflect that a specific plan or other regulatory document has not yet been prepared for Subarea 5. In the mean time, the Business Park-Manufacturing (BP-M) zone applies and a CUP is required for any new development or addition so that proposed developments can be evaluated in light of the General Plan goals and policies until more particular development and design standards are created. The General Plan intent for this subarea is to create a mixed-use planned development. This intent is reflected specifically in Goal LU-24 and the subsequent policies LU-24.1 through LU-24.6 of the General Plan.

#### Recommendation

Staff recommends that the proposed language in Sections 9496 to 9499 be incorporated into the text of the zoning ordinance (reference ordinance section 47) and that Planning Commissioners advise staff of any other comments to convey to the City Council.

E. Implementation Measure LU-39 (CR District) (Ordinance Sections 22-23; Zoning Ordinance Sections 9351 to 9353)

Implementation Measure LU-39 states as follows: *“The City shall amend the Commercial Recreation (CR) district in the Zoning Ordinance to allow only those uses that protect and complement the area’s open space character, such as active or passive open space, golf course or other non-intensive commercial recreation use. Ancillary structures, such as clubhouses, restaurants, and similar uses shall be allowed as long as they are designed to assure the visual prominence of open space. Active recreational uses shall demonstrate compatibility with adjacent residential areas with regard to noise, lighting, traffic and other potential impacts.”*

Staff Comments

This implementation measure addresses the following Policy in the General Plan relative to this Implementation Measure: LU-20.1 regarding protection of the district’s open space character. The only property in the City currently within the CR designation is the Lake Lindero Golf Course property. The General Plan Policies recognize that should the existing golf course or other non-intensive commercial recreation and ancillary uses of the property prove infeasible, retention of the property as active or passive open space is to be given priority in consideration of future use of the property.

The only change proposed to the CR district development standards are within the Purpose and Development and Special Standards Sections (Section 9351 and 9353). New text is proposed to emphasize the consideration and protection of the area’s open space character and compatibility with the adjacent residential neighborhoods. Amendments to the commercial use table are also proposed (such as deleting live entertainment” and “voice/music studios” from being permitted uses in the CR zone) for greater compliance with the intent of this Implementation Measure. All other components of the CR development standards would remain unchanged.

Recommendation

Staff recommends that the proposed language in Sections 9351 to 9353 be incorporated into the text of the zoning ordinance (reference ordinance section 22-23) and that Planning Commissioners advise staff of any other comments to convey to the City Council.

F. **Implementation Measure LU-40 (CN District) (Ordinance Section 34; Zoning Ordinance Sections 9384 to 9386.9)**

Implementation Measure LU-40 states as follows: *“The City shall amend the Zoning Ordinance and Zoning Map, consistent with Figure LU-2, to create a new district, Commercial Neighborhood Center (CN), and establish standards for this district, which shall include provisions for the following: allowed land uses; building and lot standards; landscaping standards; pedestrian amenities and pedestrian circulation on-site and linking to adjoining areas; and demonstrated compatibility of uses and design with the surrounding neighborhoods.”*

Staff Comments

This implementation measure addresses the following Policy in the General Plan relative to this Implementation Measure: LU-21.2 regarding compatibility with adjoining residential neighborhoods, and M-7.2 regarding pedestrian connectivity.

A number of neighborhoods and commercial districts in the City are characterized by existing development or offer opportunities that are unique to their specific locations or use. The General Plan includes Goals and Policies that are unique to these subareas, including the CN district, which was identified as Special Study Area No. 2 in the General Plan Update. The CN district is limited to retail parcels located at each of the four corners of the Thousand Oaks Boulevard/Lake Lindero drive intersection, which were formerly in the CS district. The CN district is intended to accommodate small retail, personal service, restaurant, and ancillary uses whose tenants generally serve residents located within one mile of the property. Offices are also permitted under this category.

The development standards for the CN district will be a new addition to the Zoning Ordinance, however, they mimic much of current development and landscape standards of the CS (Commercial Shopping Center) zone. The “Purpose” section emphasizes compatibility with the surrounding residential neighborhoods and the provision of on-site pedestrian amenities and pedestrian circulation that is linked to adjacent land uses. The development standards section (Section 9386) includes provisions of General Plan Policies LU-21.1 regarding property improvements and compliance with contemporary City standards relative to building materials, colors, signage, lighting, and landscaping; LU 21-.2 regarding required site improvement that are located and designed to ensure neighborhood compatibility; and LU 21-.3 regarding streetscape improvements. Additional architectural design standards will be addressed as part of a resolution to be considered by the Planning Commission at the July 21 meeting.

The Commercial Use Table is also proposed to be amended to include a new list of uses that are specific for the CN district. The permitted uses proposed in the CN zone are the same as the CS zone. At a future date, staff will be bringing a separate ordinance to the Planning Commission that will address the comprehensive issue of neighborhood compatibility relative to commercial uses, in accordance with General Plan Implementation Measure LU-40, which calls for standards within the CN district of "...demonstrated compatibility of uses and design with the surrounding neighborhood." A detailed analysis of the permitted uses and neighborhood compatibility will be conducted at that time.

#### Recommendation

Staff recommends that the proposed language in Section 9384 to 9386.9 be incorporated into the text of the zoning ordinance (reference ordinance section 34) and that Planning Commissioners advise staff of any other comments to convey to the City Council.

#### **G. Implementation Measure LU-42 (OA Overlay District) (Ordinance Section 50; Zoning Ordinance Sections 9551 to 9552.1)**

Implementation Measure LU-42 states as follows: "*The City shall amend the Old Agoura Overlay District (OA) in the Zoning Ordinance to differentiate Subarea 11, as shown on Figure LU-3, from the remaining commercial areas of the district. Allowed uses in this special area shall be identified, and those primarily serving community residents, including smaller scale office and retail commercial, and emphasizing equestrian-oriented uses, shall be encouraged.*"

#### Staff Comments

This measure addresses the following goal and policy of the General Plan: Goal LU-30 to create a distinct design district characterized by its diversity of uses and form, scale, and design of buildings and landscapes that reflect Agoura Hills' history of semi-rural character; and Policy LU-30.1 to encourage the development of uses predominantly serving community residents, such as office and retail service and commercial, including equestrian-supporting uses, and promote the re-use of underutilized properties. The main change proposed here is to recognize this distinct geographic area that has evolved over time but remains a commercial center of Old Agoura.

The text changes describe the Old Agoura Commercial Center geographical area, shown on the black and white zoning map, which identifies overlay districts as well as base districts (Attachment 3), This precise area was selected as a study area (Subarea 11) in the General Plan. The Old Agoura Commercial Center is a subset of the current Old



Agoura Design Overlay, and is located south of the U.S. Highway 101 in the more historic portion of the City. The specific boundaries of this area, which are shown in the General Plan, are shown in Attachment 5, which will be incorporated as an exhibit to the Zoning Code.

Additionally, the text changes eliminate some of the current allowed uses in the Old Agoura Design Overlay District for that portion of the Old Agoura Design Overlay District that falls within the Old Agoura Commercial Center (Section 9552.1). For example, some outdated uses, such as "Data processing service" and "Telegraphic office," have been eliminated. Still other uses are shown as deleted in one location in the list, but are actually shown elsewhere in the allowed use list (e.g., "café/restaurant" is eliminated in the list, as it is found also under "restaurant/café.") Further review of the permitted uses in this district would be conducted as part of a future comprehensive review of commercial use compatibility with nearby residential areas, which is General Plan Implementation Measure LU-17; this implementation measure would be carried out at a later date, pursuant to City Council prioritization.

Note that the other portion of Goal LU-30, relating to creating a distinct district with a variety of forms, scale and design reflecting the semi-rural character of the area, would be accomplished by Implementation Measure LU-43, which calls for preparing a set of design guidelines for the Old Agoura Commercial Center. Implementation Measure LU-43 was not identified as an immediate priority, and so would be carried out at a later date. The design guidelines, combined with the revised types of allowed land uses, would more comprehensively address the character, form and scale of this special area.

#### Recommendation

Staff recommends that the proposed language in Section 9551 to 9552.1 be incorporated into the text of the zoning ordinance (reference ordinance section 50) and that Planning Commissioners advise staff of any other comments to convey to the City Council.

#### **H. Implementation Measure LU-1 (Update for Consistency with General Plan)**

Implementation Measure LU-1 states as follows: *"The City shall update the Agoura Hills Municipal Code, Zoning Map, and applicable guidelines to be consistent with the policies and diagrams of the General Plan with regard to land use designations and standards."*

#### Staff Comments

Implementation Measure LU-1 carries out a substantial number of General Plan goals and policies. It is the key implementation measure for administrative items. All of the text

changes described in this staff report fall under Implementation Measure LU-1, as they are proposed to ensure consistency between the Zoning Code and General Plan. In addition, other minor text changes are proposed to also ensure this consistency, which are not called out as specific implementation measures. The Zoning Map must also be updated to be consistent with the General Plan.

#### H-1. Maps

In addition to the text changes, the Zoning Map has been updated to be consistent with the General Plan Land Use Diagram. There are two versions of the new Zoning Map: color version with base zoning districts only; and the black and white version with base districts as well as overlay and special districts. These maps are included as Attachments 2 and 3, respectively. An example of a change to the Zoning Map is the addition of the CS-MU district, as called for in the General Plan. To ensure that the Zoning Map is consistent with the General Plan land use designation map, the applicable parcels are shown with this new zoning district designation. Another example is the change in General Plan land use designation SP to PD; this change has also been made to the Zoning Map, so that the SP zone is now called the PD zone. Zones that are no longer being used, such as Rural Residential (RR), are not shown on the new Zoning Map.

Since adoption of the General Plan in March 2010, some General Plan Amendments have been approved, and are now reflected on a revised General Plan Land Use Diagram. Additionally, some clean up to the General Plan map is needed to correct minor mapping errors. All of these proposed changes to the General Plan Land Use Diagram are shown in Attachment 4.

#### H-2. CRS District (Ordinance Sections 17-19; Sections 9331 to 9333.10)

While not specifically identified as an implementation measure, staff recommends that some adjustments to the CRS district be made, similar to those of the other commercial districts, like the CS, CS-MU and Business Parks, with regard to pedestrian amenities and neighborhood compatibility issues. The overall goals of the General Plan support these amenities and requirements in the CRS district as well. For example, Goal LU-13 in the Commercial District section of the General Plan calls for well-designed and attractive districts, and the supporting Policy LU-13.2 calls for specific architectural and site design that includes pedestrian pathways and amenities. Therefore, some limited changes are proposed to the text of the CRS district, in Sections 9331 to 9333.10 of the zoning ordinance (reference ordinance section 17-19).

H-3. OS-R and OS-DR Districts (Ordinance Section 41-45; Zoning Ordinance Sections 9481 to 9490.5)

The Zoning Ordinance currently includes an Open Space (OS) district, which encompasses public and private open space areas of the City. The 1993 General Plan Land Use Map distinguished the Open Space zone into two new districts: Open Space-Restrict (OS-R), and Open Space-Deed Restricted (OS-DR). The new General Plan carries forward these two Open Space designations. Because the Zoning Ordinance was never amended, housekeeping changes to establish the OS-R and OS-DR district in the Zoning Ordinance are necessary.

The Open Space-Restricted (OS-R) category includes areas for which development rights are assumed to exist but development potential is constrained because of topographic, soils, geologic, and seismic hazards, as well as natural habitats, oak trees, visual/aesthetic values and related concerns. As is currently allowed in the OS district, some dwelling units are assigned to restricted open space areas, limited to densities of no greater than one unit per five acres. The Hillside Ordinance may reduce the number of developable units even further. A number of the OS-R designated properties may eventually become dedicated open space. Several owners of property have dedicated their development rights on hillside slopes, thus contributing to preservation of the City's open space resources.

The General Plan map differentiates Open Space-Deed Restrict (OS-DR) areas with deed restrictions that provide additional limitation on their use as open space. Some of these areas are owned by public agencies and some by private homeowner's associations (HOAs). Numerous private homeowners associations have adopted Covenants, Conditions, and Restrictions (CC&Rs) to limit development on open space areas within their tracts. Two residential tracts, Morrison Ranch and Chateau Park, have significant open space acreages that are held and maintained by the HOA. All of the factors described for the OS-R designation also apply to the OS-DR designation. The OS-DR designation also applies to publicly-owned open space.

The existing development standards of the OS zone are proposed to essentially remain within the new OS-R district designation development standards, with the only amended changes being to the designation itself ("OS-R," instead of "OS"). Development standards for the OS-DR district would be subject to discretionary review upon consideration of a required conditional use permit. Fewer uses are proposed within the OS-DR district than the OS-R district. Specifically, only parks and trails, wildlife preserves, and public passive recreational uses are allowed with conditional use permits.

In order to protect, preserve and enhance the existing open space in Agoura Hills, in 1999 the City adopted an ordinance that requires a two-thirds vote of the City voters should a

change in allowed uses, permitted or conditionally permit, in the Open Space land use district be proposed. This provision of the current OS district is proposed to be retained in the development standards of the new OS-R and OS-DR districts. Although fewer uses are proposed to be allowed in the OS-DR district than currently exists in the OS district, the City Attorney has clarified that City Council can further restrict uses within the Open Space districts without requiring a public vote. An expansion of the existing uses within the Open Space districts, however, would require a public vote.

Staff recommends that the proposed language in Sections 9481 to 9490.5 be incorporated into the text of the zoning ordinance (reference ordinance section 41-45).

#### H-4. Commercial Use Table

Adding two new commercial zoning districts in the Zoning Code necessitated updating the commercial use table in Section 9312.2 (TABLE 1. PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS). A copy of the updated Commercial Use Table is attached for reference (Attachment 6).

The main change involves adding a column each for the CN and CS-MU districts and identifying the types of commercial uses allowed in these zones. The CS-MU district allows all of the same commercial uses as that of the CS district. For now, the CN district also allows all of the commercial uses as that of the CS district. Implementation Measure LU-40 also calls for re-assessing the types of commercial uses allowed in the CN zone to ensure that they are compatible with the adjacent residential areas. However, this part of the measure would be implemented at a later date, and in conjunction with Implementation Measure LU-17 (which applies Citywide), which states, "The City shall review the allowed uses in commercial land use designations, identifying any uses that may pose compatibility concerns with neighboring residential or other sensitive uses, and updating the Zoning Ordinance to address potential compatibility concerns." For now, the first priority is to establish the CN zone in the Zoning Code and on the Zoning Map.

Other changes to this table include removing some outdated uses, such as "Telegraph office." In some cases, categories have been re-named or updated. For example, "office, bank, savings and loan, finance, loan, credit union," has been changed to "Financial institutions, banks," which covers the same range of uses. Typographical errors and errors in number sequencing have also been corrected. Lastly, past interpretations of the Planning Commission have been codified here. These include the new use "Film studio, motion picture," allowed in the BP-M zone, and "recording" added and "office only" removed from "Studio, radio, television – office only," and will be discussed further at the July 21 meeting.

### Recommendation

Staff recommends that the Planning Commission recommend to the City Council that the above changes to the Zoning Map/Land Use Map, CRS district, the OS-R and OS-DR districts, and the Commercial Use Table be adopted. Staff also requests that the Planning Commission advise staff of any other comments the Commissioners wish to convey to the City Council regarding the above changes.

### **IV. ORDINANCE REVIEW NEXT STEPS**

For this meeting, staff is requesting comments from the Planning Commission, through a public hearing, on the specific Zoning Ordinance amendments presented above. Staff is also requesting the Planning Commission then continue the public hearing to July 21, at which time staff would like to present to the Planning Commission the remaining components of the ordinance, which include:

- Updated the Architectural Design Standards and Guidelines for consistency with the General Plan;
- Deleting from the Zoning Ordinance districts that are no longer in use, and all references to those districts;
- Deleting/correcting typographical errors within the Zoning Ordinance; and
- Incorporating into the text of the Zoning Ordinance various zoning interpretations that have been made by the Planning Commission.
- Any other items for which the Planning Commission would like staff to provide information.

At the completion of this second phase of review, after receiving comments from the Planning Commission on these proposed amendments, it is staff's preference to re-notice the public hearing for a Planning Commission meeting in August, at which time the final version of the ordinance will be presented to the Planning Commission for a recommendation to be given to the City Council. The City Council will consider the ordinance for final action in a new public hearing.

## V. ENVIRONMENTAL REVIEW

The City Council certified the Final Environmental Impact Report (EIR) for the General Plan 2035 on March 24, 2010, pursuant to the California Environmental Quality Act (CEQA). Since the General Plan Implementation Measures Ordinance consists of administrative actions called for in the General Plan Implementation Program, which are legally required to make the General Plan and Zoning Ordinance consistent, the EIR serves as the CEQA document for this Ordinance as well. Additional CEQA documentation is expected to be prepared for more substantial text changes to the Zoning Ordinance and adoption of special documents or plans at a later date related to the General Plan, as well as for each specific development project that is proposed in the future in the City, which would fall under the requirements of the General Plan.

## VI. RECOMMENDATION

Staff recommends the Planning Commission conduct a public hearing and provide comments to staff for this first phase of presentation of the draft Ordinance and continue the public hearing to the Planning Commission meeting of July 21, 2011.

## VI. ATTACHMENTS

1. Table 1 – General Plan Implementation Measures – Administrative Items to Complete in 2010
2. Zoning Map – Base Districts
3. Zoning Map – Base, Overlay and Special Districts
4. General Plan Land Use Diagram
5. General Plan Land Use Subarea 11 Map
6. Table - Permitted Uses within the Buildable Area of Commercial Lots
7. Draft Ordinance

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