

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The proposed project may have an impact on the environmental factors listed below, and would have at least one "Potentially Significant Impact" on the environment as indicated by the checklist on the following pages.

Aesthetics	Greenhouse Gases	Population/Housing
Agricultural Resources	Hazards & Hazardous Materials	Public Services
Air Quality	Hydrology/Water Quality	Recreation
Biological Resources	Land Use/Planning	Transportation/Traffic
Cultural Resources	Mineral Resources	Utilities/Service Systems
Geology/Soils	Noise	Mandatory Findings of Significance

DETERMINATION

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	X
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	
I find that the proposed project MAY have a significant effect on the environment; and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to an earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	

Report Preparer:

Signature: 

Name: Doug Hooper

Title: Assistant Director of Community Development
City of Agoura Hills

Date: June 21, 2011

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
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(1) **LAND USE AND PLANNING.** Would the project:

a) Physically divide an established community?				X
b) Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural communities conservation plan?				X

DISCUSSION:

- a) The project is an Ordinance that applies Citywide, and is therefore not a physical development-capable of dividing an established community. As such, the project would result in **no impact**. The Ordinance includes the reclassification of existing zoning districts, the addition of new development standards, and amendments to permitted commercial uses, and would not render existing commercial uses or zoning districts as non-conforming. Rather, the Zoning Ordinance amendments would be consistent with the General Plan. It is currently unknown where or when such development or uses might be proposed, thus each individual proposal for development or use within a particular zone would be analyzed per CEQA, separate from this IS/ND.
- b) The purpose of the Ordinance is to make the Zoning Ordinance (Article IX of the Municipal Code) consistent with the General Plan. Therefore, the Ordinance carries out the various goals and policies of the General Plan. Also, the Ordinance would be consistent with the General Plan through the implementation of the following General Plan Measures: 1) LU-31, which calls the minimization of parking areas, promotion of pedestrian activity, and incorporation of retail service uses in the business park zones; 2) LU-32, which calls for promoting pedestrian activity in the commercial shopping center zone; 3) LU-34, which calls for the creation of the commercial shopping center-mixed use zone; 4) LU-36, which calls for the creation of the planned development zone; 5) LU-39, which calls for amending the commercial recreation zone to protect and complement the area's open space characteristics; 6) LU-40, which calls for the creation of the commercial neighborhood center zone; 7) LU-42, which calls for amending the Old Agoura overlay district to differentiate Subarea 11 and identifying allowable uses (the Ordinance incorporates the provisions of the Specific Plans in the City, and so would not conflict with them); and 8) LU-1, which calls for amending the zoning map for consistency with the General Plan. It is speculative where and when new development will be proposed and each proposed development project would be analyzed per CEQA as an individual project application is proposed. Therefore, there would be **no impact** from the Ordinance adoption.
- c) There are no habitat conservation plans or natural communities conservation plans applicable to the City, or adjacent to the City, so the project would result in **no impact**.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
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(2) **BIOLOGICAL RESOURCES.** Would the project:

a) Have an adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?				X
b) Have an adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Wildlife Service?				X
c) Have an adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?				X
g) Result in damage to, loss of, or removal of native oak trees or other locally identified specimen trees of significance?				X

DISCUSSION:

- a) The project consists of an Ordinance, and therefore is not a physical development that could adversely affect sensitive biological species. Therefore, there would be **no impact**. It is currently unknown where or when such development might be proposed, thus each individual proposal for development within a particular zoning district would be analyzed separately under CEQA as part of a project specific application and environmental review, which would need to consider the specific site's habitat further.
- b), c) Refer to the discussion above in Item a). The project is not a physical development that could adversely affect wetlands, riparian habitat or other sensitive natural communities regulated by the California Department of Fish and Game or the U.S. Fish and Wildlife Service or the Army Corps of Engineers. Therefore, there would be **no impact**. Any future proposals for development within a particular zoning district would be reviewed as separate applications and projects under CEQA, and would undergo environmental review, including considering the site's particular habitat, as a specific proposal comes forward for review. Currently, it is unknown where or when such development might be proposed.
- d) Refer to the discussion in Item a) above. Because the project is not a physical development, it does not have the potential to interfere with the movement of fish or wildlife. Any future proposal for development in a particular zoning district would be reviewed as a separate project under CEQA, and would undergo environmental review, including considering wildlife movement, as a specific proposal comes forward for review. Therefore, there would be **no impact**.
- e), g) Since the project is not a proposal for a physical development in the City, there would be no impacts to oak trees in the area. The Ordinance does not alter existing ordinances that govern the protection of oak trees and includes provisions to facilitate landscaping of commercial property. Any future proposal for development, the timing and location of which are speculative at this time, would be a separate application and project under CEQA, and at that time, oak trees would be considered. However, the Ordinance does not adversely affect the oak trees, and there would be **no impact**.

- f) There are no habitat conservation plans (HCPs) or Natural Communities Conservation Plans (NCCPs) or other conservation plans in or near the City, so there would be **no impact**.

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(3) **AIR QUALITY.** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				X
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X

DISCUSSION:

- a)-c) The City of Agoura Hills is located within the South Coast Air Basin, and is governed by the South Coast Air Quality Management District (SCAQMD). Since the project is not a proposal for a physical development, there would be no impacts to air quality as a result of the Ordinance adoption. In any case, according to the Air Quality Management Plan (AQMP), a project must conform to the local General Plan and must not result in or contribute to an exceedance of the City's projected population growth forecast. As described in the discussion of Item (1) LAND USE AND PLANNING of this document, the Ordinance is consistent with the General Plan's goals and policies, and does not propose a type of development that was not anticipated in the General Plan. The location and timing of such future development is speculative. Thus, as each new development application is submitted and reviewed by the City, the project would be analyzed per CEQA, separate from this document, regarding potential air quality impacts from the particular project. Therefore, there would be **no impact** from adoption of the Ordinance.
- d)-e) The Ordinance does not include a physical development that could result in air quality emissions. Therefore, there would be **no impact** from the Ordinance adoption. It is unknown where and when such development might be proposed. As individual development projects are proposed, they would be assessed separately from this document as part of environmental review, including being evaluated for potential air quality impacts, such as exposing sensitive receptors to substantial pollution concentrations and creating objectionable odors.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
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(4) **CULTURAL RESOURCES.** Would the project:

a) Cause an adverse change in the significance of a historical resource as defined in Section 15064.5?				X
b) Cause an adverse change in the significance of an archaeological resource pursuant to Section 15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X
e) Result in physical disruption of an identified sacred place or other ethnographically documented location of significance to native Californians?				X

DISCUSSION:

a)-e) The project is an Ordinance, not a physical development capable of impacting cultural resources that may exist on or under the ground. It is unknown at this time where and when such new development might be proposed. Any proposal for a new development project would be analyzed separately under CEQA as part of project specific environmental review as a proposal is submitted to the City, which would need to consider potential site specific cultural resources. The Ordinance does not contain any regulations, requirements or standards that would prevent the proper treatment of cultural resources, if found, under CEQA. Therefore, the Ordinance adoption would result in **no impacts**.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
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(5) GEOLOGY AND SOILS. Would the project:

a) Expose people or structures to potential adverse effects, including the risk of loss, injury or death involving:				X
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
(ii) Strong seismic ground shaking?				X
(iii) Seismic-related ground failure, including liquefaction?				X
(iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?				X

DISCUSSION:

- a)-e) Per the City's General Plan and Program EIR, there are no active or inactive faults within the City limits, and so potential hazard from fault rupture is remote. There are several active and/or potentially active faults in the surrounding region, however, that could produce ground shaking in the area. Other geologic or soil conditions are specific to individual sites. Nonetheless, the Ordinance is not a physical development with the potential for causing adverse impacts in the area of geology and soils. None of the proposed regulations, standards or requirements of the Ordinance would create general geologic or soils safety concerns. The timing and location of future development is speculative. Any proposal for new development would need to be analyzed separately under CEQA as part of project specific environmental review. The site specific geologic and soils conditions and the type of facility would be assessed at that time for the actual development project. Therefore, the Ordinance adoption would result in **no impact**.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
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(6) GREENHOUSE GASES. Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly?				X
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X

DISCUSSION:

- a)-b) The project is an Ordinance, and not a physical development capable of emitting greenhouse gases. It is unknown when or where new development might be proposed in the future. Any development proposal submitted would be analyzed separately under CEQA, and the potential for greenhouse gas emissions evaluated, as part of project specific environmental review. The Ordinance does not contain any provisions that are in conflict with plans or policies to reduce greenhouse gases, and the Ordinance does not conflict with the goals and policies of the General Plan to reduce emissions within the City boundaries to help mitigate the impact of climate change (Goal NR-10, Policies NR-10.1 – 10.3).

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
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(7) HAZARDS AND HAZARDOUS MATERIALS. Would the project:

a) Create a hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?				X
b) Create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wild lands?				X

DISCUSSION:

- a)-c) Because it is not a physical development proposal, the project would not result in the use of hazardous materials, nor their storage, disposal or transport. The project, being an Ordinance adoption, would also not cause an accidental release or upset of such materials. Any future development proposal would be considered for potential hazardous effects as a separate project under CEQA, and would need to undergo separate project and environmental review per CEQA, aside from this IS/ND, where these issues would be further analyzed. Currently, the location and timing of such development proposals is speculative. Therefore, the Ordinance adoption would result in **no impact**.
- d) Because it is not a physical development proposal, the Ordinance adoption would not result in a development located on a hazardous materials site compiled per Government Code Section 65962.5. As noted in the prior discussion items, any future proposed development would be evaluated for potentially significant hazards as part of an individual application review and CEQA process, separate from this IS/ND. Therefore, the project would result in **no impact**.
- e)-f) There are no airports or airstrips within or in the vicinity of the City. Therefore, the Ordinance would result in **no impact**.
- g) The Ordinance, not being a physical development, would not interfere with an adopted emergency response plan or evacuation plan. The provisions of the Ordinance would not conflict with any emergency response or evacuation plan. Therefore, the project would result in **no impact**. In any case, the Ordinance contains provisions for additional on-site and off-site access and pedestrian connections for future commercial development. It is unknown where and when future development might be proposed. As specific development applications are proposed, they would be analyzed under separate CEQA review to ensure that they do not conflict with such plans.
- h) The project does not include a specific physical development proposal. The timing and location of any future development is speculative. Any future development proposal would be considered a separate project under CEQA, and would need to undergo separate project and environmental review. Therefore, the project would result in **no impacts**.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
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(8) HYDROLOGY AND WATER QUALITY. Would the project:

a) Violate any water quality standards or waste discharge requirements?				X
b) Degrade groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c) Alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off site?				X
d) Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				X
e) Otherwise degrade water quality?				X
f) Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
g) Place within a 100-year flood-hazard area structures which would impede or redirect flood flows?				X
h) Expose people or structures to risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
i) Inundation by seiche, tsunami, or mudflow?				X

DISCUSSION:

- a)-e), i) The Ordinance is not a physical development with the potential for causing adverse impacts in the areas of hydrology and water quality. Additionally, the Ordinance does not contain provisions that are in conflict with ensuring adequate hydrology resources and water quality in the City. As noted previously in this document, it is unknown where or when development might be proposed, and any proposed development project would undergo separate project and environmental review per CEQA, with any hydrology and water quality concerns assessed at that time. Therefore the project would result in **no impact**.
- f)-h) The Ordinance adoption is not a physical development that could cause flood concerns. None of the proposed provisions in the Ordinance would conflict with providing adequate flood protection in the City. Each specific future development proposal would be considered a separate project under CEQA that would undergo separate environmental review, including flood impact analysis. The timing and location of such future development proposals is speculative. Therefore, the Ordinance adoption would result in **no impact**.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
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(9) AESTHETICS. Would the project:

a) Have an adverse affect on a scenic vista?				X
b) Damage scenic resources including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Degrade the existing visual character or quality of the project site and its surroundings?				X
d) Create a new source of light or glare which would adversely affect day or nighttime views in the area?				X
e) Impact any existing streetscape or public space which has been designed to provide areas of public assembly and congregation?				X

DISCUSSION:

a)-e) The Ordinance contains several provisions to ensure that future development is compatible with the character of Agoura Hills and that address the issue of aesthetics. In particular, these include new development standards that call for: high-quality architectural and landscape design; cohesive site design; well-designed retail centers and mixed-use districts; the encouragement of the renovation of existing shopping centers; the screening of parking lots; and the minimization of light impacts to adjacent residential neighborhoods. In any case, the project consists of an Ordinance, and is not a physical development proposal. The project does not involve any direct physical changes to the environment. As such, it would result in **no impacts** to aesthetics with regard to scenic vistas, scenic resources, degrading the existing visual character, creating new sources of light or glare, or affecting areas of public assembly and congregation. The timing, extent and location of future development are speculative. Individual applications for development projects would be reviewed and assessed for CEQA consistency as they are submitted for review, separate from this IS/ND. At that time, the specific details of the development project being proposed and the physical changes would be assessed for aesthetic impacts per CEQA and also assessed for compliance with the provisions of the Ordinance.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
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(10) NOISE. Would the project:

a) Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
c) A permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) An increase in ambient noise levels (including temporary or periodic) in the project vicinity above levels existing without the project?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
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DISCUSSION:

- a),c),d) The project would not result in any physical development. It is unknown where or when development might be proposed, and any proposal for development in the City would be analyzed separately under CEQA as part of project specific environmental review. The site specific noise conditions and the type of development would be assessed, as necessary, at that time. Therefore, the Ordinance adoption would result in **no impact**. In any case, the proposed Ordinance does not include any provisions that would conflict with the noise standards and requirements of the City, as outlined in the General Plan and Municipal Code. Rather, the Ordinance requires the noise compatibility in certain commercial districts which are adjacent to residential neighborhoods, consistent with the General Plan and Municipal Code noise provisions, to minimize noise impacts from the commercial districts.
- b) Because it is not a physical development, the proposed project would not result in any impacts related to excessive groundborne vibration. Future development is speculative. As specific developments are proposed, along with information about proposed construction, these projects would need to undergo separate CEQA review, including analysis of this issue area. Therefore, there would be **no impact** from the Ordinance adoption.
- e), f) The City is not located within the vicinity of an airport or private airstrip, and would not be affected by air traffic noise impacts. There would be **no impact**.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
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(11) POPULATION AND HOUSING. Would the project:

a) Result in direct or indirect population related growth inducement impacts (significantly expand employment opportunities, remove policy impediments to growth, or contribute to potential extensions of growth inducing infrastructure)?				X
a) Displace existing housing, necessitating the construction of replacement housing elsewhere?				X

DISCUSSION:

- a),b) The Ordinance adoption does not consist of a physical development, and so would not cause increases in population or the displacement of exiting housing, nor induce growth. Individual proposals for development would include review of any proposed provisions for housing or employment and as development applications are processed through the City, environmental review per CEQA would be undertaken, including the evaluation of any potential impacts to population and housing from the specific proposal. The timing, extent and locations of such future development proposals are speculative. Therefore, the Ordinance adoption would result in **no impact**.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
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(12) **PUBLIC SERVICES.** Would the project result in adverse physical impacts associated with the provision or construction of new or physically altered government facilities in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services?

a) Fire protection				X
b) Police protection				X
c) Schools				X
d) Parks				X
e) Other public facilities				X

DISCUSSION:

a)-e) Since the project is an Ordinance adoption, not a development proposal, the project would not contribute to the demand for public facilities, such as fire protection, police protection, schools, and parks. There are no provisions of the Ordinance that would present conflicts with the continued provision of such services in the City, nor increase the demand for such facilities. As an individual development proposal comes forward, it would undergo site specific environmental review and be assessed for the above noted public services impacts. It is currently unknown where and when such developments will be proposed. Therefore, there would be **no impact** from the Ordinance adoption.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
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(13) **RECREATION.** Would the project:

a) Increase the use of existing neighborhood or regional parks or other recreational facilities such that physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that could cause adverse impacts?				X

DISCUSSION:

a),b) Since the Ordinance adoption is not a particular development proposal, there would be **no impacts** to recreational facilities. The Ordinance includes no provisions that would conflict with the continued availability of recreational facilities in the City. It is unknown where and when specific development projects might be proposed. As individual developments are proposed, separate CEQA review would be undertaken to determine the specific project's impact to recreation. It should be noted, however, that Ordinance does not contribute to the use or expansion of parks or other recreational facilities.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
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(14) TRANSPORTATION/TRAFFIC. Would the project:

a) Cause an increase in traffic beyond the capacity of the street system (i.e., result in an increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				X
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in safety risks?				X
d) Increase hazards related to existing intersections or roadway design features (e.g., sharp curves or dangerous intersections), or to incompatible uses (e.g., residential traffic conflicts with farm equipment)?				X
e) Result in inadequate secondary or emergency access?				X
f) Result in inadequate parking capacity?				X

DISCUSSION:

- a) Since the project is not a particular development proposal, there would be **no impacts** to traffic and circulation. The Ordinance contains no provisions that would conflict with transportation and circulation in the City. In any case, the Ordinance contains provisions for additional on-site and off-site access and pedestrian connections for future commercial development and will improve pedestrian circulation. It is unknown where and when developments might be proposed. As individual development projects are proposed, separate CEQA review would be undertaken to determine the specific project's impacts to traffic and circulation.
- b) The Los Angeles County Congestion Management Plan (CMP) requires a regional traffic impact analysis when a project adds 150 or more trips in each direction to a freeway segment. Based on the discussion in item a) above, there would be **no impacts**.
- c) There are no airports or airfields in the project vicinity, so the Ordinance adoption would result in **no impacts**. Also refer to the discussion in item a) above.
- d),e),f) Refer to the discussion under item a) above. The Ordinance adoption would result in **no impacts**.

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(15) UTILITIES AND SERVICE SYSTEMS. Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities that could cause adverse impacts?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities that could cause adverse impacts?				X

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statues and regulations related to solid waste?				X

DISCUSSION:

- a)-e) As the project is not a physical development proposal, it would not result in impacts to wastewater, water or stormwater. The Ordinance regulations would not conflict with the continued provision of water, waste water, solid waste or storm drain facilities in the City. As individual development projects are proposed in the project area, separate CEQA review would be undertaken to determine, as necessary, the specific project's impacts to these services. It is currently unknown where and when facilities will be proposed. The current project would result in **no impacts**.
- f),g) As noted above, the Ordinance adoption would not constitute a development proposal, and so would not result in impacts to solid waste. The location and timing of future development is speculative. As individual facility projects are proposed, separate CEQA review would be undertaken to determine if the specific projects' impacts to these services is significant. The Ordinance adoption would result in **no impacts**.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No impact
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(16) MANDATORY-FINDINGS OF SIGNIFICANCE.

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?				X
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)?				X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X

DISCUSSION:

- a) The project is the adoption of an Ordinance, which is not a physical development. Where and when a development project might be proposed is unknown at this time. When such a proposal is made, the development project would be analyzed as part of a separate, specific CEQA analysis, where the particular site and action would be assessed for its potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. Therefore, adoption of the Ordinance would result in **no impact**.
- b) In all of the environmental issue areas discussed throughout this Initial Study, the adoption of the Ordinance was found to have no impacts. Therefore, there would be **no cumulatively considerable impacts** from the project as well.
- c) As noted above in Item b), in all of the environmental issue areas discussed throughout this Initial Study, the adoption of the Ordinance was found to have no impacts. Adoption of the Ordinance is not a physical development. As such, there would be **no impact** with regard to environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly. Where and when development projects might be proposed is unknown at this time. When such a proposal is made, the development project would be analyzed as part of a separate, specific CEQA analysis, where the particular site and action would be assessed for its potential to cause substantial adverse impacts on human beings.

Sources:

Agoura Hills, City of. *General Plan 2035*. March 2010.

Agoura Hills, City of. *General Plan 2035 Final EIR*. February 2010.

Agoura Hills, City of. *Municipal Code*.

COMMENT LETTER AND RESPONSE TO COMMENTS

Letter 1



COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
"Creating Community Through People, Parks and Programs"

Russ Guiney, Director

July 27, 2011

Sent via email: dhooper@ci.agoura-hills.ca.us

Mr. Doug Hooper
Assistant Director of Community Development
Planning and Community Development Department
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 93010

Dear Mr. Hooper:

**CITY OF AGOURA HILLS
NOTICE OF AVAILABILITY AND INTENT TO ADOPT
A NEGATIVE DECLARATION
CASE NOS. 11-ZOA- 003**

The above mentioned project has been reviewed for potential impact on the facilities under the jurisdiction of this Department and determined that it will not affect any Departmental facilities.

Thank you for including this Department in the review process. If you have any questions, please contact Julie Yom at (213) 351-5127 or jyom@parks.lacounty.gov.

Sincerely,

A handwritten signature in cursive script that reads "Joan Rupert".

Joan Rupert
Section Head
Environmental & Regulatory Permitting Section

JR:JY/response to City of Agoura Hills NOA to adopt a Neg. Dec. for Zoning Ordinance Amendment (ZOA)

c: Parks and Recreation (N. E. Garcia, F. Moreno, J. Yom)

Letter 1

Commenter: Joan Rupert, Section Head, Environmental & Regulatory Permitting Section, Los Angeles County Department of Parks and Recreation

Date: July 27, 2011

Response

The commenter states that the project (Ordinance) has been reviewed for potential impacts on the facilities under the jurisdiction of the Los Angeles County Department of Parks and Recreation, and determined that it will not affect any Departmental facilities.

This comment is noted.

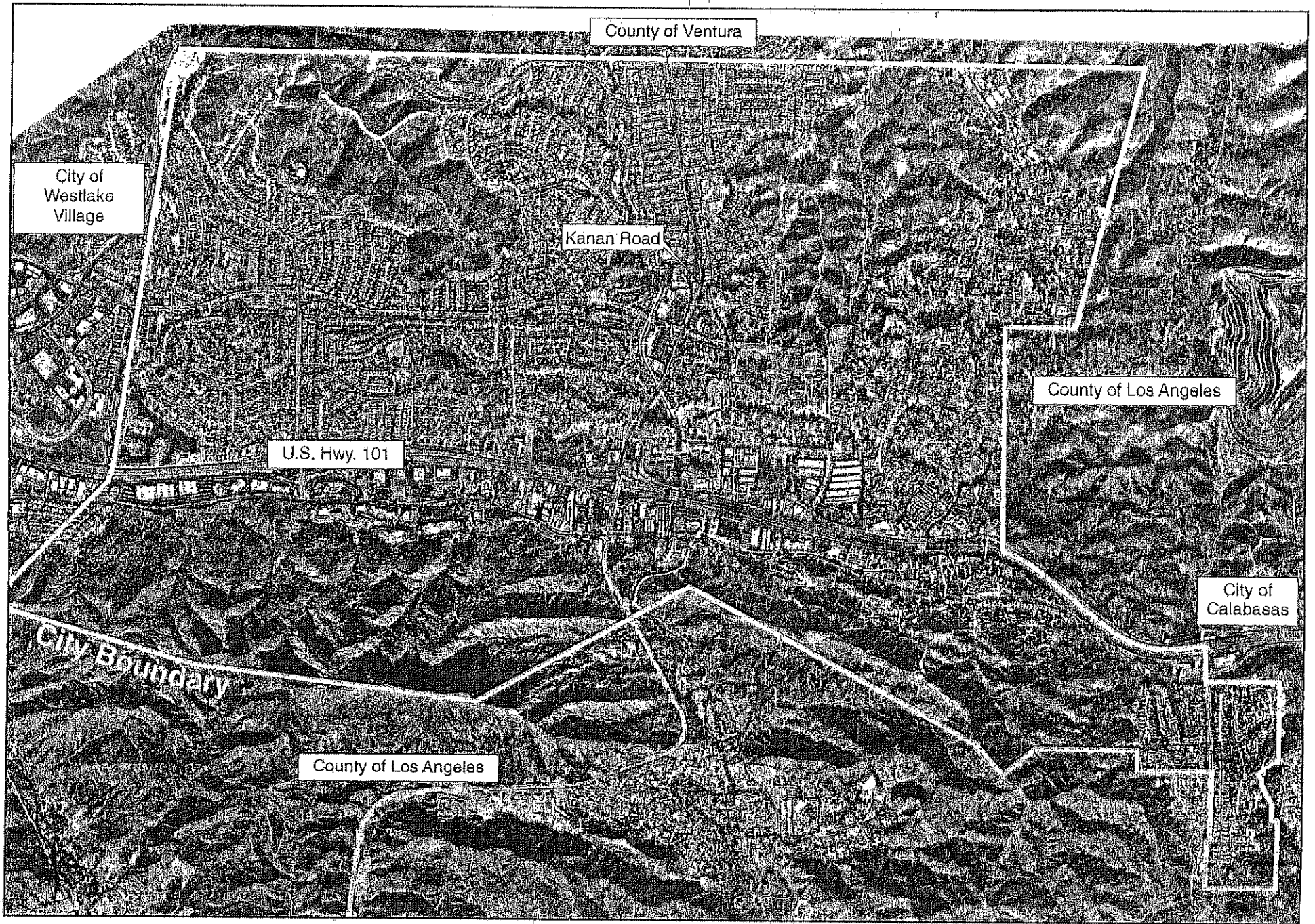
City of Agoura Hills

General Plan Implementation Measures Ordinance

Attachment I

Location Map

August 2011



June 2011

General Plan Implementation Measures Ordinance
Location Map - City of Agoura Hills

Figure 1

City of Agoura Hills

General Plan
Implementation Measures Ordinance

Attachment II
Draft Ordinance

August 2011

DRAFT ORDINANCE NO. 11-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING THE ZONING ORDINANCE (ARTICLE IX OF THE AGOURA HILLS MUNICIPAL CODE) TO IMPLEMENT THE CITY OF AGOURA HILLS GENERAL PLAN 2035 TO CREATE NEW ZONING DISTRICTS; AMEND DEVELOPMENT STANDARDS OF EXISTING DISTRICTS; AMEND THE COMMERCIAL USE TABLE; DELETE DISTRICTS NO LONGER IN USE; UPDATE THE ZONING MAP; CORRECT TYPOGRAPHICAL ERRORS AND OMISSIONS; AND INCORPORATE PREVIOUS PLANNING COMMISSION INTERPRETATIONS OF THE ORDINANCE (CASE NO. 11-ZOA-003)

THE CITY COUNCIL OF THE CITY OF AGOURA HILLS HEREBY ORDAINS AS FOLLOWS:

Section 1. Section 9120.2.B.I. of Part 3 of Chapter 1 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9120.2.B.J. Building height. “Building height” means the vertical distance from the finished grade to the highest point of the coping of a flat-roof, or to the top of a mansard roof, or the average height of the highest gable of a-pitch or-hip-roof. The measuring of building height to the midpoint of the roof is only possible in situations in which the full roof element exists on the corresponding building elevation.”

Section 2. Sections 9142.1 and 9142.2. of Part 4 of Chapter 1 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9142.1. Base Districts

- ~~A.~~ Residential, rural (RR)
- B A. Residential, very low density (RV)
- ~~C~~ B. Residential, low density (RL)
- ~~D~~ C. Residential, single-family (RS)
- ~~E~~ D. Residential, medium density (RM)
- ~~F.~~ Residential, medium high density (RMH)
- ~~G~~ E. Residential, high density (RH)
- ~~H~~ F. Commercial shopping center (CS)
- ~~I~~ G. Commercial retail/service (CRS)
- ~~J.~~ Mixed use commercial/residential (CM)
- ~~K~~ H. Commercial recreation (CR)

- ~~E I.~~ Business park-office retail (BP-OR)
- ~~M J.~~ Business park-manufacturing (BP-M)
- K. Commercial shopping center-mixed use (CS-MU)
- L. Commercial Neighborhood (CN)

9142.2. Special districts

- A. Local park (P)
- ~~B.~~ ~~Park regional (PR) (future)~~
- ~~C B.~~ School (SH)
- ~~D.~~ ~~Governmental office (G)~~
- ~~E C.~~ Utility (U)
- ~~F D.~~ Open water (OW)
- ~~G.~~ ~~Open space (OS)~~
- ~~H E.~~ Study (S)
- ~~I.~~ ~~Specific Plan (SP)~~
- F. Planned development (PD)
- G. Open space-deed restricted (OS-DR)
- H. Open space-restricted (OS-R)”

Section 3. Chapter 2-of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“Chapter 2. RESIDENTIAL LAND-USE DISTRICTS

Part

1. **Purpose, 9201-9210**
2. **~~RR Residential-Rural District, [Reserved] 9211-9220~~**
3. **RV Residential-Very Low Density District, 9221-9230**
4. **RL Residential-Low Density District, 9231-9240**
5. **RS Residential Single-Family District, 9241-9250**
6. **RM Residential-Medium Density District, 9251-9260**
7. **~~RMH Residential-Medium High Density District, [Reserved] 9261-9270~~**
8. **RH Residential-High Density District, 9271-9280**
9. **Special Residential Use Standards, 9281-~~9287.2~~ 9287.2**
10. **Special Accessory Use Development Standards, 9288-9288.7”**

Section 4. Sections 9211 through 9214.1 of Part 2 of Chapter 2 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby deleted as follows:

~~"PART 2. RR RESIDENTIAL RURAL DISTRICT [RESERVED]"~~

~~9211. Purpose.~~

~~The RR district is intended to be used in steep slope and primary areas when large parcels can be utilized to minimize the visual impacts and development of such slopes through the concentration of development on the flatter portions of property in such areas.~~

~~9212. Use establishment.~~

~~The limitations as to uses and structures shall be as follows.~~

~~9212.1. Permitted uses and structures.~~

~~None.~~

~~9212.2. Conditional uses.~~

~~Subject to obtaining a conditional use permit, as required by section 9652 et. seq., the following uses may be permitted:~~

- ~~A. One (1) single family dwelling per lot, or a mobilehome used as a caretaker's residence;~~
- ~~B. Light agricultural uses subject to the provisions of section 9214.1;~~
- ~~C. Lighted tennis courts;~~
- ~~D. Manufactured home (mobile homes) on permanent foundation, as a single family dwelling, subject to the provision of section 9675;~~
- ~~E. Transitional housing;~~
- ~~F. Substantial remodels.~~

~~9212.3. Accessory uses.~~

~~Once a conditional use permit is granted pursuant to section 9652 et seq., the following accessory uses and structures shall be permitted subject to the provisions of section 9281 et seq. and chapter 6:~~

- ~~A. Accessory buildings, uses and structures;~~
- ~~B. Domestic animals;~~
- ~~C. Home occupations;~~
- ~~D. Garage sales not to exceed two (2) in any calendar year.~~

~~Subject to the provisions of section 9281 et seq. and chapter 6, the following accessory uses and structures shall be permitted without a conditional use permit:~~

- ~~A. One (1) habitable accessory building for a guest dwelling, or servant quarter or second dwelling unit per lot, subject to the provisions of section 9283 et seq.~~

~~B. One (1) caretaker dwelling per lot, when developed as an accessory use to the primary residence, on not less than ten (10) acres with a maximum building size of one thousand two hundred (1,200) square feet with not more than one thousand (1,000) square feet used for living area. Said dwelling shall be in accordance with section 9120.3.C, and shall not be rented or otherwise used as a separate dwelling unit. A deed restriction in a form approved by the city shall be executed and recorded prior to the issuance of a building permit which states that the unit shall not be rented or otherwise used as a separate dwelling unit. An additional guest dwelling, second dwelling unit or servant quarters shall not be permitted.~~

9212.4. Uses subject to director's review and approval.

~~Once a conditional use permit is granted pursuant to section 9652 et seq., the following uses may be permitted subject to the approval of the director:~~

- ~~A. Access to a lawfully permitted use in another land use district;~~
- ~~B. Private equestrian and hiking trails;~~
- ~~C. Private recreation clubs;~~
- ~~D. Riding academies and stables;~~
- ~~E. Temporary structures such as model homes, real estate sales offices, construction trailers and mobile homes used as residence during construction of a project when a valid permit is in foree;~~
- ~~F. Temporary storage of materials and construction equipment related to a city public project;~~
- ~~G. Utility facilities ancillary to residential development;~~
- ~~H. Day care for children, large family day care home, subject to the issuance of a large family day care permit pursuant to the provisions of section 9285;~~
- ~~I. Motion picture filming not exceeding seven (7) consecutive days.~~

9212.5. Prohibited uses.

~~All uses and structures not specifically provided for in section 9212 are strictly prohibited in the RR land use district.~~

9213. Development standards.

~~Subject to the provisions of section 9281 et seq. and chapter 6, the following development standards shall apply in the RR land use district.~~

9213.1. Minimum lot specifications.

~~The minimum lot area shall be subject to the provisions of section 9652 et seq. However, except for permanent open space lots, no lot shall be smaller than five (5) acres.~~

9213.2. Yards.

Subject to the provisions of section 9652 et seq., the minimum yards shall be as follows:

- A. The minimum front yard shall be fifty (50) feet;
- B. The minimum side yard shall be twenty five (25) feet;
- C. The minimum rear yard shall be fifty (50) feet.

Note: Reference section 9605.1, relating to yard requirements and exceptions.

9213.3. Building site coverage.

Subject to the provisions of section 9652 et seq., the maximum building site coverage shall be ten (10) percent.

9213.4. Building height.

Subject to the provisions of section 9652 et seq., the maximum building height shall be two (2) stories or thirty five (35) feet, whichever is less.

9213.5. Off street parking and loading requirements.

All parking and loading shall comply with the provisions of chapter 6.

9213.6. Utilities

All utilities shall be in compliance with chapter 6.

9213.7. Signs.

All signs shall be in compliance with chapter 6.

9214. Special standards.

In any RR land use district, the following special standards shall apply.

9214.1. Livestock and poultry raising standards.

Livestock and poultry raising shall conform to the following requirements:

- A. Poultry, fowl, and rabbits not to exceed fifty (50) birds and twenty four (24) rabbits;
- B. Pigeons not to exceed twelve (12) per parcel;
- C. A maximum of any combination of horses and other equines, cattle, llamas, alpacas, sheep or goats not to exceed eighteen (18) per acre.
 - 1. The raising, maintaining, keeping or grazing of horses and other equines, and cattle, including the breeding and training thereof shall be limited to a maximum of eight (8) adult animals per acre.

- a. ~~No raising or grazing of any animals shall occur as part of, not shall be conducted in conjunction with, any dairy, livestock feed yard, livestock sales yard or commercial riding academy located on the same premises;~~
- 2. ~~A maximum of any combination of adult llamas or alpacas not to exceed ten (10) per acre.~~
- 3. ~~A maximum of any combination of adult sheep or goats not to exceed ten (10) per acre.~~
- D. ~~Hogs or pigs shall be permitted, provided:~~
 - 1. ~~That said animals are, as a condition of use, located not less than fifty (50) feet from any street and not less than fifty (50) feet from the side or rear lines of any lot parcel of land or buildings used for human habitation;~~
 - 2. ~~That said animals shall not be fed any market refuse or similar imported ingredient or anything other than table refuse from meals consumed on the same lot or parcel of land, or grain;~~
 - 3. ~~That no more than two (2) weaned hogs or pigs are kept, except for 4-H projects;~~
 - 4. ~~That said animals shall be penned;~~
- E. ~~No animals or fowl, except dogs and cats kept as domestic pets, shall be housed, stalled, lodged, maintained or confined in a building or structure within thirty five (35) feet of any street or structure designed for human habitation. This provision excludes corrals;~~
- F. ~~All animals shall be maintained and controlled in a safe and healthy manner so as to not cause any private or public nuisance."~~

Section 5. Section 9224 of Part 3 of Chapter 2 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

"9224. Special standards.

In any ~~RR~~ RV land use district, the following special standards shall apply."

Section 6. Section 9253.4. of Part 6 of Chapter 2 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

"9653.4. Minimum lot area per dwelling unit.

The minimum lot area per dwelling unit shall be as follows:

- A. RM-6: Six thousand (6,000) square feet;
- B. RM-7: Five thousand (5,000) square feet;
- C. RM-8: Four thousand five hundred (4,500) square feet;
- D. RM-9: Four thousand (4,000) square feet;
- E. RM-10: Three thousand six hundred (3,600) square feet;
- F. RM-11: Three thousand two hundred (3,200) square feet;

- G. RM-12: Three thousand (3,000) square feet;
- H. RM-13: Two thousand seven hundred (2,700) square feet;
- I. RM-14: Two thousand five hundred (2,500) square feet;
- J. RM-15: Two thousand four hundred (2,400) square feet."

Section 7. Sections 9261 through 9264.1 of Part 7 of Chapter 2 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code are hereby deleted as follows:

"PART 2. RMH RESIDENTIAL-MEDIUM HIGH DENSITY DISTRICT [RESERVED]"

9261. Purpose.

~~The RMH district is intended to provide for residential development with a variety of housing types, including duplexes, single family attached townhouses and low density apartments to be established in appropriate areas at a medium high density range of population densities consistent with sound standards of public health and safety.~~

9262. Use establishment.

~~The limitations in the RMH district, as to uses and structures, shall be as follows.~~

9262.1. Permitted uses and structures.

~~Subject to the provisions of chapter 6, the following uses shall be permitted in the RMH district:~~

- ~~A. Single family dwelling per lot;~~
- ~~B. Two family dwelling per lot;~~
- ~~C. Congregate housing;~~
- ~~D. Day care for children, small family day care homes;~~
- ~~E. Homes for aged person, foster family;~~
- ~~F. Homes for children, foster family;~~
- ~~G. Townhouses;~~
- ~~H. Apartment houses provided that the density shall not exceed the designation shown on the zoning map.~~

9262.2. Accessory uses.

~~Subject to the provisions of section 9281 et seq. chapter 6, the following accessory uses and structures shall be permitted:~~

- ~~A. Accessory buildings, uses and structures;~~
- ~~B. Domestic animals;~~
- ~~C. Home occupations;~~
- ~~D. Private greenhouses, horticultural collections, flower and vegetable gardens;~~

- ~~E. One (1) room rental in the principal structure;~~
- ~~F. Garage sales, not to exceed twice in any calendar year;~~
- ~~G. One (1) second dwelling unit, subject to the provisions of section 9283 et seq.~~

~~9262.3. Uses subject to director's review and approval.~~

~~Subject to the provisions of chapter 6, the following uses may be permitted subject to the approval of the director:~~

- ~~A. Temporary structures such as model homes, real estate sales offices, construction trailers and mobile homes used as residence during construction of a project when a valid permit is in force;~~
- ~~B. All on or off site transport, grading projects of more than twenty five thousand (25,000) cubic yards;~~
- ~~C. Day care for children, large family day care home, subject to the issuance of a large family day care permit pursuant to the provisions of section 9285;~~
- ~~D. Temporary storage of materials and construction equipment related to a city public works project;~~
- ~~E. Motion picture filming not exceeding seven (7) consecutive days.~~

~~9262.4. Conditional uses.~~

~~The following uses may be permitted subject to the granting of a conditional use permit:~~

- ~~A. Transitional housing;~~
- ~~B. Churches, temples or other places used exclusively for religious worship, including customary incidental educational and social activities;~~
- ~~C. Convents and monestaries;~~
- ~~D. Reserved;~~
- ~~E. Day Nurseries;~~
- ~~F. Development of property with an average slope of ten (10) percent or greater, subject to the provisions of section 9652 et seq.~~
- ~~G. Golf courses, including the customary clubhouse and appurtenant facilities;~~
- ~~H. Homes for aged persons, small group care;~~
- ~~I. Homes for children, special boarding;~~
- ~~J. Manufactured homes (mobile homes) on a permanent foundation, as a single family dwelling, subject to the provision of section 9675;~~
- ~~K. Neighborhood recreation facilities when operated by a non-profit corporation for the use of surrounding residents;~~
- ~~L. Schools, private, accredited through grade 12, including appurtenant facilities;~~
- ~~M. Lighted tennis courts.~~

~~9262.5. Prohibited uses.~~

~~All uses and structures not specifically provided for in section 9262 et seq. shall be strictly prohibited in the RMH district.~~

9263. Development standards.

Subject to the provisions of chapter 6, the following development standards shall apply in the RMH district.

9263.1. Maximum density.

The maximum density shall be shown on the zoning map as a number of dwelling units per gross acre following the zoning symbol RMH. However, said designation shall be limited to the range of ten (10) through fifteen (15) dwelling units per acre. For example, RMH 15 means residential medium high density land use district with a maximum of fifteen (15) dwelling units per gross acre.

9263.2. Minimum lot size.

The minimum lot area shall be four thousand eight hundred (4,800) square feet or larger as shown on the zoning map.

9263.3. Minimum lot specifications.

The minimum lot specifications shall be as follows:

- A. ~~Public street frontage: Thirty (30) feet;~~
- B. ~~Minimum lot depth: Seventy five (75) feet;~~
- C. ~~Minimum lot width: Fifty (50) feet;~~
- D. ~~Minimum front yard: Fifteen (15) feet;~~
- E. ~~Minimum rear yard: Fifteen (15) feet;~~
- F. ~~Minimum side yard: Seven (7) feet;~~
- G. ~~Minimum street side yard: Ten (10) feet.~~

9263.4. Minimum lot area per dwelling unit.

The minimum lot area per dwelling unit shall be as follows:

- A. ~~RMH 10: Three thousand six hundred (3,600) square feet;~~
- B. ~~RMH 11: Three thousand two hundred (3,200) square feet;~~
- C. ~~RMH 12: Three thousand (3,000) square feet;~~
- D. ~~RMH 13: Two thousand seven hundred (2,700) square feet;~~
- E. ~~RMH 14: Two thousand five hundred (2,500) square feet;~~
- F. ~~RMH 15: Two thousand four hundred (2,400) square feet.~~

9263.5. Building site coverage.

The maximum building coverage shall be fifty (50) percent.

9263.6. Building height.

The maximum building height shall be thirty five (35) feet, or two (2) stories, whichever is less.

9263.7. Off-street parking and loading requirements.

All parking and loading shall comply with the provisions of chapter 6.

9263.8. Utilities

All utilities shall be provided as required by chapter 6.

9263.9. Signs.

All signs shall be in compliance with chapter 6.

9264. Special standards.

In any RMH land use district, the following special standards shall apply.

9264.1. Site plan review.

All uses not requiring any other discretionary approvals shall not be permitted unless a site plan review is obtained pursuant to the provisions of chapter 6.”

Section 8. Section 9283.1. of Part 9 of Chapter 2 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9283.1. Second unit standards.

All second units hereafter created shall conform to the following standards:

- A. Except for density limitations, all provisions of said land districts shall be complied with;
- B. All second units shall be connected to either public or private water and sewer facilities;
- C. Such units shall not be held under separate ownership;
- D. The maximum size of a second dwelling unit shall be six hundred forty (640) square feet;
- E. Second units may be attached or detached from the primary residence. A detached second unit shall comply with the development standards of section 9606;
- F. Required on-site parking for a second unit per section 9654.6 may be located in any yard area and shall not preclude required parking and access for the primary residence;

- G. The exterior building materials and colors of second units shall be identical to the primary residence.”

Section 9. Section 9284.1. of Part 9 of Chapter 2 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9284.1. Same-Standards.

All mobile homes hereafter proposed to be installed on a lot in the ~~RR~~, RV, RL, RS, RM, ~~RMH~~, and RH land use districts shall conform to the following standards:

- A. Said mobilehome shall be installed on a slab;
- B. Said mobilehome shall conform to all the provisions of the land use district in which it is to be located;
- C. Said mobilehome shall have a sloping roof with eave projections of at least twelve (12) inches constructed with fire-resistant roofing material as approved by the planning commission;
- D. Said mobilehome shall have an exterior siding of wood, ~~nonreflective metal~~, or equivalent materials as approved by the planning commission;
- E. Said mobilehome shall have skirting constructed of a material designed to correspond to or compliment the mobilehome’s exterior design, extending from the exterior wall to the ground and fully screening the mobilehomes’s undercarriage from all directions;
- F. Said mobilehome shall be provided with a minimum of a two-car enclosed garage;
- G. Landscaping necessary to achieve the same standards of development as are characteristic of the surrounding properties, as specified by the planning commission, shall be provided;
- H. Each mobilehome shall have front, side and rear yards of not less than those required for a conventional single-family residence in the district in which it is located;
- ~~I. Each mobilehome shall have a concrete slab or suitability constructed raised platform or deck or patio area of at least two hundred (200) square feet in area;~~
- ~~J. The exterior of such mobilehome and the lot or parcel of land on which said mobilehome is placed shall be maintained in a neat, orderly and presentable condition;~~
- ~~K. Each mobilehome shall bear the insignia of approval issued by the California Department of Housing and Community Development, or the housing seal number from the department of housing urban development;~~

~~L. Each mobilehome shall maintain a current California vehicle license registration during the period of time it is on a lot in lieu of a single family residence where required by state law;~~

~~M. Each mobilehome shall be removed from the site prior to the end of five (5) years unless a different time period is specified by the commission. Where as a condition of approval a mobilehome must be removed from its site at the end of a specified time period, a building permit shall not e applied for, and a mobilehome shall not be placed on a foundation system;~~

~~N. I. The granting of a mobilehome conditional-use permit shall not relieve the applicant, his assigns or successors in interest, from complying with all other applicable statutes, ordinances, rules and regulations.”~~

Section 10. Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“Chapter 3 COMMERCIAL DISTRICTS

Part

1. Purpose and Design Standards, 9301-9310
2. Commercial Use Table, 9311-9320
3. CS Commercial Shopping Center District, 9321-9330
4. CRS Commercial retail/Service District, 9331-9340
5. ~~CM Mixed Use Commercial/Residential~~ CS-MU Commercial Shopping Center-Mixed Use District, 9341-9350
6. CR Commercial Recreation Land Use District, 9341-9350
7. Business Park District, 9361-9370
8. BP-OR Business Park-Office Retail District, 9371-9380
9. BP-M Business Park-Manufacturing, 9381-9390 - 9383
10. CN Commercial Neighborhood Center District, 9384-9390
- ~~10~~ 11. Special Commercial Use Standards, 9301-9395.1
- ~~11~~ 12. Standards for Specific Uses, 9396
- ~~12~~ 13. Standards for Periodic Outdoor Display, 9397, -9397.1”

Section 11. Sections 9301 and 9302 of Part 1 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code are hereby amended to read:

"PART 1. PURPOSE AND DESIGN STANDARDS

9301. Purpose.

- A. To provide appropriately located areas for retail stores, offices, service establishments, amusement establishments, and businesses offering a variety of commodities and services required by residents of the city and its surrounding market area;
- B. To provide opportunities for the concentration of a diversity of retail stores, offices, service establishments and amusement establishments in mutually beneficial relationships to each other for the convenience of the public;
- C. To provide adequate space to meet the needs of modern commercial development, including off-street parking and loading areas;
- D. To minimize traffic congestion and to avoid the overloading of utilities by preventing the construction of buildings of excessive size in relation to the amount of land around them;
- E. To protect commercial properties from noise, odor, dust, dirt, smoke, vibration, heat, glare, heavy truck traffic, and other objectionable influences incidental to industrial uses;
- F. To protect commercial properties from fire, explosion, noxious fumes, and other hazards;
- G. To Use and promote open spaces and landscaping to create a visually pleasing environment, as well as to distinguish city and neighborhood boundaries;
- H. Intensified or regional-relation commercial uses shall be organized and designed to promote maximum opportunity for transit usage;
- I. Commercial and office developments shall exhibit the highest standards of site planning, architecture and landscape design;
- J. Enhance the pedestrian experience through well-delineated and design-enhanced pathways from the parking lots to the commercial businesses, and pedestrian connections from the commercial developments to adjacent neighborhoods and districts, and by providing pedestrian amenities that include outdoor seating areas and gathering spaces.

9302. Commercial districts.

The following commercial districts are hereby established:

- A. CS Commercial shopping center district;
- B. CRS Commercial retail/service district;
- C. ~~CM Mixed use commercial/residential district;~~ CS-MU Commercial shopping center-mixed use district;
- D. CR Commercial recreation district;
- E. BP-OR Business park-office retail district;
- F. BP-M Business park-manufacturing district;
- G. CN Commercial neighborhood center district.”

Section 12. Section 9303.1. of Part 1 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9303.1 Site plan design.

- C. *Access/circulation.* The access and circulation of a development should be designed to provide a safe and efficient system, both on and off the site. Points of access shall be designed in conformance with the city access regulations. The circulation system shall be designed to reduce conflicts between vehicular and pedestrian traffic, minimize impacts on adjacent properties, combine circulation and access areas where possible, and provide adequate maneuvering areas. Points of access shall not conflict with other planned or existing access points. Clearly delineated pedestrian connections between business areas and parking areas, and to adjoining neighborhoods and districts shall be provided, which provide safety and amenities to pedestrians and provide added amenities to the site design.
- D. *Parking areas.* Parking areas should be the dominant element. The visual prominence of parking areas shall be minimized in the overall design of a project through site design and landscaping and should shall be designed to minimize visual disruption. Parking areas should be screened from streets through combinations of mounding, landscaping, low profile walls and grade separations. The design of parking areas ~~should~~ shall also minimize auto noise, lights and glare, and ambient air temperature. This can be accomplished through the use of sound walls, ~~general~~ site location, use of well-designed lights, and landscaping throughout the parking lot. Parking lots shall incorporate well-designed and articulated pedestrian pathways from the parking areas to the businesses to create a safe and pleasant pedestrian environment. Bicycle parking racks or other public bike storage shall be provided in convenient locations of the development.
- I. *Compatibility with adjacent uses.* Commercial uses adjoining residential neighborhoods shall be designed to be compatible with the neighborhoods through locating automobile and truck access and unloading areas so that they do not directly front residential uses, or

by providing adequate screening of landscaping and/or decorative walls in areas adjacent to the residential uses.

Section 13. Section 9305.B. of Part 1 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9305. Performance standards.

The conduct and operation of all uses in the commercial districts shall comply with the following minimum standards:

B. *Lights.* All lights and glare associated with operations, and illuminated signs shall be shielded or directed so as to not illuminate adjacent locations or cause glare to motorists.”

Section 14. Sections 9311 through 9312.2. of Part 2 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code are hereby amended to read:

“9311. Purpose.

The purpose of the commercial use tables is to designate the uses permitted within a building, except as otherwise noted in each of the commercial land use districts.

9312. Commercial use, table I established.

The following table I indicates the described uses as a permitted use by an “X” in the district appearing at the top of the column. A letter designation in the column indicates that the described use is permitted in that district upon compliance and maintenance of the special condition referenced by the corresponding letter in section 9312.3. The special condition shall be in addition to all other requirements of this article and any other ordinance applicable to the described use.

9312.1. Similar and like use.

If a use is (1) not listed in table I, (2) not shown as a permitted use in any other zone, or (3) the planning commission has not made an interpretation that said use is similar to another use pursuant to the provisions of change 9800, said use shall be prohibited.

9312.2. Commercial use table I.

The following shall be commercial use table I.” [reference attachment Table I]

Section 15. Section 9321. of Part 3 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9321. CS Purpose.

The CS district is intended for planned shopping centers where the land and compatible retail stores and associated facilities are designed and developed together as an integrated unit using modern site planning techniques. The centers shall exhibit a high level of architectural and site design quality, providing a positive experience for visitors and community residents, and fostering business activity. Such centers are required to fit into the residential pattern of development and not create either architectural or traffic conflicts. Development, remodel and renovation of such centers shall integrate and promote pedestrian activity with pathway connections between center business areas and parking areas, and to adjoining neighborhoods and districts, as well as incorporate pedestrian amenities like seating areas and outdoor gathering spaces to accommodate pedestrians, outdoor dining and other activities. The pathways shall be clearly articulated with enhanced paving and other design features, landscaping, and wayfinding signage.”

Section 16. Section 9323.6 of Part 3 of Chapter 3 of Article IX (Zoning Ordinance)-of the Agoura Hills Municipal Code is hereby amended to read:

“9323.6. Required landscaping.

A minimum of fifteen (15) percent of the total lot shall be landscaped unless otherwise specified during a discretionary review. In addition, landscaping shall be provided within all required yards adjacent to the public right-of-way. Said landscaping shall be provided and maintained in perpetuity subject to the following:

- A. Berming (undulating or embanked) shall be required with a minimum variation of elevation being thirty-(30) inches;
- B. One (1) native oak tree, twenty-four-inch box in size per fifteen thousand (15,000) square feet of building area shall be provided within said areas or at alternative locations as approved by the city;
- C. Landscaping shall minimize the visual dominance of the parking areas, shall complement on-site pedestrian amenities and circulation, and serve to reduce pavement temperature; and
- ~~C.~~ D. No other usage or storage shall be permitted within any required landscaping.”

Section 17. Sections 9323.8 and 9323.9 of Part 3 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code are hereby added as follows:

“9323.8. Required amenities.

- A. Clearly articulated pedestrian paths through parking lots to the center businesses and residences with distinguishing design characteristics.
- B. Well-defined pedestrian pathways connecting adjoining shopping centers, and between the centers and adjacent neighborhoods and districts.
- C. Outdoor seating and gathering areas near the businesses, including expanded sidewalks or plazas, designed as an integral part of the overall architecture and site design.
- D. Bike racks or other public bike storage in convenient locations in the center, integrated within the overall architecture and site design of the center.”

“ 9323.9. Compatibility with residential neighborhoods.

Commercial uses adjoining off-site residential neighborhoods shall be designed to be compatible by incorporating the following:

- A. Landscape and decorative walls, or comparable buffering and/or screening elements, along the edges of the shopping center;
- B. Enhanced architectural treatment of elevations facing the residential uses;
- C. Low intensity lighting and screening to minimize light spillover and glare into residential neighborhoods; and
- D. Locating automobile and truck access and unloading areas so that they do not directly front residential neighborhoods, or by providing adequate screening with landscaping and/or decorative walls in areas adjacent to the residential neighborhoods.”

Section 18. Section 9331. of Part 4 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“PART 4. CRS COMMERCIAL RETAIL/SERVICE DISTRICT

9331. Purpose.

The purpose of the CRS district is to provide areas for a diversity of general commercial, retail and service uses for which a shopper in general makes a single purpose trip to visit one (1) establishment. It is intended that this district provide for the needs of the residents of the city and the surrounding area. The uses shall exhibit a high level of architectural and site design quality, providing a positive experience for visitors and community residents, and fostering business activity.”

Section 19. Section 9333.5. of Part 4 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9333.5. Required landscaping.

C. Landscaping shall minimize the visual dominance of the parking areas, shall complement on-site pedestrian circulation, and serve to reduce pavement temperature; and

∅ D. No other usage or storage shall be permitted within any required landscaping.”

Section 20. Sections 9333.9 and 9333.10. of Part 4 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby added as follows:

“9333.9. Required amenities.

A. Clearly articulated pedestrian paths through parking lots to the businesses.

B. Pedestrian pathways connecting adjoining neighborhoods and districts.

9333.10. Compatibility with residential neighborhoods.

Commercial uses adjoining off-site residential neighborhoods shall be designed to be compatible by incorporating the following:

A. Landscape and decorative walls, or comparable buffering and/or screening elements, along the edges of the shopping center;

B. Enhanced architectural treatment of elevations facing the residential uses;

C. Low intensity lighting and screening to minimize light spillover and glare into residential neighborhoods; and

D. Locating automobile and truck access and unloading areas so that they do not directly front residential neighborhoods, or by providing adequate screening with landscaping and/or decorative walls in areas adjacent to the residential neighborhoods.”

Section 21. Sections 9341 through 9350. of Part 5 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code are hereby deleted as follows:

~~“PART 5. CM MIXED USE COMMERCIAL/RESIDENTIAL DISTRICT~~

~~9341. Purpose.~~

~~The purpose of the CM district shall be to provide for small scale office/retail uses, and some limited residential development that is sensitive to the nature of the terrain, natural features, and other elements of the existing setting.~~

~~9342. Uses established.~~

~~Uses and structures in the CM district shall be subject to the limitation set forth in the following provisions of this section.~~

~~9342.1. Permitted commercial uses.~~

~~Subject to the provisions of chapter 6, buildings and structures may be erected, structurally altered or enlarged and land may be used within this district for commercial, service, office, and other uses as provided in the commercial use table for the business park office retail district (section 9311 et seq. of this chapter).~~

~~9342.2. Permitted residential uses.~~

~~Subject to the provisions of chapter 6, residential uses as specified for the RM-6 district (medium density residential — maximum of six (6) units per acre) shall also be a permitted use in the CM district. Commercial and residential development shall not occur on the same lot.~~

~~9342.3. Project size.~~

~~The minimum project size shall be five (5) acres.~~

~~9342.4. Prohibited uses.~~

~~Any use or structure not specified in section 9342 et seq. shall be prohibited in the CM district.~~

~~9342.5. Development and special standards.~~

~~Subject to the provisions of section 9303 and 9391 et seq. and chapter 6, the development and special standards for the CM district shall be as established by the combining overlay district, as shown on the zoning map.~~

~~9343-9350. Reserved.”~~

Section 22. Sections 9341 through 9350 of Part 5 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby added to read:

"PART 5. CS-MU COMMERCIAL SHOPPING CENTER-MIXED USE DISTRICT

9341. Purpose.

The purpose of the CS-MU district shall be to provide for planned shopping centers where the land and compatible retail stores and associated facilities, including multi-family residential units, are designed and developed together as an integrated whole using modern site planning techniques. The allowance for residential units is to encourage improvements to existing shopping centers, and to provide opportunities for an individual to participate in multiple activities on the site, thereby promoting vehicle trip reduction. The primary tenant in the shopping center will usually be a supermarket, or other large retail tenant and the center will serve primarily the convenience needs, such as food, drugs, hardware, and personal services, of nearby residential areas. The centers shall exhibit a high level of architectural and site design quality, providing a positive experience for visitors and residents of the center and community; fostering economic vitality and businesses activity; and serving as a center of neighborhood identity and activity. Such centers are required to fit into the surrounding residential pattern of development and create neither architectural nor traffic conflicts. Development, remodel and renovation of such centers shall integrate and promote pedestrian activity with pathway connections between center business areas and parking areas, and to adjoining neighborhoods and districts, as well as incorporate pedestrian amenities like seating areas and outdoor gathering spaces to accommodate pedestrians, outdoor dining and other activities. The pathways shall be clearly articulated with enhanced paving and other design features, landscaping, and wayfinding signage. Multi-family residential units may be included in a center, providing that resident-serving amenities are incorporated into the center; the residential and non-residential uses are compatible; and the residential and non-residential portions of mixed-use buildings are seamlessly integrated by architectural design, pedestrian walkways, and landscape. For existing shopping centers, residential use may be allowed only if it is part of a substantial and comprehensive redevelopment, remodel or renovation of the shopping center that improves the architectural and site design. In all cases, the residential use shall be ancillary to the commercial uses of the center.

9342. Uses established.

Uses and structures in the CS-MU district shall be subject to the limitations set forth in the following provisions of this section.

9342.1 Permitted commercial uses.

Subject to the provisions of chapter 6, buildings and structures may be erected, structurally altered or enlarged, and land may be used within this district for commercial, service, office and other uses as provided in the commercial use tables for the commercial shopping center (CS) district (see section 9311 et seq. of this chapter).

9342.2 Permitted residential uses.

Residential uses shall be ancillary to the commercial uses, shall meet at least the minimum standards of the CS-MU district, and only be allowed with a conditional use permit as either part of the development of a new center, or the substantial and comprehensive redevelopment, renovation or remodel of an existing center. For existing shopping centers proposing to add residential units, the existing buildings shall be required to conduct façade and other improvements to enhance the architectural and site design, and the site shall be brought up to all standards of the CS-MU district. Residential uses shall be permitted providing that resident-serving recreation and other amenities are incorporated into the center; the residential and non-residential uses are compatible; and the residential and non-residential portions of mixed-use buildings are seamlessly integrated by architectural design, pedestrian walkways, and landscaping. Residential uses shall be multi-family, and shall consist of apartments on the upper floors of buildings containing ground floor retail or office uses.

9342.3 Prohibited uses.

Except as provided in section 9342.2, any use or structure not specified in section 9342.1 shall be prohibited in the CS-MU district.

9343. Development standards.

Subject to the provisions of section 9303, 9391 et seq. and chapter 6, the following development standards shall apply in the CS-MU district.

9343.1 Project size.

The minimum project size shall be five (5) acres.

9343.2 Minimum lot specifications.

All lots hereafter created shall contain the following:

- A. Minimum lot area: Twenty thousand (20,000) square feet.
- B. Minimum lot width: Two hundred (200) feet.
- C. Minimum depth: One hundred (100) feet.

9343.3. Building coverage.

The maximum building coverage shall be fifty (50) percent of the total project.

9343.4. Building height.

The maximum building height shall be thirty-five (35) feet.

9343.5. Project setbacks.

The minimum yard requirements shall be as follows:

- A. Minimum front yard: Twenty (20) feet from any existing or proposed right-of-way;
- B. Minimum side yard: none except:
 - 1. When adjacent to a residential district or when abutting any street that separates the CS-MU district from a residential district: Twenty (20) feet;
 - 2. The minimum street side yard shall be treated as a front yard;
- C. Minimum rear yard: Equal to the height of the tallest buildings in the project.

9343.6. Residential design requirements.

The provision of multi-family housing in the CS-MU district shall include the following minimum design requirements for new shopping centers, and for redevelopment, renovation and remodel of existing shopping centers.

- A. The project site shall meet at least the minimum standards of the CS-MU district;
- B. Residential and commercial uses within a mixed-use building shall be seamlessly integrated architecturally within the building, and the buildings shall be integrated with the remainder of the shopping center through architectural and site design elements;
- C. The ground floor of residential and commercial mixed-use buildings along primary street frontages and public sidewalks and plazas shall be occupied by retail, dining and other uses that engage pedestrians;
- D. The provision of on-site designated and secured residential parking separate from the on-site commercial use parking;
- E. The provision of recreational and other residential-serving amenities, including usable outdoor developed open space for the residents; and
- F. Mixed-use commercial and residential buildings shall be designed to assure compatibility among uses and public safety, which shall include at least privacy for residential entrances, separate access, fire suppression barriers, secured resident parking, and noise insulation;

9343.7. Residential maximum density.

The maximum density shall be one and three-quarters (1.75) dwelling units per acre.

9343.8. Transfer of development credits for residential.

The transfer of development credits for residential units in this district is to provide flexibility in the development of residential multi-family units, and to encourage the development of cohesively planned complexes of multi-family units. A development credit is a potential entitlement to construct one (1) multi-family residential unit. The transfer of residential development credits may be authorized based on the conditions, and subject to the provisions listed as follows:

- A. Residential development credits may be transferred among donor and receiver parcels only within the CS-MU district west of Kanan Road, south of Laro Drive, and west and north of the Medea Creek channel;
- B. The development credit can only be exercised when it has been transferred pursuant to the provisions of this section from a donor to a receiver parcel and all other requirements of law are fulfilled;
- C. The city council, after recommendation by the planning commission, finds the donor parcel has development credits to be transferred, the receiver parcel has sufficient area designated in the general plan to accommodate development otherwise permitted under city regulations, and that such total development meets all of the applicable requirements of the city's general plan, and this section;
- D. The transfer of credits shall be authorized as part of a development agreement, which shall include both the donor and receiver parcels;
- E. When development credits are transferred, all such credits for a parcel shall be transferred, and they are thereafter extinguished with regard to the donor parcel;
- F. The number of development credits that may be transferred shall not exceed the number of dwelling units provided for in section 9343.7;
- G. Before approving the transfer of development credits, the city must find that the appropriate guarantees exist and will be provided to ensure that the transfer conforms to the intent and purposes of the general plan; the transfer will not result in a detrimental effect on the area surrounding the receiver parcel; and the transfer of credits will result in a superior residential development complex that would not otherwise be feasible without the transfer of credits.

9343.9. Compatibility with residential neighborhoods.

Commercial uses adjoining off-site residential neighborhoods shall be designed to be compatible by incorporating the following:

- E. Landscape and decorative walls, or comparable buffering and/or screening elements, along the edges of the shopping center;

- F. Enhanced architectural treatment of elevations facing the residential uses;
- G. Low intensity lighting and screening to minimize light spillover and glare onto residential neighborhoods; and
- H. Locating automobile and truck access and unloading areas so that they do not directly front residential neighborhoods, or by providing adequate screening with landscaping and/or decorative walls from the areas to the residential neighborhoods.

9343.10. Required amenities.

- E. Clearly articulated pedestrian paths through parking lots to the center businesses and residences with distinguishing design characteristics.
- F. Well-defined pedestrian pathways connecting adjoining shopping centers, and between the centers and adjacent neighborhoods and districts.
- G. Outdoor seating and gathering areas near the businesses, including expanded sidewalks or plazas, designed as an integral part of the overall architecture and site design.
- H. Bike racks or other public-bike storage in convenient locations in the center, integrated within the overall architecture and site design of the center.

9343.11. Required landscaping.

A minimum of fifteen (15) percent of the total lot shall be landscaped unless otherwise specified during a discretionary review. In addition, landscaping shall be provided within all required yards adjacent to the public right-of-way. Said landscaping shall be provided and maintained in perpetuity subject to the following:

- D. Berming (undulating or embanked) shall be required with a minimum variation of elevation being thirty (30) inches;
- E. One (1) native oak tree, twenty-four-inch box in size per fifteen thousand (15,000) square feet of building area shall be provided within said areas or at alternative locations as approved by the city;
- F. Landscaping shall minimize the visual dominance of the parking areas, shall complement on-site pedestrian amenities and circulation, and serve to modulate pavement temperature; and
- G. No other usage or storage shall be permitted within any required landscaping.

9343.12. Required walls.

Unless waived by the city, all developments shall be screened according to the following:

- A. A decorative wall at a minimum height of six (6) feet shall be provided on all property lines except for those adjacent to a public right-of-way.

9344-9350. Reserved.”

Section 23. Section 9351. of Part 6 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“PART 6. COMMERCIAL RECREATION LAND USE DISTRICT.

9351. Purpose.

“The purpose of the CR district is to provide an area for commercial uses normally considered to be recreation oriented that protect and complement the area’s open space character, such as active or passive open space, golf courses, and amusement parks, and commercial uses normally associated with such areas. or other non-intensive commercial recreation use, and ancillary structures that are designed to assure the visual prominence of open space. The purpose of the CR district is to also provide for active recreational uses that demonstrate compatibility with adjacent residential areas with regard to noise, lighting, traffic, and other potential impacts.”

Section 24. Section 9353. of Part 6 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9353. Development and special standards.

Except as follows and subject to the provisions of section 9303 and chapter 6, the development standards for the CR district shall be as established by discretionary review with consideration given to the protection of the area’s open space character and compatibility with adjacent residential areas.”

Section 25. Section 9371 of Part 8 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“PART 8. BP-OR BUSINESS PARK-OFFICE RETAIL DISTRICT

9371. BP-OR Purpose.

“The purpose of the BP-OR district is to provide for smaller planned developments, renovations, and additions, including offices and incidental related retail commercial uses, within a campus

environment that are harmonious with the adjacent commercial or residential development and integrate pedestrian walkways and outdoor activity areas, landscaped open spaces, common signage, and seamless connections and transitions with existing buildings in terms of scale, design, and materials designed to promote pedestrian safety, convenience for pedestrians, and connectivity with, and to complement, the quality and character of existing development, while achieving a cohesive project.”

Section 26. Section 9372.1. of Part 8 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9372.1. Permitted uses.

Subject to the provisions of chapter 6, buildings and structures may be erected, structurally altered or enlarged land may be used within this district for commercial, service, office and other uses as provided in the commercial use tables (section 9311 et seq. of this chapter). Retail and service uses along the periphery of parking areas are encouraged, where appropriate. The entire business operation, excluding outdoor dining areas, shall be conducted within a completely enclosed building.”

Section 27. Section 9373. of Part 8 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9373. Development standards.

Developments, renovations, and additions in the BP-OR district shall complement existing uses, exhibit a high level of architectural and site design quality, and include enhanced pedestrian connections between business areas, parking areas, and to-adjointing neighborhoods and districts. Plazas, courtyards, expanded walkways, and open spaces shall be incorporated into the developments to promote pedestrian activity.

Subject to the provisions of sections 9303 and 9391 et seq. and chapter 6, the following development standards shall also apply in the BP-OR land use district.”

Section 28. Section 9373.7. of Part 8 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9373.7. Required Landscaping.

A minimum of twenty (20) percent of the total lot shall be landscaped unless otherwise specified during a discretionary review. Landscaping shall contribute to the appearance and quality of the development and shall minimize the visual dominance and break the visual continuity of the surface parking areas and reduce the heat-island effect of development. In addition, landscaping shall be provided within all required yards adjacent to public rights-of-way and enhance a park-

like setting along property edges and building frontages. Landscape buffers shall be provided to minimize any negative impacts to surrounding neighborhoods and development. Said landscaping shall be provided and maintained in perpetuity subject to the following:

- A. Berming (undulating or embanked) shall be required with a minimum variation of elevation being thirty (30) inches.
- B. One (1) native oak tree twenty-four (24) inches in size per fifteen thousand (15,000) square feet of building shall be provided within said areas or an alternate location as approved by the appropriate authority.
- C. No other usage or storage shall be permitted within any required landscaping.”

Section 29. Section 9373.9. of Part 8 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9373.9. Access.

Readily visible site access and entrance drives shall be provided. A maximum of two (2) entrances per street shall be allowed subject to their conformance with acceptable circulation patterns and traffic control measures.”

Section 30. Section 9381. of Part 9 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“PART 9. BP-M BUSINESS PARK-MANUFACTURING DISTRICT

9381. BP-M Purpose.

“The purpose of the BP-M district shall be to provide areas for larger scale businesses involved in light manufacturing, research and development, assembly, distribution or services requiring larger facilities in integrated developments, renovations, and additions within a campus environment that are compatible with the adjacent commercial or residential development and integrate pedestrian walkways and outdoor activity areas, landscaped open spaces, common signage, and seamless connections and transitions with existing buildings in terms of scale, design, and materials designed to promote pedestrian safety, convenience for pedestrians, and connectivity with, and to complement, the quality and character of existing development, while achieving a cohesive project.”

Section 31. Section 9382.1. of Part 9 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9382.1. Permitted uses.

Subject to the provisions of chapter 6, buildings and structures may be erected, structurally altered or enlarged land may be used within this district for commercial, service, incidental related office and other uses as provided in the commercial use tables (section 9311 et seq. of this chapter). Retail and service uses along the periphery of parking areas are encouraged. The entire business operation, excluding outdoor dining areas, shall be conducted within a completely enclosed building or within a buildable area of the lot.”

Section 32. Section 9383. of Part 9 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9383. Development standards.

“Developments, renovations, and additions in the BP-OR district shall complement existing uses, exhibit a high level of architectural and site design quality, and include enhanced pedestrian connections between business areas, parking areas, and to adjoining neighborhoods and districts. Plazas, courtyards, expanded walkways, and open spaces shall be incorporated into the developments to promote pedestrian activity.

Subject to the provisions of sections 9303 and 9391 et seq. and chapter 6, the following development standards shall also apply in the BP-OR land use district.”

Section 33. Section 9383.5. of Part 9 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9383.5. Required Landscaping.

“A minimum of twenty (20) percent of the total lot shall be landscaped unless otherwise specified during a discretionary review. Landscaping shall contribute to the appearance and quality of the development and shall minimize the visual dominance and break the visual continuity of the surface parking areas and reduce the heat-island effect of development. In addition, landscaping shall be provided within all required yards adjacent to public rights-of-way and enhance a park-like setting along property edges and building frontages. Landscape buffers shall be provided to minimize any negative impacts to surrounding neighborhoods and development. Said landscaping shall be provided and maintained in perpetuity subject to the following:

- A. Berming (undulating or embanked) shall be required with a minimum variation of elevation being thirty (30) inches.
- B. One (1) native oak tree twenty-four (24) inches in size per fifteen thousand (15,000) square feet of building shall be provided within said areas or an alternate location as approved by the appropriate authority.

C. No other usage or storage shall be permitted within any required landscaping.”

Section 34. Section 9383.7. of Part 9 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9383.7. Access.

Readily visible site access and entrance drives shall be provided. A maximum of two (2) entrances per street shall be allowed subject to their conformance with acceptable circulation patterns and traffic control measures.”

Section 35. Sections 9384 through 9390. of Part 10 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby added to read:

“PART 10. CN COMMERCIAL NEIGHBORHOOD CENTER DISTRICT

9384. Purpose.

The purpose of the CN district is to provide areas for general commercial, retail and service uses that are compatible with the surrounding residential neighborhoods. It is intended that this district provide for the local needs of the residents of the city and the surrounding areas with compatible uses, in design that is compatible with adjoining residential neighborhoods, and in the provision of on-site pedestrian amenities and pedestrian circulation that is linked to adjacent land uses.

9385. Uses established.

The limitations as to uses and structures in the CN district shall be as follows.

9385.1 Permitted uses.

Subject to the provisions of section 9301 et seq. and chapter 6, buildings and structures may be erected, structurally altered or enlarged and land may be used within this district for commercial, service, office and other uses as provided in the CN zone in the commercial use tables (section 9311 et seq. of this chapter). The entire business operation shall be conducted within a completely enclosed building, or within the buildable area of the lot.

9385.2. Prohibited uses.

Any use or structure not specified in section 9385.1. shall be prohibited in the CN district.

9386. Development standards.

Developments, renovations, and additions in the CN district shall be located and designed to complement adjoining neighborhoods and uses by incorporating the following:

A. A high level of architectural and site design quality that are compatible with adjoining neighborhoods;

B. Where substantial improvements are proposed for buildings that do not meet current City standards, improvements shall comply with contemporary City standards for building materials and colors, signage, lighting and landscape;

C. On-site pedestrian amenities and enhanced pedestrian connections between parking areas and adjoining neighborhoods and districts;

D. Uses which ensure minimization of exterior noise and sufficient buffers between waste disposal locations and adjoining neighborhoods;

E. Improved public streets and sidewalks that enhance the visual character and quality of the neighborhood commercial district, considering such elements as landscape; well-designed benches, trash receptacles, and other street furniture; decorative sidewalk and crosswalk paving; and pedestrian-oriented lighting; wayfinding signage.

Subject to the provisions of section 9303, 9391 et seq. and chapter 6, the following development standards shall also apply in the CN district.

9386.1. Project size.

The minimum project size shall be 0.35 acres.

9386.2. Minimum lot specifications.

All lots hereafter created shall contain the following:

- a. Minimum lot area: Ten thousand (10,000) square feet.
- b. Minimum lot width: One hundred (100) feet.
- c. Minimum lot depth: One hundred (100) feet.

9386.3. Building coverage.

The maximum building coverage shall be sixty (60) percent.

9386.4. Building height.

The maximum building height shall be thirty-five (35) feet.

9386.5. Project setbacks.

The minimum yard requirements shall be as follows:

- A. Minimum front yard: Equal to the height of the building or minimum of twenty (20) feet;
- B. Minimum side yard: None except when adjacent to a residential district or public street: Ten (10) feet;
- C. Minimum rear yard: Equal to the height of the building or minimum of ten (10) feet.

9386.6. Required landscaping.

A minimum of ten (10) percent of the total lot shall be landscaped unless otherwise specified during a discretionary review. Landscaping shall minimize the visual dominance of the parking areas and reduce the heat-island effect of development and provide for on-site pedestrian amenities and pedestrian circulation that is linked to adjoining areas. In addition, landscaping shall be provided within all required yards adjacent to public rights-of-way and shall be used to sufficiently screen the property from adjoining districts. Said landscaping shall be provided and maintained in perpetuity subject to the following:

- A. Berming (undulating or embanked) shall be required with a minimum variation of elevation being thirty (30) inches;
- B. One (1) native oak tree, twenty-four (24) inches in size, per fifteen thousand (15,000) square feet of building shall be provided within said areas or at alternate locations approved by the city;
- C. Landscaping shall minimize the visual dominance of the parking areas, shall complement on-site pedestrian amenities and circulation, and serve to modulate pavement temperatures; and
- D. No other usage or storage shall be permitted within any required landscaping.

“9386.7. Required amenities.

- I. Clearly articulated pedestrian paths through parking lots to the center businesses and residences with distinguishing design characteristics.
- J. Well-defined pedestrian pathways connecting adjoining shopping centers, and between the centers and adjacent neighborhoods and districts.
- K. Outdoor seating and gathering areas near the businesses, including expanded sidewalks or plazas, designed as an integral part of the overall architecture and site design.
- L. Bike racks or other public bike storage in convenient locations in the center, integrated within the overall architecture and site design of the center.”

“9386.8. Compatibility with residential neighborhoods.

Commercial uses adjoining off-site residential neighborhoods shall be designed to be compatible by incorporating the following:

- I. Landscape and decorative walls, or comparable buffering and/or screening elements, along the edges of the shopping center;
- J. Enhanced architectural treatment of elevations facing the residential uses;
- K. Low intensity lighting and screening to minimize light spillover and glare into residential neighborhoods; and
- L. Locating automobile and truck access and unloading areas so that they do not directly front residential neighborhoods, or by providing adequate screening with landscaping and/or decorative walls in areas adjacent to the residential neighborhoods.”

9386.9. Required walls.

Unless waived by the city, all developments shall be screened by a decorative wall at a minimum height of six (6) feet on all property lines except for those adjacent to a public right-of-way.

9387-9390. Reserved.”

Section 36. Part 10 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“PART ~~10~~ 11. SPECIAL COMMERCIAL USE STANDARDS”

Section 37. Part 11 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“PART ~~11~~ 12. STANDARDS FOR SPECIFIC USES*”

Section 38. Part 12 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“PART ~~12~~ 13. STANDARDS FOR PERIODIC OUTDOOR DISPLAY”

Section 39. Chapter 4 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“Chapter 4

SPECIAL DISTRICTS

Part

1. Purpose, 9401-9410
2. P Local Park District, 9411-9420
3. ~~PR Regional Park District, [Reserved]~~ 9421-9430
4. SH School District, 9431-9440
5. ~~G Governmental Office District, [Reserved]~~ 9441-9450
6. U Utility District, 9451-9460
7. OW Open Water District, 9461-9480
8. ~~OS Open Space District, 9481-9490~~
8. OS-R Open Space-Restricted District, 9481-9489.2
9. OS-DR Open Space Deed Restricted District, 9490-9490.12
- 9 10. S Study District, 9491-9495
- 10 11. SP Specific Plan PD Planned Development District, 9496-9499”

Section 40. Section 9402. of Part 1 of Chapter 4 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9402. Establishment of special districts.

The following special districts are hereby established:

- A. P local park;
- B. ~~PR regional park;~~
- ~~C B.~~ SH school;
- ~~D.~~ ~~G government office;~~
- E C. U utility;
- ~~F D.~~ OW open water;
- ~~G.~~ OS open space;
- E. OS-R Open Space-Restricted;
- F. OS-DR Open Space-Deed Restricted;
- ~~H G.~~ S study;
- ~~I H.~~ SP specific plan PD planned development district.”

Section 41. Sections 9441 through 9450. of Part 5 of Chapter 4 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby deleted as follows:

"PART 5. G GOVERNMENTAL OFFICE DISTRICT [RESERVED]"

9441. Purpose.

~~The purpose and intent of the G district is to provide for the orderly establishment of public facilities, expansion of their operations, or change in the use of lands owned, leased or otherwise controlled by governmental agencies and for the orderly establishment of quasi public institutional uses.~~

9442. Permitted uses.

~~No use shall be permitted without a conditional use permit.~~

9442.1. Conditional uses.

~~The following uses shall be permitted subject to the issuance of a conditional use permit:~~

- ~~A. — Accessory uses and structures incidental to conditional uses;~~
- ~~B. — Agricultural experimental facilities;~~
- ~~C. — Animal shelters;~~
- ~~D. — Flood control facilities;~~
- ~~E. — Governmental offices;~~
- ~~F. — Government supported residential developments;~~
- ~~G. — Historical landmarks;~~
- ~~H. — Hospitals;~~
- ~~I. — Libraries;~~
- ~~J. — Maintenance yards;~~
- ~~K. — Public buildings and groups;~~
- ~~L. — Public utility installations.~~

9442.2. Prohibited uses.

~~All uses not specifically permitted within section 9442 et seq. shall be prohibited.~~

9443. Development standards.

~~All development standards shall be as specified in the conditional use permit.~~

9443.1. Site plan review.

~~Subject to the provisions of chapter 6, all structures and uses shall be subject to a site plan review.~~

9444. Special standards.

~~There are no special standards in a G district.~~

~~9445-9450. Reserved.~~

9441-9450. Reserved.

Section 42. Sections 9481 and 9482. of Part 8 of Chapter 4 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code are hereby amended to read:

“PART 8. OS-R OPEN SPACE-RESTRICTED DISTRICT

9481. Purpose.

The purpose of the OS-R district is to designate areas which, because of natural habitat, visual and aesthetic value or other reasons, should be preserved as natural open space by restricting or transferring development rights in the conformance with the goals, policies, and objectives of the city’s general plan. Land uses permitted will be those which are sensitive to the designation of open space and the existing natural resources.

9482. Permitted uses.

No use shall be permitted in the OS-R district without a conditional use permit.”

Section 43. Sections 9486 through 9488. of Part 8 of Chapter 4 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9486. Alternative to development.

In the OS-R district, the maximum density as established by the provisions of section 9652 et seq., not to exceed one (1) unit per five (5) acres, may be transferred to another lot on a parcel in a residential district within the city subject to the dedication of the total development rights of the property in the OS-R district to the city pursuant to the provisions of chapter 6 of this article.

9487. Prohibited uses.

All uses and structures not specifically provided for in section 9481-9485, inclusive, are strictly prohibited in the OS-R land use district. Permitted or conditionally permitted uses shall not be added to this part unless such use or uses are first approved by the voters of the city by a two-thirds (2/3) vote of those voting on the question. Any request or proposal to add one (1) or more permitted or conditionally permitted uses shall be processed by the city in a manner consistent with the requirements of section 9821.5.

9488. Development standards.

Subject to the provisions of chapter 6, the development standards set forth in the following provisions of this section shall apply in the OS-R district.”

Section 44. Section 9489. of Part 8 of Chapter 4 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9489. Special standards.

In any OS-R district, the following special standards set forth in the following provisions of this section shall apply.”

Section 45. Section 9489.2. of Part 8 of Chapter 4 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9489. 2. Preservation of natural features.

In order to permit any development the following criteria shall be met:

- G. That the proposed project is designed to so that wildlife movement corridors (migratory paths) are left in an undisturbed and natural state.”

Section 46. Sections 9490 through 9490.5 Part 9 of Chapter 4 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code are hereby added to read:

“PART 9. OS-DR OPEN SPACE-DEED RESTRICTED DISTRICT

9490. Reserved. Purpose

The purpose of the OS-DR district is to designate area which, because of natural habitat, visual and aesthetic value or other reason, should be preserved as natural open space by restricting development rights through deed restrictions in conformance with the goals, policies, and objectives of the city general plan. Land uses permitted will be those which are sensitive to the designation of open space and the existing natural resources.

9490.1. Permitted uses.

No use shall be permitted in the OS-DR district without a conditional use permit.

9490.2. Conditional uses.

Subject to obtaining a conditional use permit, as required by section 9673 et seq., the following uses may be permitted:

- A. Parks and trails;
- B. Wildlife preserves;
- C. Public passive recreational uses which bear a reasonable relationship to open spaces.

9490.3. Prohibited uses.

All uses and structures not specifically provided for in section 9490-9490.2, inclusive, are strictly prohibited in the OS-DR land use district. Permitted or conditionally permitted uses shall not be added to this part unless such use or uses are first approved by the voters of the city by a two-thirds (2/3) vote of those voting on the question. Any request or proposal to add one (1) or more permitted or conditionally permitted uses shall be processed by the city in a manner consistent with the requirements of section 9821.5.

9490.4. Development standards.

Except as follows and subject to the provisions of chapter 6, the development standards for the OS-DR district shall be as established by discretionary review of a conditional use permit.

9490.5. Preservation of natural features.

In order to permit any development the following criteria shall be met:

- A. That the proposed project is located and designed so as to protect the safety of current and future community residents and will not create significant threats to life and/or property due to the presence of geologic, seismic, slope instability, fire, flood, mud flow, or erosion hazards;
- B. That the proposed project is compatible with the natural, biotic, cultural, scenic and open space resources of the area;
- C. That the proposed project can be provided with essential public services and is consistent with the objectives and policies of the general plan;
- D. That the proposed development will complement the community character and benefit current and future community residents;
- E. That the proposed project is designed to be highly compatible with the biotic resources present, including the setting aside of appropriate and sufficient undisturbed areas;

- F. That the proposed project is designed to maintain waterbodies, watercourses, and their tributaries in a natural state;
- G. That the proposed project is designed so that wildlife movement corridors (migratory paths) are left in an undisturbed and natural state.
- H. That the proposed project retains sufficient natural vegetative cover and/or open spaces to buffer critical resource areas from such project.
- I. That where necessary, fences or walls are provided to buffer important habitat areas from development;
- J. That roads and utilities serving the proposed project are located and designed so as not to conflict with critical resources, habitat areas or migratory paths.”

Section 47. Part 9 of Chapter 4 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“PART 9 10. S STUDY DISTRICT, 9491-9495”

Section 48. Sections 9496 through 9499. of Part 10 of Chapter 4 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code are hereby amended to read:

“PART 10 11. SP SPECIFIC PLAN PD PLANNED DEVELOPMENT”

9496. Purpose.

The purpose of this specific plan planned development district is to designate certain areas of the city for special development and land use regulations that cannot be addressed through the city-wide zoning ordinances. Specific regulations are necessary to guide development and land uses in an orderly manner such that they are compatible with the existing setting, as well as to ensure that development seamlessly and cohesively integrates uses and buildings.

9497. Permitted uses.

All property in the SP PD zone, except property in Subarea 5 within the PD zone as identified in the general plan (planned development district west of Kanan Road and north of Agoura Road), shall be used only for the purposes permitted by the general plan and the specific plan or other similar regulatory document adopted for such property. Subject to the provisions of section 9301 et seq. and chapter 6, buildings and structures may be erected, structurally altered or enlarged and land may be used within Subarea 5 within the PD zone for commercial, service, office and other uses as provided in the BP-M zone in the commercial use tables (section 9311 et seq.). All new development and additions within Subarea 5 shall be subject to the issuance of a conditional

use permit. All businesses within Subarea 5 shall be operated in compliance with sections 9391 and 9392, and the special conditions in section 9312.3.

9497.1. Conditional uses.

Conditional uses are permitted as allowed per the specific plan or other regulatory document adopted for such property. All new development and additions within Subarea 5 within the PD zone as identified in the general plan shall be subject to the issuance of a conditional use permit.

9497.2. Prohibited uses.

Any use or structure not specified in section 9497 shall be prohibited in the PD district.

9497.2.3. Retail stores.

Unless otherwise specified in the applicable specific plan or other similar regulatory document, within the ~~SP~~ PD zone, the gross floor area of a retail store shall not exceed sixty thousand (60,000) square feet. This limitation shall be applied as follows:

- A. The sixty thousand (60,000) square foot limitation shall apply to individual retail stores for which permits are sought and also to the cumulative sum of related or successive permits for retail stores that are part of a larger project, such as piecemeal additions to a building or multiple buildings on a lot or adjacent lots.
- B. For purpose of this section, the gross floor area of a retail store shall include gross floor area as defined in section 9120.6 and the area of all portions of the site outside of the exterior walls of a building used for the display, storage, or sale of any goods, wares or merchandise, except that the gross floor areas of not more than three thousand (3,000) square feet used for seasonal or temporary sales events under appropriate city permits or approvals.
- C. The gross floor area of adjacent stores shall be aggregated in cases where the stores (1) are engaged in the selling of similar or related goods, wares or merchandise and operate under common ownership or management; (2) share checkstands, a warehouse, or a distribution facility; or (3) otherwise operate as associated, integrated or co-operative business enterprises.

9497.3.4. Agoura Village Cost Recovery Fee.”

“9498. Development standards and regulations.

All uses and development within the ~~SP~~ PD zone shall conform with the development standards and regulations and any other provisions of the applicable specific plan or other similar regulatory document for the property upon which such uses and development are located. With the exception of section 9497.2 of this chapter, the provisions of a specific plan or other regulatory document shall supersede and control over any conflicting provisions of this chapter

without regard as to whether the provisions of such specific plan or other regulatory document are more or less stringent than the provisions of this chapter. Any violation of the provisions of a specific plan or other regulatory document shall be deemed a violation of this provision.

9499. Required findings.

No new development shall be approved within the ~~SP~~ PD zone unless all of the following findings are made:

1. All the required findings for a conditional use permit can be made.
2. The development complies with the provision of section 9498.
3. Adequate evidence and guarantees have been provided to indicate that all other provisions of this zoning district can be satisfied.”

Section 49. Part 3 of Chapter 5 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“Chapter 5.

OVERLAY DISTRICTS

Part

3. ~~GH Geological Hazard Overlay District~~ [Reserved], 9521-9530”

Section 50. Sections 9521 through 9530, of Part 3 of Chapter 5 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code are hereby deleted as follows:

~~“PART 3. GH GEOLOGICAL HAZARD OVERLAY DISTRICT~~ [RESERVED]

~~9521. Purpose.~~

~~The purpose of the hazard overlay district is to protect life and property in the city from the hazards of geological conditions and to establish requirements for the level of geological consideration that must be incorporated into development proposals prior to design and construction.~~

~~9522. Permitted uses.~~

~~All uses permitted in the underlying district are permitted subject to the obtaining of a conditional use permit approved by the planning commission.~~

9523. Site development standards.

- ~~D. All the development standards and requirements set forth in the underlying district shall be complied with.~~
- ~~E. Standards and requirements in excess of those in the underlying district may be required in the conditional use permit to mitigate possible geological related impacts, as determined by the city geologist.~~

9524. Geological soils investigation.

- ~~A. All applicants for a conditional use permit in the GH district shall be accompanied by a combined in-depth geologic and soils investigation prepared by a registered geologist, certified by the state as an engineering geologist, and by a licensed civil engineer qualified in soil mechanics, and the city geologist.~~
- ~~B. Required geologic and soils investigations shall be based on the following considerations:
 - ~~1. Adequate geologic mapping, trenching and boring to determine that surface faulting and ground breakage has not occurred on the site, and is unlikely to occur in the future;~~
 - ~~2. Adequate boring and field laboratory testing to determine accurately the subsurface profile and the static/dynamic properties of the soil/rock materials;~~
 - ~~3. Thorough regional studies of all possible causative faults and fault systems which could generate motion at the site;~~
 - ~~4. Studies to determine the character of ground motions at the site;~~
 - ~~5. Calculation of design response spectra, based on repetition, and on structural properties (damping, ducting);~~
 - ~~6. Careful dynamic design of cohesive structures with each element working as a part of the entire structural system;~~
 - ~~7. Thorough study of the ways in which the structure might disassemble if it were to fail, and inclusion of redundant backup features to control disassembly so that outright collapse cannot occur; and~~
 - ~~8. Design of anchorage and bracing for all critical instructure systems (including, but not limited to, power, heat, light and oxygen supply), based on factors derived from dynamic analysis, providing conservative safety factors. The manufactured equipment and appurtenances purchased for such a facility should be designed likewise.~~~~

9. ~~The geotechnical consultant shall determine the volume of soil, slopewash, colluvium, and loose weathered bedrock that exist upslope of all development that upon saturation could move downslope as a mudflow.~~
10. ~~All "slough" walls shall be designed to retain the maximum quantity of potential mudflow material that could be generated.~~
11. ~~All concrete swales shall be designed to preclude the possibility of mudflow debris generated in the upslope area from impacting any residential structures.~~

9525. Cost of investigation.

~~All costs and expenses incurred as a result of the requirements of this chapter, including the cost and expense of any independent review by the geologists retained by the city, shall be borne by the applicant for the conditional use permit.~~

9526. Site plan review.

~~All permitted uses, and all conditional uses shall be subject to site plan approval as provided by chapter 6.~~

9527-9530. Reserved.

9521-9530. Reserved.

Section 51. Sections 9551 through 9552.1. of Part 6 of Chapter 5 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code are hereby amended to read:

"PART 6. OA OLD AGOURA DESIGN OVERLAY DISTRICT

9551. Purpose.

Old Agoura is a rural equestrian community. The residential streets meander around the natural terrain with no curb and gutters and no street lights. The purpose of the OA overlay district shall be is to preserve the unique character of Old Agoura through the establishment of special public improvement standards and design guidelines, and in specific areas of the district, particular types of smaller-scale and community-serving commercial uses.

9552. Permitted uses.

All uses permitted in the underlying district shall be permitted in this district, ~~except area along the north side of Agoura Road between Chesebro Road and Lewis Road to the Ventura Freeway and along the north side of Agoura Road south to the Chesebro Storm Channel, westerly to the intersection of the storm channel and Agoura Road shall be limited to the following uses.~~ Subarea 11 of the general plan (Old Agoura Commercial Center Area), consisting of the area

south of the Ventura Freeway, west of Chesebro Road, extending south to the parcels along Agoura Road, and just beyond Lewis Road to the west, which is identified in Exhibit A of this section, shall be limited to the following uses. Where a specific use is not listed, the Director of Planning and Community Development has the discretion to allow it if it is found to be compatible with the intent of section 9551.

9552.1. Permitted uses within the buildable area of commercial lots.

1. Advertising business office
2. Amusements/shooting ranges
3. ~~Animal hospital/veterinarian~~
4. ~~3.~~ Antique store
5. ~~4.~~ Appliance store
6. ~~5.~~ Appliance repair shop
7. ~~6.~~ Art gallery
8. ~~7.~~ Art studio
9. ~~8.~~ Athletic equipment and sporting goods store
10. ~~9.~~ Auto service station, primary
11. ~~10.~~ Auto parts and accessory store
12. ~~11.~~ Bakery/pastry shop
12. Banks and financial institutions
13. Bar/tavern
14. Barber shop
15. Bicycle sale, rent, service
16. ~~Book/record store~~
17. ~~16.~~ Butcher and meat market
18. ~~Café/restaurant~~
19. ~~17.~~ Certified farmer's market
20. ~~18.~~ Candy store
21. ~~19.~~ Child-care center
22. ~~20.~~ Church/temple
23. ~~21.~~ Citizens' improvement club/community center
24. ~~22.~~ Clinic, child-family guidance
25. ~~23.~~ Clinic, physical therapy
26. ~~24.~~ Clothing and apparel store
27. ~~Coffee shop~~
28. ~~25.~~ Coin operated amusement machine, incidental to a permitted use
29. ~~26.~~ Computer programming/software and system design
30. ~~27.~~ Computer sales, rental, lease and service, and training
31. ~~28.~~ Concession, temporary
32. ~~29.~~ Costume shop, sale and rent
33. ~~30.~~ Curio/novelty shop
34. ~~31.~~ Dancing as an incidental use in a bar or restaurant
35. ~~Data processing service~~
36. ~~32.~~ Delicatessen
37. ~~33.~~ Dressmaker/tailor

- ~~38.~~ 34. Drugstore
- ~~39.~~ 35. Electronics ~~equipment~~ store
- ~~40.~~ 36. Electronic, mechanical or video games, arcade
- ~~41.~~ 37. Eye glasses and frames and contact lens sales and service
- ~~42.~~ 38. Floor covering, drapery or upholstery store
- ~~43.~~ 39. Florist
- ~~44.~~ 40. Furniture store
- ~~45.~~ 41. Furniture cleaning, refinishing or reupholstery shop
- ~~46.~~ 42. Gardening-landscaping service yard and workshop
- ~~47.~~ 43. Gardening-landscaping supply store
- ~~48.~~ 44. Gift/card store
- ~~49.~~ 45. Grooming service, such as ~~poodle~~ dog grooming
- ~~50.~~ 46. Gun shop/gunsmith
- ~~51.~~ 47. Hardware store
- ~~52.~~ 48. Hay, seed and grain store
- ~~53.~~ 49. Hearing aids sales and service
- ~~54.~~ 50. Interior decorators office
- ~~55.~~ 51. Janitor service
- ~~56.~~ 52. Jewelry store sales, repair
- ~~57.~~ 53. Laboratory, medical, dental or optical
- ~~58.~~ 54. Laboratory, research, analysis
- ~~59.~~ 55. Laboratory, materials testing
- ~~60.~~ 56. Lapidary shop
- ~~61.~~ 57. Laundry or cleaning-agency, retail (on-site cleaning permitted).
- ~~62.~~ 58. Live entertainment
- ~~63.~~ 59. Laundry or cleaning pick-up station
- ~~64.~~ 60. Lawnmower engine and garden power tool repair
- ~~65.~~ 61. Library
- ~~66.~~ Liquor store
- ~~67.~~ 62. Live theater
- ~~68.~~ 63. Locksmith, key and lock
- ~~69.~~ 64. Mail order business
- ~~70.~~ 65. Messenger service
- ~~71.~~ 66. Motion picture theater
- ~~72.~~ 67. Motion picture filming, temporary
- ~~73.~~ 68. Museum
- ~~74.~~ 69. Music store, music sales, instrument sales and including instrument repair
- ~~75.~~ 70. Newspaper, magazine stand
- ~~76.~~ Novelty/curio shop
- ~~77.~~ 71. Nursery, plants
- ~~78.~~ 72. Office, business or professional
- ~~79.~~ Office, bank, savings and loans, finance, credit
- ~~80.~~ 73. Office, insurance
- ~~81.~~ 74. Office, medical or dental
- ~~82.~~ 75. Office, public relations or advertising
- ~~83.~~ 76. Office, real estate

- ~~84.~~ 77. Office, accountants, bookkeepers
~~85.~~ 78. Office machines and equipment sales
~~86.~~ 79. Paint and wallpaper store
~~87.~~ 80. Pest control service
~~88.~~ 81. Pet store, no kennel
~~89.~~ 82. Photocopy service
~~90.~~ 83. Photographic supply/camera store
~~91.~~ 84. Photographic studio, including incidental processing
~~92.~~ 85. Picture framing shop
~~93.~~ 86. Prescription pharmacy
~~94.~~ Record/book store
~~95.~~ 87. Remote teller, for pedestrian use
~~96.~~ 88. Restaurant/café
~~97.~~ 89. Retail store
~~98.~~ 90. Saddlery/equestrian shop
~~99.~~ 91. School: charm, culture, modeling, acting
~~100.~~ School; self-defense, judo, boxing, gymnastics
~~101.~~ 92. Shoe repair shop
~~102.~~ 93. Shoe store
~~103.~~ 94. Soda fountain/ice cream parlor. Snack shop: ice cream, coffee, juice
~~104.~~ 95. Sporting goods and athletic equipment store
~~105.~~ 96. Stamp/coin store
~~106.~~ 97. Stationary Stationery store—
~~107.~~ Stenographic service
~~108.~~ 98. Studio: dance, voice yoga, music, gymnastics
99. Studio: martial arts, gymnastics
~~109.~~ 100. Studio: radio, television, recording
~~110.~~ 101. Swimming pool, spa sales and service :
~~111.~~ 102. Tailor/dressmaker
~~112.~~ Telegraphic office
~~113.~~ 103. Telephone answering service
~~114.~~ Television and radio sales
~~115.~~ 104. Television and radio repair shop
~~116.~~ 105. Ticket agency
~~117.~~ 106. Tobacco shop
~~118.~~ 107. Toy store
~~119.~~ 108. Travel agency
~~120.~~ 109. Veterinarian/animal hospital
~~121.~~ 110. Watches, sale, repair
~~122.~~ 111. Wig sales and service
~~124.~~ 112. Winery and beer sales facility/tasting room, except as prohibited by section 9542.1(B)”

Section 52. Section 9572. of Part 8 of Chapter 5 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9572. Applicability.

The CD overlay district may be applied in place of the density designation for the following districts:

- A. Single-family residential RS;
- B. Medium density residential RM;
- C. ~~Medium high density residential RMH;~~
- D. C. High density residential RH.”

Section 53. Section 9605.1. of Division 5 of Part 1 of Chapter 6 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9605.1. Side and rear yards; requirements and exceptions.

In addition to the regulations prescribed within each residential district, the following regulations shall apply:

- C. On any lot located in the ~~RR,~~ RV, RL, RS, and RM zones, the minimum side yard requirement for single-story development additions to existing residences shall be the ~~existing distance of the structure from the side property line,~~ or the distance prescribed for the district, whichever is less. All single-story development additions shall not encroach in the front and rear yards prescribed for the district, and the total square footage of the residence shall not exceed the building coverage prescribed for the district. This provision shall not apply to new construction or substantial remodels which include the removal and reconstruction of square footage, as determined by the director of planning and community development.
- D. On any lot located in the ~~RR,~~ RV, RL, RS, and RM zones, the minimum side yard requirement for second-story development additions shall be the existing distance of the first-story structure. The total combined side yard setback prescribed for the district shall be maintained. The combined side yard setback may be situated on any one side of the property, or any combination of distances. No second-story cantilever is permitted into required side yards and all second-story development additions shall not encroach into the front and rear yards prescribed for the district. An application for a site plan review shall be required for all second-story additions which do not conform with the required yards prescribed for the district and shall be subject to the provisions of this chapter. This provision shall not apply to new construction or substantial remodels which include the removal and reconstruction of square footage, as determined by the director of planning and community development.”

Section 54. Section 9652.12. of Division 2 of Part 2 of Chapter 6 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9652.12. Definition

The following definitions shall be applicable in hillside and significant ecological areas:

- A. “Concave lot” shall mean a parcel of land with a bowl-shaped depression or formation in which the midpoint elevation of the property is lower than the average elevation of the property lines that are located adjacent to a street.”

Section 55. Section 9652.13.B. of Division 2 of Part 2 of Chapter 6 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9652.13.B. Development area. For properties zoned residential or open space, a minimum percentage of a parcel of land shall remain in open space. The minimum percentage shall be determined based upon the following table:

<i>Percent Slope</i>	<i>Minimum Percent of Parcel to Remain in Open Space</i>
1. 10-15	32.5
2. 16-20	47.5
3. 21-25	62.5
4. 26-30	77.5
5. 31-35	92.5
6. Greater than 35	97.5

In the event that the foregoing open space limitations would prohibit the use of a parcel of land otherwise permitted by this chapter, one (1) residential dwelling unit shall be permitted on such parcel provided that:

- (a) Such parcel was lawfully created prior to the adoption of this section;
- (b) A change in ownership occurring after the adoption of this section has not resulted in such parcel no longer being considered part of a larger parcel of land under this chapter;
- (c) A private septic system will not be installed for any dwelling unit located on a parcel of land consisting of less than one acre;
- (d) A conditional use permit authorizing such dwelling unit is granted in accordance with the requirements of this section. The terms of such conditional use permit shall specify the minimum percent of required open space on such parcel of land.

For properties zoned commercial and business parking the maximum allowable floor area ratio (ratio of square footage of building floor to square square footage of lot) shall be determined based on the following table:

Percent Slope ————— Maximum Floor Area Ratio

1. 10-15	.25
2. 16-20	.21
3. 21-25	.18
4. 26-30	.15
5. 31-35	.12
6. Greater than 35	.08

<u>Percent Slope</u>	<u>Maximum Floor Area Ratio</u>	<u>Percent Slope</u>	<u>Maximum Floor Area Ratio</u>
10-15%	0.25		
<u>15.10%</u>	<u>0.2492</u>	<u>19.10%</u>	<u>0.2172</u>
<u>15.20%</u>	<u>0.2484</u>	<u>19.20%</u>	<u>0.2164</u>
<u>15.30%</u>	<u>0.2476</u>	<u>19.30%</u>	<u>0.2156</u>
<u>15.40%</u>	<u>0.2468</u>	<u>19.40%</u>	<u>0.2148</u>
<u>15.50%</u>	<u>0.246</u>	<u>19.50%</u>	<u>0.214</u>
<u>15.60%</u>	<u>0.2452</u>	<u>19.60%</u>	<u>0.2132</u>
<u>15.70%</u>	<u>0.2444</u>	<u>19.70%</u>	<u>0.2124</u>
<u>15.80%</u>	<u>0.2436</u>	<u>19.80%</u>	<u>0.2116</u>
<u>15.90%</u>	<u>0.2428</u>	<u>19.90%</u>	<u>0.2108</u>
16%	0.242	20%	0.21
<u>16.10%</u>	<u>0.2412</u>	<u>20.10%</u>	<u>0.2094</u>
<u>16.20%</u>	<u>0.2404</u>	<u>20.20%</u>	<u>0.2088</u>
<u>16.30%</u>	<u>0.2396</u>	<u>20.30%</u>	<u>0.2082</u>
<u>16.40%</u>	<u>0.2388</u>	<u>20.40%</u>	<u>0.2076</u>
<u>16.50%</u>	<u>0.238</u>	<u>20.50%</u>	<u>0.207</u>
<u>16.60%</u>	<u>0.2372</u>	<u>20.60%</u>	<u>0.2064</u>
<u>16.70%</u>	<u>0.2364</u>	<u>20.70%</u>	<u>0.2058</u>
<u>16.80%</u>	<u>0.2356</u>	<u>20.80%</u>	<u>0.2052</u>
<u>16.90%</u>	<u>0.2348</u>	<u>20.90%</u>	<u>0.2046</u>
17%	0.234	21%	0.204
<u>17.10%</u>	<u>0.2332</u>	<u>21.10%</u>	<u>0.2034</u>
<u>17.20%</u>	<u>0.2324</u>	<u>21.20%</u>	<u>0.2028</u>
<u>17.30%</u>	<u>0.2316</u>	<u>21.30%</u>	<u>0.2022</u>
<u>17.40%</u>	<u>0.2308</u>	<u>21.40%</u>	<u>0.2016</u>
<u>17.50%</u>	<u>0.23</u>	<u>21.50%</u>	<u>0.201</u>
<u>17.60%</u>	<u>0.2292</u>	<u>21.60%</u>	<u>0.2004</u>
<u>17.70%</u>	<u>0.2284</u>	<u>21.70%</u>	<u>0.1998</u>
<u>17.80%</u>	<u>0.2276</u>	<u>21.80%</u>	<u>0.1992</u>
<u>17.90%</u>	<u>0.2268</u>	<u>21.90%</u>	<u>0.1986</u>
18%	0.226	22%	0.198
<u>18.10%</u>	<u>0.2252</u>	<u>22.10%</u>	<u>0.1974</u>
<u>18.20%</u>	<u>0.2244</u>	<u>22.20%</u>	<u>0.1968</u>
<u>18.30%</u>	<u>0.2236</u>	<u>22.30%</u>	<u>0.1962</u>
<u>18.40%</u>	<u>0.2228</u>	<u>22.40%</u>	<u>0.1956</u>
<u>18.50%</u>	<u>0.222</u>	<u>22.50%</u>	<u>0.195</u>
<u>18.60%</u>	<u>0.2212</u>	<u>22.60%</u>	<u>0.1944</u>
<u>18.70%</u>	<u>0.2204</u>	<u>22.70%</u>	<u>0.1938</u>
<u>18.80%</u>	<u>0.2196</u>	<u>22.80%</u>	<u>0.1932</u>
<u>18.90%</u>	<u>0.2188</u>	<u>22.90%</u>	<u>0.1926</u>
19%	0.218	23%	0.192

<u>Percent Slope</u>	<u>Maximum Floor Area Ratio</u>	<u>Percent Slope</u>	<u>Maximum Floor Area Ratio</u>
<u>23.10%</u>	<u>0.1914</u>	<u>27.10%</u>	<u>0.1674</u>
<u>23.20%</u>	<u>0.1908</u>	<u>27.20%</u>	<u>0.1668</u>
<u>23.30%</u>	<u>0.1902</u>	<u>27.30%</u>	<u>0.1662</u>
<u>23.40%</u>	<u>0.1896</u>	<u>27.40%</u>	<u>0.1656</u>
<u>23.50%</u>	<u>0.189</u>	<u>27.50%</u>	<u>0.165</u>
<u>23.60%</u>	<u>0.1884</u>	<u>27.60%</u>	<u>0.1644</u>
<u>23.70%</u>	<u>0.1878</u>	<u>27.70%</u>	<u>0.1638</u>
<u>23.80%</u>	<u>0.1872</u>	<u>27.80%</u>	<u>0.1632</u>
<u>23.90%</u>	<u>0.1866</u>	<u>27.90%</u>	<u>0.1626</u>
<u>24%</u>	<u>0.186</u>	<u>28%</u>	<u>0.162</u>
<u>24.10%</u>	<u>0.1854</u>	<u>28.10%</u>	<u>0.1614</u>
<u>24.20%</u>	<u>0.1848</u>	<u>28.20%</u>	<u>0.1608</u>
<u>24.30%</u>	<u>0.1842</u>	<u>28.30%</u>	<u>0.1602</u>
<u>24.40%</u>	<u>0.1836</u>	<u>28.40%</u>	<u>0.1596</u>
<u>24.50%</u>	<u>0.183</u>	<u>28.50%</u>	<u>0.159</u>
<u>24.60%</u>	<u>0.1824</u>	<u>28.60%</u>	<u>0.1584</u>
<u>24.70%</u>	<u>0.1818</u>	<u>28.70%</u>	<u>0.1578</u>
<u>24.80%</u>	<u>0.1812</u>	<u>28.80%</u>	<u>0.1572</u>
<u>24.90%</u>	<u>0.1806</u>	<u>28.90%</u>	<u>0.1566</u>
<u>25%</u>	<u>0.18</u>	<u>29%</u>	<u>0.156</u>
<u>25.10%</u>	<u>0.1774</u>	<u>29.10%</u>	<u>0.1554</u>
<u>25.20%</u>	<u>0.1788</u>	<u>29.20%</u>	<u>0.1548</u>
<u>25.30%</u>	<u>0.1782</u>	<u>29.30%</u>	<u>0.1542</u>
<u>25.40%</u>	<u>0.1776</u>	<u>29.40%</u>	<u>0.1536</u>
<u>25.50%</u>	<u>0.177</u>	<u>29.50%</u>	<u>0.153</u>
<u>25.60%</u>	<u>0.1764</u>	<u>29.60%</u>	<u>0.1524</u>
<u>25.70%</u>	<u>0.1758</u>	<u>29.70%</u>	<u>0.1518</u>
<u>25.80%</u>	<u>0.1752</u>	<u>29.80%</u>	<u>0.1512</u>
<u>25.90%</u>	<u>0.1746</u>	<u>29.90%</u>	<u>0.1506</u>
<u>26%</u>	<u>0.174</u>	<u>30%</u>	<u>0.15</u>
<u>26.10%</u>	<u>0.1734</u>	<u>30.10%</u>	<u>0.1494</u>
<u>26.20%</u>	<u>0.1728</u>	<u>30.20%</u>	<u>0.1488</u>
<u>26.30%</u>	<u>0.1722</u>	<u>30.30%</u>	<u>0.1482</u>
<u>26.40%</u>	<u>0.1716</u>	<u>30.40%</u>	<u>0.1476</u>
<u>26.50%</u>	<u>0.171</u>	<u>30.50%</u>	<u>0.147</u>
<u>26.60%</u>	<u>0.1704</u>	<u>30.60%</u>	<u>0.1464</u>
<u>26.70%</u>	<u>0.1698</u>	<u>30.70%</u>	<u>0.1458</u>
<u>26.80%</u>	<u>0.1692</u>	<u>30.80%</u>	<u>0.1452</u>
<u>26.90%</u>	<u>0.1686</u>	<u>30.90%</u>	<u>0.1446</u>
<u>27%</u>	<u>0.168</u>	<u>31%</u>	<u>0.144</u>

<u>Percent Slope</u>	<u>Maximum Floor Area Ratio</u>
<u>31.10%</u>	<u>0.1434</u>
<u>31.20%</u>	<u>0.1428</u>
<u>31.30%</u>	<u>0.1422</u>
<u>31.40%</u>	<u>0.1416</u>
<u>31.50%</u>	<u>0.141</u>
<u>31.60%</u>	<u>0.1404</u>
<u>31.70%</u>	<u>0.1398</u>
<u>31.80%</u>	<u>0.1392</u>
<u>31.90%</u>	<u>0.1386</u>
<u>32%</u>	<u>0.138</u>
<u>32.10%</u>	<u>0.1374</u>
<u>32.20%</u>	<u>0.1368</u>
<u>32.30%</u>	<u>0.1362</u>
<u>32.40%</u>	<u>0.1356</u>
<u>32.50%</u>	<u>0.135</u>
<u>32.60%</u>	<u>0.1344</u>
<u>32.70%</u>	<u>0.1338</u>
<u>32.80%</u>	<u>0.1332</u>
<u>32.90%</u>	<u>0.1326</u>
<u>33%</u>	<u>0.132</u>
<u>33.10%</u>	<u>0.1314</u>
<u>33.20%</u>	<u>0.1308</u>
<u>33.30%</u>	<u>0.1302</u>
<u>33.40%</u>	<u>0.1296</u>
<u>33.50%</u>	<u>0.129</u>
<u>33.60%</u>	<u>0.1284</u>
<u>33.70%</u>	<u>0.1278</u>
<u>33.80%</u>	<u>0.1272</u>
<u>33.90%</u>	<u>0.1266</u>
<u>34%</u>	<u>0.126</u>
<u>34.10%</u>	<u>0.1254</u>
<u>34.20%</u>	<u>0.1248</u>
<u>34.30%</u>	<u>0.1242</u>
<u>34.40%</u>	<u>0.1236</u>
<u>34.50%</u>	<u>0.123</u>
<u>34.60%</u>	<u>0.1224</u>
<u>34.70%</u>	<u>0.1218</u>
<u>34.80%</u>	<u>0.1212</u>
<u>34.90%</u>	<u>0.1206</u>
<u>35%</u>	<u>0.12</u>
<u>>35%</u>	<u>0.08</u>

Pre-graded pads that existed prior to January 1, 1999 shall be exempted from the above maximum allowable floor area ratio limitations. The Director of Planning and Community Development has the discretion to exclude concave lots with an average slope greater than ten (10) percent from the above maximum floor area ratio limitations.”

Section 56. Section 9652.19.A.4. of Division 2 of Part 2 of Chapter 6 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9652.19. Conditions.

Every conditional use permit required by this section shall be subject to the following conditions. All of the following conditions shall be deemed to be conditions of every such conditional use permit regardless of whether such conditions are set forth expressly in the permit. The planning commission, in granting a conditional use permit under this section, may impose additional conditions, but may not change or modify any of the following conditions except as otherwise provided herein;

A. *Hillside areas.*

4. *Residential density.* The commission shall designate the maximum number of dwelling units permitted in a residential development consistent with section ~~9650.230A.~~ 9652.13.A.”

Section 57. Section 9804.2. of Division 4 of Part 1 of Chapter 8 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9804.2. Planning commission public hearing.

The following matters shall be considered by the planning commission only after a public hearing:

~~H. Second unit permits;~~

~~I. H. Development agreements;~~

~~J. I. Appeals from the decision of the director that required a public hearing before the director.”~~

Section 58. Section ~~9832.~~ of Part 4 of Chapter 8 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9832. District classification.

Base districts shall be designated on the zoning map according to the following designations:

~~RR Residential rural~~

RV Residential very low density

RL Residential low density

RS Residential single-family

RM Residential medium density

~~RMH Residential medium high~~

RH Residential high density
 CS Commercial shopping centers
 CS-MU Commercial shopping center-mixed use
 CRS Commercial retail service
~~CM Commercial mixed use~~
 CR Commercial ~~mixed use~~ recreation
 CN Commercial Neighborhood Center
 BP-OR Business park office retail
 BP-M Business park manufacturing
 P Local park
 PD Planned development
~~PR Regional park~~
 SH School
~~G Governmental office~~
 U Utility
 OW Open water
~~OS Open space~~
 OS-R Open space-restricted
 OS-DR Open space-deed restricted
 S Study”

Section 59. Section 9833. of Part 4 of Chapter 8 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9833. Combining overlay districts.

Overlay districts shall be ~~indicated by letters as suffix to the base district symbol. The suffix shall be as follows:~~ designated on the zoning map according to the following designations:

D Drainageway, floodplain, watercourse
 GH ~~Geologic hazard~~
~~LMD Ladyface Mountain design~~
 FC Freeway corridor
 OA Old Agoura design
 IH Indian Hills design
 CD Cluster development
 EQ Equestrian”

Section 60. Section 9835. of Part 4 of Chapter 8 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9835. Density designation.

In addition to the designations indicated for various districts in sections 9832 and 9834, the city council may direct that a density designation indicating the maximum number of dwelling units

be affixed to district classifications in the RS, RM, RMH and RH residential districts. The density designation shall be affixed to the district designation according to the following schedule:"

Section 61. Environmental review.

A. Pursuant to the California Environmental Quality Act ("CEQA"), as amended, the CEQA Guidelines promulgated thereunder, and the City's local CEQA Guidelines, City staff prepared an Initial Study of the potential environmental effects of this proposed Ordinance and the Municipal Code amendments contained herein (the "project"). On the basis of the Initial Study, City staff for the City of Agoura Hills, acting as Lead Agency, determined that there was no substantial evidence that the project could have a significant effect on the environment; as a result, City staff prepared a Negative Declaration for the project and provided public notice of the public comment period and of the intent to adopt the Negative Declaration.

B. The City Council has independently reviewed (1) the Negative Declaration and Initial Study (both of which are attached hereto as Exhibit "B" and incorporated by this reference) and (2) all comments received, both written and oral, regarding the Negative Declaration and Initial Study, and based upon the whole record before it finds that those documents were prepared in compliance with CEQA, the CEQA Guidelines, and the City's CEQA Guidelines, that City staff correctly concluded that there is no substantial evidence that the project will have a significant effect on the environment, and that the findings contained therein represent the independent judgment and analysis of the City Council. Based on these findings, the City Council hereby approves and adopts the Negative Declaration for this project.

C. The custodian of records for the Initial Study, Negative Declaration and all materials which constitute the record of proceedings upon which the City Council's decision was based is the City Clerk of the City of Agoura Hills. Those documents are available for public review in the Office of the City Clerk located at 30001 Ladyface Court, Agoura Hills, California, 91301.

Section 62. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional by any court or competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or applications, and to this end the provisions of this ordinance are declared to be severable. The City Council declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof even if one or more sections, subsections, sentences, clauses, phrases, parts or portions thereof is declared invalid or unconstitutional.

PASSED, APPROVED, and ADOPTED this _____ day of _____, 2011, by the following vote to wit:

AYES: (0)
NOES: (0)
ABSENT: (0)
ABSTAIN: (0)

Harry Schwarz, Mayor

ATTEST:

Kimberly M. Rodrigues, City Clerk

APPROVED-AS TO FORM

Craig A. Steele, City Attorney

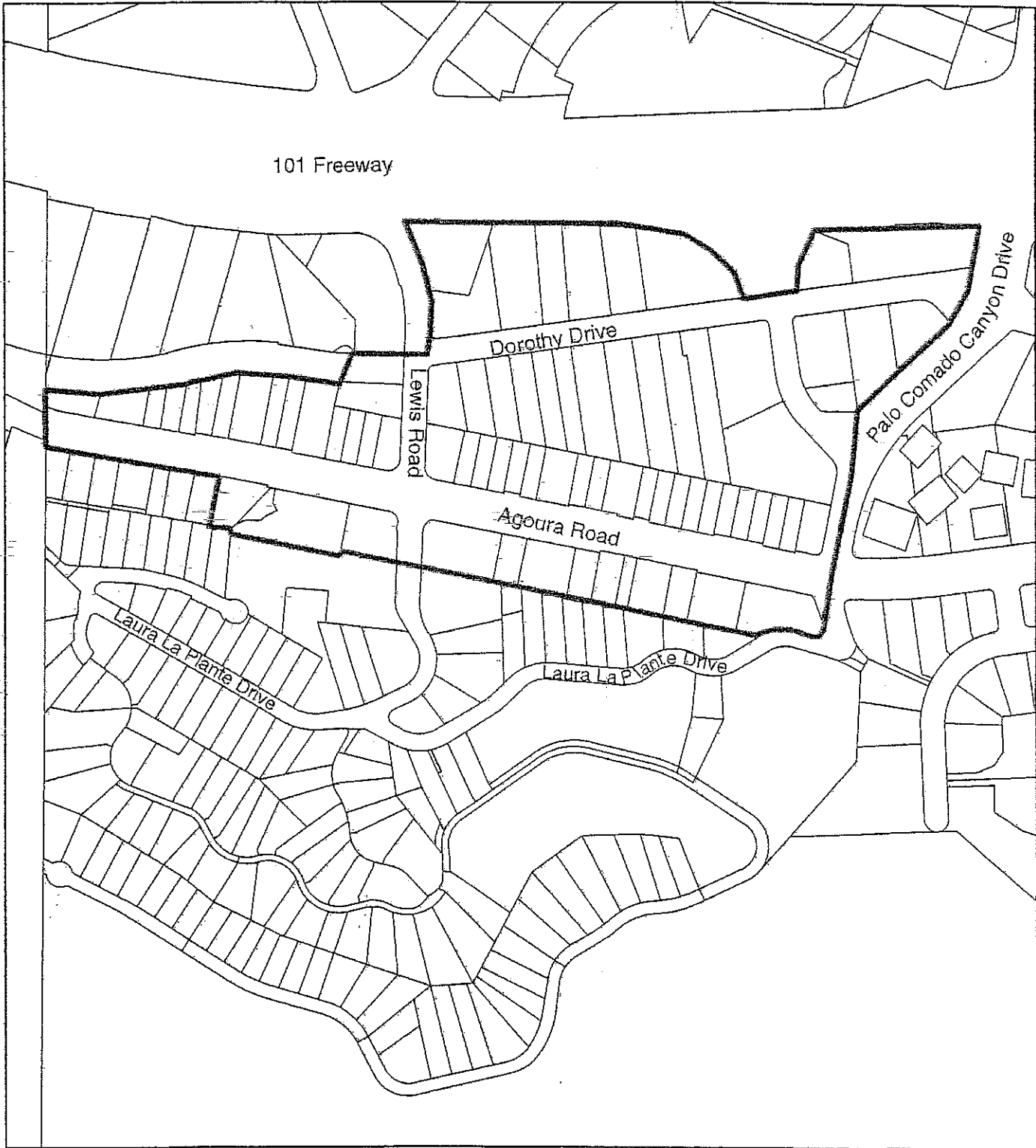


Exhibit A
Old Agoura Business Center Area

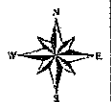


TABLE 1. PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS

	USE, SERVICE OR FACILITY Unless otherwise indicated, listings denote retail sales operations	COMMERCIAL					BUSINESS PARK	
		CS	CRS	CR	CN	CS-MU	BP-OR	BP-M
A.								
1.	Addressing and mailing service	B	B		<u>B</u>	<u>B</u>	<u>●</u> <u>X</u>	<u>●</u> <u>X</u>
2.	Advertising business office						<u>●</u> <u>X</u>	<u>●</u> <u>X</u>
3.	Alarm and warning systems sales and services	<u>●</u> <u>X</u>	<u>●</u> <u>X</u>		<u>●</u>	<u>●</u>		
2.5.4.	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.	Animal hospital/veterinarian		X					X
6.7.	Antique store	<u>●</u> <u>X</u>	<u>●</u> <u>X</u>		<u>●</u>	<u>●</u>		
7.8.	Appliance store	<u>●</u> <u>X</u>	<u>●</u> <u>X</u>		<u>●</u>	<u>●</u>		
8.9.	Appliance repair shop	<u>●</u> <u>X</u>	<u>●</u> <u>X</u>		<u>●</u>	<u>●</u>		<u>●</u> <u>X</u>
9.10.	Arcade, electronic, mechanical, video games, or internet arcade	K	K	K	<u>K</u>	<u>K</u>		
10.11.	Armored car service	<u>●</u> <u>X</u>	<u>●</u> <u>X</u>		<u>●</u>	<u>●</u>		<u>●</u> <u>X</u>
11.12.	Art gallery	<u>●</u> <u>X</u>	<u>●</u> <u>X</u>		<u>●</u>	<u>●</u>		
12.3.	Art studio	<u>●</u> <u>X</u>	<u>●</u> <u>X</u>		<u>●</u>	<u>●</u>		<u>●</u> <u>X</u>
13.14.	Assembly, light manufacturing							<u>●</u> <u>X</u>
14.15.	Athletic equipment and sporting goods store	<u>●</u> <u>X</u>	<u>●</u> <u>X</u>		<u>●</u>	<u>●</u>		
15.16.	Auto sales; new and used		J					K
16.17.	Auto rental or lease agency	J	J		<u>J</u>	<u>J</u>		J, U
17.18.	Auto wholesaler, office only (no on-site storage of vehicles)		<u>●</u> <u>X</u>				<u>●</u> <u>X</u>	
19.18.	Auto service station, primary	<u>●</u> <u>X</u>	<u>●</u> <u>X</u>		<u>X</u>	<u>X</u>	K, U	<u>●</u> <u>X</u>
19.20.	Auto, minor service, repair, replacement							
	a. Automatic transmission	C	<u>●</u> <u>X</u>		<u>C</u>	<u>C</u>		<u>●</u> <u>X</u>
	b. Auto tire sales, service	C	<u>●</u> <u>X</u>		<u>C</u>	<u>C</u>		<u>●</u> <u>X</u>
	c. Auto seat covers, reupholstery shop	C	<u>●</u> <u>X</u>		<u>C</u>	<u>C</u>		<u>●</u> <u>X</u>
	d. Auto battery and ignition	C	<u>●</u> <u>X</u>		<u>C</u>	<u>C</u>		<u>●</u> <u>X</u>
	e. Auto radio, stereo, CB	<u>●</u> <u>X</u>	<u>●</u> <u>X</u>		<u>●</u>	<u>●</u>		<u>●</u> <u>X</u>

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								
f.	Auto radiator replacement, service		● — x					● — x
g.	Auto muffler, replacement, service		● — x					● — x
h.	Auto electric (starter-generator) replacement, service	C	● — x		⏟	⏟		● — x
i.	Auto brake replacement, service	C	● — x		⏟	⏟		C
j.	Auto minor repair, services, adjustment	C	● — x		⏟	⏟		C
k.	Auto trailer hitch installation	C	● — x		⏟	⏟		C
l.	Auto diagnosis and tune-up	C	● — x		⏟	⏟		● — x
m.	Auto detailing (servicing and cleaning for resale)	C	● — x		⏟	⏟		● — x
n.	Auto glass installation and sales	C	● — x		⏟	⏟		● — x
<u>2021.</u>	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
f.	Auto, paint shop							C
g.	Auto, machine shop							C
<u>2122.</u>	Auto storage, antique		J					● — x
<u>2223.</u>	Auto parts and accessory store	● — x	● — x		●	●		● — x
<u>2324.</u>	Auto wash, self-service or automatic		● — x					● — x
(Ord. No. 207 § 1, 4-8-92; Ord. No. 229, § 1, 5-26-93; Ord. No. 04-325, § 1, 8-25-2004; Ord. No. 09-362, § 2, 7-8-09))								
B.								
1.	Bakery/pastry shop	● — x	● — x		●	●		
2.	Bakery, wholesale							● — x
<u>3.</u>	<u>Banks and financial institutions</u>	● — x	● — x		●	●	● — x	● — x
<u>34.</u>	<u>Bar/tavern</u>	W	W		W	W	U	W
<u>45.</u>	<u>Bath house/sauna, Turkish, steam</u>			G			G, U	G
<u>56.</u>	<u>Barbershop</u>	● — x	● — x		●	●	E, U	● — x
<u>67.</u>	<u>Beverage bottling works</u>							● — x
<u>78.</u>	<u>Bicycle sale, rent, service</u>		I					● — x

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							
89.	Blueprinting/photostating service	<u>●</u> x	<u>●</u> x		<u>●</u>	<u>●</u>	<u>●</u> x	<u>●</u> x
910.	Boat sale, rent, service		I					
1011.	Boat parts and accessory store	D	D		D	D		D
1112.	Bookstore	<u>●</u> x	<u>●</u> x		<u>●</u>	<u>●</u>	U	<u>●</u> x
1213.	Bookstore, adult	Q	Q		Q	Q	Q, U	Q
1314.	Building trades contractors office		<u>●</u> x				<u>●</u> x	<u>●</u> 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	<u>●</u> x
1717.	Butcher and meat market	<u>●</u> x	<u>●</u> x		<u>●</u>	<u>●</u>		
1818.	Butcher, wholesale, excluding slaughterhouse							<u>●</u> x
(Ord. No. 09-362, §2, 7-8-09).								
C.								
1.	Cabinet shop		J					J
2.	Reserved	X	X				U	X
2.	Candy store	<u>●</u> x	<u>●</u> x		<u>●</u>	<u>●</u>	U	<u>●</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	<u>●</u> x
6.	Church/temple	K	K	K	K	K	K, U	K
7.	Clinic, child, family guidance	<u>●</u> x	<u>●</u> x		<u>●</u>	<u>●</u>	<u>●</u> x	<u>●</u> x
8.	Clinic, physical therapy	<u>●</u> x	<u>●</u> x		<u>●</u>	<u>●</u>	<u>●</u> x	<u>●</u> x
9.	Clothing and apparel store	<u>●</u> x	<u>●</u> x		<u>●</u>	<u>●</u>	G, U	G
10.	Coffee shop	<u>●</u> x	<u>●</u> x		<u>●</u>	<u>●</u>	U	<u>●</u> x
11.	Coin operated amusement machine, incidental to a permitted use	<u>●</u> x	<u>●</u> x	<u>●</u> x	<u>●</u>	<u>●</u>	<u>●</u> x	<u>●</u> x
12.	Coin operated dispense, collection of vending machines	<u>●</u> x	<u>●</u> x	<u>●</u> x	<u>●</u>	<u>●</u>	<u>●</u> x	<u>●</u> x
13.	Community center/citizens improvement center	<u>●</u> x	<u>●</u> x	<u>●</u> x	<u>●</u>	<u>●</u>	<u>●</u> x	<u>●</u> x
14.	Cold storage food locker		<u>●</u> x					<u>●</u> x
15.	Computer programming/software and system design	<u>●</u> x	<u>●</u> x		<u>●</u>	<u>●</u>	<u>●</u> x	<u>●</u> x
16.	Computer sales, rental, lease, and service, and training	<u>●</u> x	<u>●</u> x		<u>●</u>	<u>●</u>	<u>●</u> x	<u>●</u> x

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							
42.	Floor covering, drapery or upholstery store	● — x	● — x		● — —	● — —		● — x
23.	Florist	● — x	● — x		● — —	● — —	E, G, U	E, G
34.	Food market ancillary to service station	K	K		K	K	K	K
45.	Fortune telling Fortune telling	H	H		H	H		
56.	Funeral establishment							● — x
67.	Furniture store	● — x	● — x		● — —	● — —		● — x
78.	Furniture cleaning, refinishing or reupholstery shop		● — x					● — x
89.	Furniture rental agency	● — x	● — x		● — —	● — —		● — x
(Ord. No. 07-343, § 12, 2-28-2007)								
G.								
1.	Garden equipment and tool sales	● — x	● — x		● — —	● — —		● — x
2.	Gardening/landscaping service yard and workshop		J					J
3.	Gardening/landscaping supply store	J	J		J	J		J
4.	Gift/card shop	● — x	● — x		● — —	● — —	E, G, U	● — x
5.	Golf, full range			● — x			G, U	G
6.	Grinding/sharpening service		● — x					● — x
7.	Grooming service, such as pet dog grooming	● — x	● — x		● — —	● — —		● — x
8.	Gun shop/gunsmith		● — x					
(Ord. No. 229, §1, 5-26-93)								
H.								
1.	Hardware store	● — x	● — x		● — —	● — —		
2.	Hay, seed, and grain store		● — x					J
3.	Hearing aids sales and service	● — x	● — x		● — —	● — —	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
1.								
1.	Interior decorator's office	● — x	● — x		● — —	● — —	● — x	● — x

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							
2.	Interior decorator's service yard and workshop		J					J
3.	Internet cafe	● —x	● —x		● —	● —	U	
(Ord. No. 04-325, §1, 8-25-2004)								
J.								
1.	Janitor service		● —x				● —x	● —x
2.	Jewelry store, sales, repair	● —x	● —x		● —	● —	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		● —	● —		
6.	Laundromat, self-service	● —x	● —x		● —	● —		
7.	Laundry or cleaning agency, retail (on-site cleaning permitted)	● —x	● —x		● —	● —	G, U	G
8.	Live entertainment	F	F	K			F, U	F
9.	Live entertainment, adult	Q	Q				Q, U	Q
108.	Laundry or cleaning pickup station	● —x	● —x		● —	● —		● —x
119.	Laundry or cleaning plant, wholesale facility							● —x
1210.	Lawn mower engine and garden power tool repair	D	● —x		D	D		D
1311.	Library	S	S		S	S	S	S
1412.	Liquor store	W	W		W	W	W	W
13.	Live entertainment	I	I	K	I	I	I, U	I
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	F	F	K			F, U	F
9.	Live entertainment, adult	Q	Q				Q, U	Q
1717.	Locksmith/key and lock	● —x	● —x		● —	● —	U	● —x
1818.	Lodge/fraternal hall	M	M		M	M		M
1919.	Lumber and building material sales	A	J		A	A		J
(Ord. No. 09-362, § 2, 7-8-09)								
M.								
1.	Machine shop		J					● —x

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							
1.	Paint and wallpaper store	● — x	● — x		● — —	● — —		● — x
2.	Pest control service							I
3.	Pet store, no kennel	● — x	● — x		● — —	● — —		
4.	Photocopy service	● — x	● — x		● — —	● — —	E	● — x
5.	Photographic supply/camera store	● — x	● — x		● — —	● — —		● — x
6.	Photographic processing plant, wholesale facility							● — x
7.	Photographic studio, including incidental processing	● — x	● — x		● — —	● — —	● — x	● — x
8.	Physical fitness studio club	● — x	● — x	● — x	● — —	● — —	K	● — x
9.	Picture framing shop	● — x	● — x		● — —	● — —		● — x
10.	Pool table sale and repair service	● — 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		● — —	● — —	E, U	
14.	Printing plant							● — x
15.	Print shop	● — x	● — x		● — —	● — —		● — x
16.	Psychiatric facility, outpatient	K			K		K, U	K
17.								
17.	Public and government uses within privately owned buildings, facilities, grounds	S	S		S	S	S	S
18.	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, §1, 6-28-95; Ord. No. 07-343, § 2, 2-28-2007)								
R.								
1.	Record store	x	x					x
21.	Recreation facility, indoor	● — x	● — x	K	● — —	● — —	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 if such uses are part of an integrated							

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							
	entertainment center.*							
3.	(Effective as of 5/22/99)							
<u>2.</u>	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 if such uses are part of an integrated entertainment center-							
	b. Batting cage facility, primary use-		AA, CC					
(Ord. No. 97-269, § 1, 3-5-97; Ord. No. 97-274U, § 4, 4-16-97; Ord. No. 98-271, § 1, 4-22-98; Ord. No. 00-305, § 1, 1-10-2001)								
<u>43.</u>	Recreation vehicle storage		V					
<u>54.</u>	Recycling center	J, K	J, K		J, K	J, K		J, K
<u>65.</u>	Remote teller, for pedestrian use	B	B		B	B	B	B
<u>76.</u>	Research and development					E		<u>•</u> X
<u>87.</u>	Residence of a caretaker, proprietor or owner of a permitted use		M					
<u>98.</u>	Resorts			<u>•</u> X		K, U		<u>•</u> X
<u>109.</u>	Restaurant/cafe	<u>•</u> X	<u>•</u> X	<u>•</u> X	<u>•</u>	<u>•</u>	<u>•</u> X, U	<u>•</u> X
<u>1110.</u>	Retail store	<u>•</u> X	<u>•</u> X		<u>•</u>	<u>•</u>		
<u>1211.</u>	Residential care facility of the elderly		K				K	
(Ord. No. 203, § 2, 9-25-91; Ord. No. 229, § 1, 5-26-93; Ord. No. 99-299, § 2, 11-17-99)								
S.								
<u>1.</u>	Saddlery shop	<u>•</u> X	<u>•</u> X		<u>•</u>	<u>•</u>		
<u>2.</u>	Sanitarium-Salon: hair, nails	<u>•</u>	<u>•</u>		<u>•</u>	<u>•</u>	<u>E, U, K,</u> <u>U</u>	<u>•</u> K
<u>3.</u>	School, business	<u>•</u> X	<u>•</u> X		<u>•</u>	<u>•</u>	U	<u>•</u> X
<u>4.</u>	School; charm, culture, modeling, acting	<u>•</u> X	<u>•</u> X		<u>•</u>	<u>•</u>	U	<u>•</u> X
<u>5.</u>	School, college and university	K	K		K	K	K, U	K
<u>6.</u>	School, private K-6						K	
<u>7.</u>	School, private high school							K
<u>78.</u>	School, trade	<u>•</u> X	<u>•</u> X		<u>•</u>	<u>•</u>	U	<u>•</u> X
<u>89.</u>	School, self defense, judo, boxing, gymnastics School, vocational	<u>•</u> X	<u>•</u> X	<u>•</u> X	<u>•</u>	<u>•</u>	U	<u>•</u> X
<u>910.</u>	Shoe repair shop	<u>•</u> X	<u>•</u> X		<u>•</u>	<u>•</u>	E, U	<u>•</u> X

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							
1011.	Shoe shine parlor <u>reestablishment</u>	<u>●</u> x	<u>●</u> x		<u>●</u>	<u>●</u>	E, G, U	E, G
1112.	Shoe store	<u>●</u> x	<u>●</u> x		<u>●</u>	<u>●</u>		
1213.	Snack shops: ice cream, frozen yogurt, coffee, juice oda fountain/ice cream parlor	<u>●</u> x	<u>●</u> x	<u>●</u> x	<u>●</u>	<u>●</u>	E, U	
1314.	Sporting goods and athletic equipment store	<u>●</u> x	<u>●</u> x	<u>●</u> x	<u>●</u>	<u>●</u>		
1415.	Stamp/coin store	<u>●</u> x	<u>●</u> x		<u>●</u>	<u>●</u>		
1516.	Stationery store	<u>●</u> x	<u>●</u> x		<u>●</u>	<u>●</u>	E, U	<u>●</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
	b. Automobile and recreational vehicle storage							V
	c. Storage building, mini		V					V
	d. Moving and storage service							J
19-19.	Studio: voice, music, gymnastics	<u>●</u> x	<u>●</u> x	<u>●</u> x	<u>●</u>	<u>●</u>		
20-20.	Studio: dance, yoga	<u>●</u> x	<u>●</u> x	<u>●</u> x	<u>●</u>	<u>●</u>	K	K
21-21.	Studio: martial arts, gymnastics	<u>●</u>	<u>●</u>	<u>●</u>	<u>●</u>	<u>●</u>	U	<u>●</u>
22-22.	Studio: radio, television, recording—office only	<u>●</u> x	<u>●</u> x		<u>●</u>	<u>●</u>	<u>●</u> x	<u>●</u> x
23-23.	Supermarket/food store	<u>●</u> x			<u>●</u>	<u>●</u>		
24-24.	Swimming pool, spa – sales and service	D	J		D	D		
(Ord. No. 174, 8-22-90)								
T.								
1.	Tailor	<u>●</u> x	<u>●</u> x		<u>●</u>	<u>●</u>	G, U	G
2.	Taxicab service and storage facility		J					
3.	Taxidermist		<u>●</u> x					K
4.	Telegraph office	x	x				x	x
54.	Telephone answering service	<u>●</u> x	<u>●</u> x		<u>●</u>	<u>●</u>	X	X
65.	Television and radio sales	<u>●</u> x	<u>●</u> x		<u>●</u>	<u>●</u>		
76.	Television and radio repair shop	A	<u>●</u> x		A	A		<u>●</u> x
87.	Temporary uses	R	R	R	R	R	R, U	R
98.	Ticket agency	<u>●</u> x	<u>●</u> x		<u>●</u>	<u>●</u>	E, G, U	G
109.	Tobacco shop	<u>●</u> x	<u>●</u> x		<u>●</u>	<u>●</u>	E, G, U	G

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							
1110.	Tool reconditioning		J					J
1211.	Towing service, office only		●x				K	K
1312.	Toy store	●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		●	●	U	●x
1716.	Tree service		J					
1817.	Trophy/emblem store	●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		●	●	E, G, U	G
3.	Wholesale distributor's service							J
4.	Wholesale store		●x					●x
5.	Wig sales and service	●x	●x		●	●		
6.	Winery and beer sales facility/tasting room	W	W		W	W		W
(Ord. No. 170, § 1, 5-9-90; Ord. No. 227, § 1, 3-24-93; Ord. No. 09-362, § 2, 7-8-09))								
● Permitted Use								

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. Permit 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. Reserved.~~

- 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 in chapter 6~~
Reserved.
- O. ~~Permitted as an ancillary use to an automobile service station subject to issuance of a conditional use permit by the planning commission~~Reserved.
- 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~~Reserved.
- 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; and
 2. Only within an enclosed building; and
 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~~9396.3 and ~~9673.8-2.E~~ 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~~ as provided in section 9542.1.
- X. ~~Planter boxes, retainer walls, foundations and ponds may be placed in yard area provided they are permanent parts of the overall landscaping development~~Reserved.
- 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~~Reserved.
- Z. ~~Service station pump islands, including display or incidental petroleum products may not be placed in required yards~~Reserved.
- 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.
- EE. Permitted if the following standards are met:
1. The maximum number of occupants to be served shall not exceed twenty (20);
 2. A minimum distance of three hundred (300) feet shall be maintained from any other emergency shelter;
 3. The maximum stay at the facility shall not exceed ninety (90) days in a 365-day period;
 4. Clients shall only be on-site and admitted to the facility between five p.m. (5:00 p.m.) and eight a.m. (8:00 a.m.);

5. An interior waiting and intake area shall be provided which contains a minimum of two hundred (200) square feet. If not feasible to locate internally, an exterior waiting area shall be provided which contains a minimum of ten (10) square feet per bed provided at the facility; shall be in a location not adjacent to the public right-of-way; and shall be visibly separated from public view by a minimum six (6)-foot tall visual screening;
6. A minimum of one (1) employee per 15 beds, in addition to any security personnel, shall be on duty and remain on-site during operational hours;
7. Security personnel shall be provided during operational hours and when people are waiting outside;
8. Exterior lighting shall be provided for the entire outdoor area of the site, consistent with the provisions of this article and the City Lighting Standards and Guidelines;
9. Parking shall be provided at a ratio of one-space per 250 square feet of building area, consistent with parking requirements for retail commercial uses in the CRS zone;
10. The operator of the facility shall provide, at the City's request, an annual report of the use of the facility and demonstration of compliance with the City's development standards for the use."

City of Agoura Hills

General Plan
Implementation Measures Ordinance

Attachment III

General Plan Land Use Map

August 2011

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 (2-6 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
- Open Water
- Streams



Source: City of Agoura Hills, May 2011
D21377_Agoura_Hills\GPlan_Update.mxd
Date Revised: June 30, 2011



City of Agoura Hills

General Plan Implementation Measures Ordinance

Attachment IV

Zoning Map 1

August 2011

VENTURA
COUNTY

Santa Monica Mountains
National Recreation Area

CITY OF AGOURA HILLS ZONING MAP

Legend

-  County Boundary
-  Parcels
- Zoning
 -  Very Low Density-Residential (<2du/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)

LOS ANGELES
COUNTY

Westlake
Village

Ladyface Mountain
Specific Plan

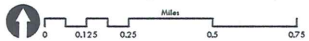
North Agoura Road
Planning Area

Agoura Village
Specific Plan

Santa Monica Mountains
National Recreation Area

LOS ANGELES
COUNTY

Date Revised: June 30, 2011



City of Agoura Hills

General Plan
Implementation Measures Ordinance

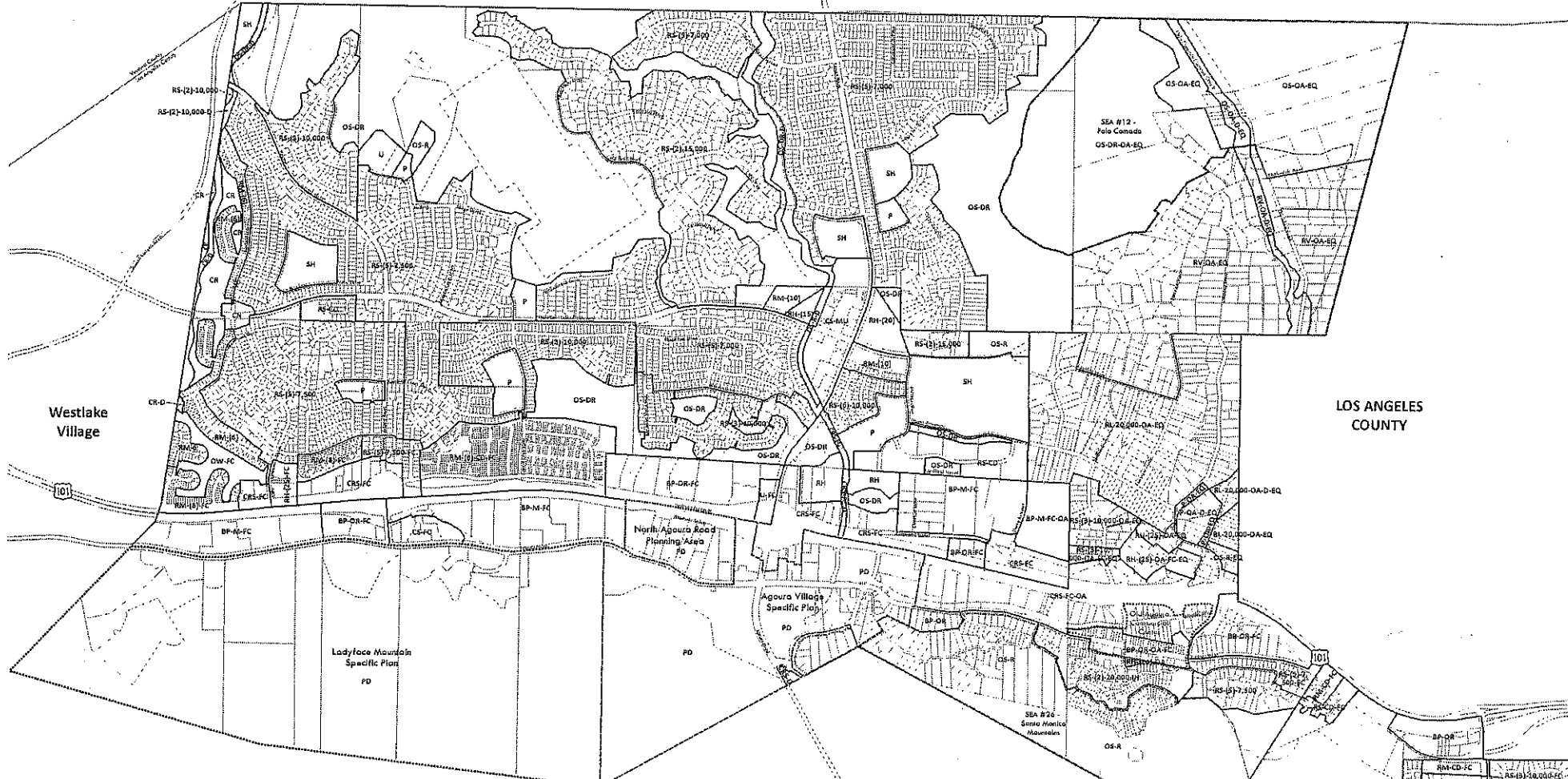
Attachment V

Zoning Map 2

August 2011

VENTURA
COUNTY

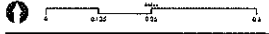
Santa Monica Mountains
National Recreation Area



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
 - CRS - Commercial Retail Service
 - CS-MU - Commercial Shopping Center/Mixed Use
 - CR - 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 - Residential
 - OS-DR - Open Space-Deed Restricted

- Description of Overlay Districts**
- D - Drainage Way, Floodplain, Watercourse
 - FC - Freeway Corridor
 - OA - Old Agoura Design
 - IH - Indian Hills Design
 - CD - Cluster Development
 - EQ - Equestrian
- Other Additive Symbols**
- The numerical suffix after the basic residential district (RL, RS, RM, and RH) indicates the minimum lot size permitted, i.e. RS-10,000 means Single Family Residential 10,000 sq. ft. minimum lot size.
 - The numerical suffix in brackets when affixed to the RL, RS, RM, and RH districts indicates the density per acre, i.e. 10,000 sq. ft. minimum lot size, four units per gross acre.
- SEA (Significant Ecological Area) #12 - Palo Verde
 - SEA (Significant Ecological Area) #26 - Santa Monica Mountains
 - Old Agoura Commercial Center



Santa Monica Mountains
National Recreation Area

LOS ANGELES
COUNTY

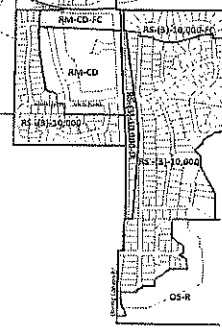


Exhibit H

July 21, 2011
Planning Commission
Staff Report



DEPARTMENT OF PLANNING AND
COMMUNITY DEVELOPMENT

ACTION DATE: July 21, 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. (The July 21, 2011 public hearing is to consider Phase 2 of the three-phase General Plan Update Implementation Program. The Planning Commission conducted the public hearing on Phase 1 on June 16, 2011 and continued the public hearing to July 21, 2011 for Phase 2.)

ENVIRONMENTAL
DETERMINATION: Negative Declaration

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

I. BACKGROUND AND PURPOSE

The purpose of the General Plan Implementation Measures Ordinance is to accomplish the most important administrative items of the General Plan Implementation Program. The Planning Commission will recall that on June 16, 2011, the public hearing was opened and staff presented an introduction and the first phase of the three-phase Comprehensive General Plan Implementation Ordinance. The first phase included the most comprehensive implementation measures and consisted of:

- 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.

The June 16, 2011 Planning Commission staff report is attached for reference. The Planning Commission provided comments and recommendations to staff, and the public

hearing was continued to July 21, 2011 for presentation of the second component of the draft Ordinance.

II. DISCUSSION

Staff would now like to present the second component of the draft Ordinance to the Planning Commission, which includes “housekeeping” components of the Ordinance. Specifically, these “housekeeping” items include: 1) Deleting from the Zoning Ordinance text, districts that are no longer in use, and all references to those districts; 2) Deleting/correcting typographical errors within the Zoning Ordinance; and 3) Incorporating into the text of the Zoning Ordinance various zoning interpretations that have been made by the Planning Commission over the years. A brief discussion of each subject is below.

1. Deletions of references to obsolete zoning districts

For consistency with the current General Plan Land Use Designation Map (copy attached) staff recommends the draft Ordinance include the deletion of obsolete zoning districts that are no longer proposed in the new Zoning Map, and have been replaced with new districts presented to the Planning Commission on June 16. These obsolete zoning districts including the following:

Base Districts

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

Special Districts

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

These proposed amendments are rather extensive but have no policy implications. For ease of reference, within the draft ordinance staff has **highlighted in pink color** these obsolete references and proposed amendments (strikethroughs).

2. Deletions/corrections of typographical errors

The City Zoning Ordinance was originally adopted 24 years ago and has been amended on numerous times. On occasion, an ordinance, when codified, inadvertently included a typographical error or omission. Staff has tracked these few errors and would like to use this opportunity to correct them within the text of the proposed draft ordinance. These proposed amendments within the draft ordinance are **highlighted in yellow color** for reference.

Staff would note that Section 8 of the draft ordinance includes proposed deletions to mobilehome standards of Zoning Ordinance 9284.1. The proposed deletions of

specific mobilehome development standards are identical to some deletions made to Zoning Ordinance Section 9675.2 of the Mobilehome Permit Ordinance, when the Planning Commission reviewed, and the City Council adopted, the Housing Element Implementation Measures Ordinance earlier this year.

3. Planning Commission interpretations

Over the course of several years, the Planning Commission has made a number of interpretations of the Zoning Ordinance, as authorized by the Zoning Ordinance. Staff has reviewed these interpretations and feels it would be appropriate to include within the draft Ordinance those interpretations which were applicable citywide. While staff has continued to apply each of the Planning Commission's interpretations of the Zoning Ordinance, by including the following interpretations (which are **highlighted in turquoise color** for reference) within the draft Ordinance, they can then be codified and referenced more readily, and continue to be applied in the future.

A. *Building height* (Reference Draft Ordinance Section 1)

In 1999, in reviewing a proposed building with a sloping roof on three sides, and a gable roof that greatly exceeded the maximum height requirements on the fourth side of the building, the Planning Commission interpreted the definition of "building height" to clarify that measuring the building height to the midpoint of the roof (which is currently allowed in the Zoning Ordinance) is only possible in situations in which a full roof element (hip roof) exists on the corresponding building elevations. This interpretation prevents particular building elevation walls with gable roofs or parapet roofs from exceeding the 35-foot elevation. Clarification of the Zoning Ordinance through this interpretation has led to consistent application of the height ordinance and greatly assisted staff and the Planning Commission in project review. Accordingly, staff recommends this interpretation be applied (added) to Zoning Ordinance Section 9120.2.B.J.

B. *Recording Studios* (Reference Commercial Use Table attached to staff report)

In 1989, the Planning Commission interpreted that a "recording studio" use, which was not listed as a permitted use in the Zoning Ordinance Commercial Use Table, is similar to radio studios for the purpose of applying the Commercial Use Table and is, therefore, permitted in the CS, CRS, BP-OR, and BP-M zones. Accordingly, staff recommends this interpretation be applied (added) to proposed Commercial Use Table (copy attached), and include it as also being permitted in the new CN and CS-MU zones.

C. *Film Studios* (Reference Commercial Use Table attached to staff report)

In January of 2011, the Planning Commission interpreted that a “movie studio” use, which was not listed a permitted use in the Zoning Ordinance Commercial Use Table, is like and similar to uses that are permitted in the BP-M (Business Park-Manufacturing) zone, which allows for “assembly, light manufacturing” use and, therefore, should be permitted in the BP-M (Business Park-Manufacturing) zone. Accordingly, staff recommends this interpretation be applied (added) to the proposed Commercial Use Table.

D. *Hillside Ordinance / Concave Lots* (Reference Draft Ordinance Section 53)

The Hillside Ordinance provisions of the Zoning Ordinance require a conditional use permit for development of properties that have average topographic slopes of greater than 10%, and include floor area ratio limitations for commercial development. In 2003, the Planning Commission interpreted the Hillside Ordinance as allowing the Director of Planning and Community Development to have the discretion to exclude concave lots with an average topographic slope greater than 10% from the Hillside Ordinance commercial development floor area ratio limitations. The topography of a concave lot is like a bowl, but the Zoning Ordinance treated such lots as if they were hillside parcels. An example of such a lot is the site of the Lavaggio Auto Detail Center on the northeast corner of Reyes Adobe Road and Canwood Street. The Planning Commission defined a “concave lot” as “a parcel of land in which the midpoint elevation of the property is lower than the average elevation of the property lines that are located adjacent to a street.” Accordingly, staff recommends this interpretation be applied (added) to Zoning Ordinance Sections 9652.12 and 9652.13(B).

E. *Hillside Ordinance / Commercial Floor Area Ratios* (Reference Draft Ordinance Section 54)

The maximum floor area ratios (FAR) for commercial development on hillside properties is including in the Hillside Ordinance, and is defined in 5% slope incremental ranges. For example, for properties with an average slope of 10%-15%, the maximum FAR is 0.25. For properties with an average slope of 16%-20%, the maximum FAR is 0.21.

In 2009, the Planning Commission interpreted the Hillside Ordinance and clarified that to more finely calibrate the applicable floor area ratios for development of commercial hillside properties, the incremental slope percentages table within the Hillside Ordinance should be rounded to the nearest 0.1% and should be applied in determining the corresponding and incremental floor area ratios. Accordingly, staff recommends this interpretation be applied (added) to

Zoning Ordinance Section 9652.13(B). Staff would note that in no instance would the newly interpreted FAR table reduce the FAR currently shown in the Hillside Ordinance. Rather, it would slightly increase the FAR in instances where the average topographic slope of a parcel falls between the current slope ranges in the existing table.

The focus of this Phase 2 review is within the highlighted text of the draft Ordinance. The text of the draft Ordinance that is not highlighted in any of the three colors noted above, but are underlined (added) or stricken (deleted), are changes that were discussed at during the Phase 1 review of the draft Ordinance.

III. ORDINANCE REVIEW NEXT STEPS

For this meeting, staff is requesting comments from the Planning Commission, through this open public hearing, on the specific Zoning Ordinance amendments presented above and any other comments the Planning Commission wishes to provide. Staff is also requesting the Planning Commission then continue the public hearing to August 18, 2011, at which time staff would like to present to the Planning Commission the remaining components of the ordinance, which include:

- The final version of the draft Ordinance, which incorporates the Planning Commission's recommendations;
- A draft Resolution for updated Architectural Design Standards and Guidelines, for consistency with the General Plan;
- The final environmental Negative Declaration prepared for the draft Ordinance, and which has been circulated for public review until August 4; and
- Any other items for which the Planning Commission would like staff to provide information.

Prior to the third and final phase of review, and after receiving comments from the Planning Commission on the proposed amendments from the first and second phase of review, it is staff's preference to re-notice the public hearing for the Planning Commission meeting on August 18. 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.

IV. RECOMMENDATION

Staff recommends the Planning Commission conduct a public hearing and provide comments to staff for this second phase of presentation of the draft Ordinance and continue the public hearing to the Planning Commission meeting of August 18, 2011.

V. ATTACHMENTS

- Draft Ordinance
- Commercial Use Table (Permitted Uses within the Buildable Area of Commercial Lots)
- Zoning Map – Base Districts
- Zoning Map – Base, Overlay and Special Districts
- General Plan Land Use Diagram
- June 16, 2011 Planning Commission Staff Report

Case Planner: Doug Hooper, Assistant Director of Community Development

Exhibit I

June 16, 2011
Planning Commission
Staff Report



DEPARTMENT OF PLANNING AND
COMMUNITY DEVELOPMENT

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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