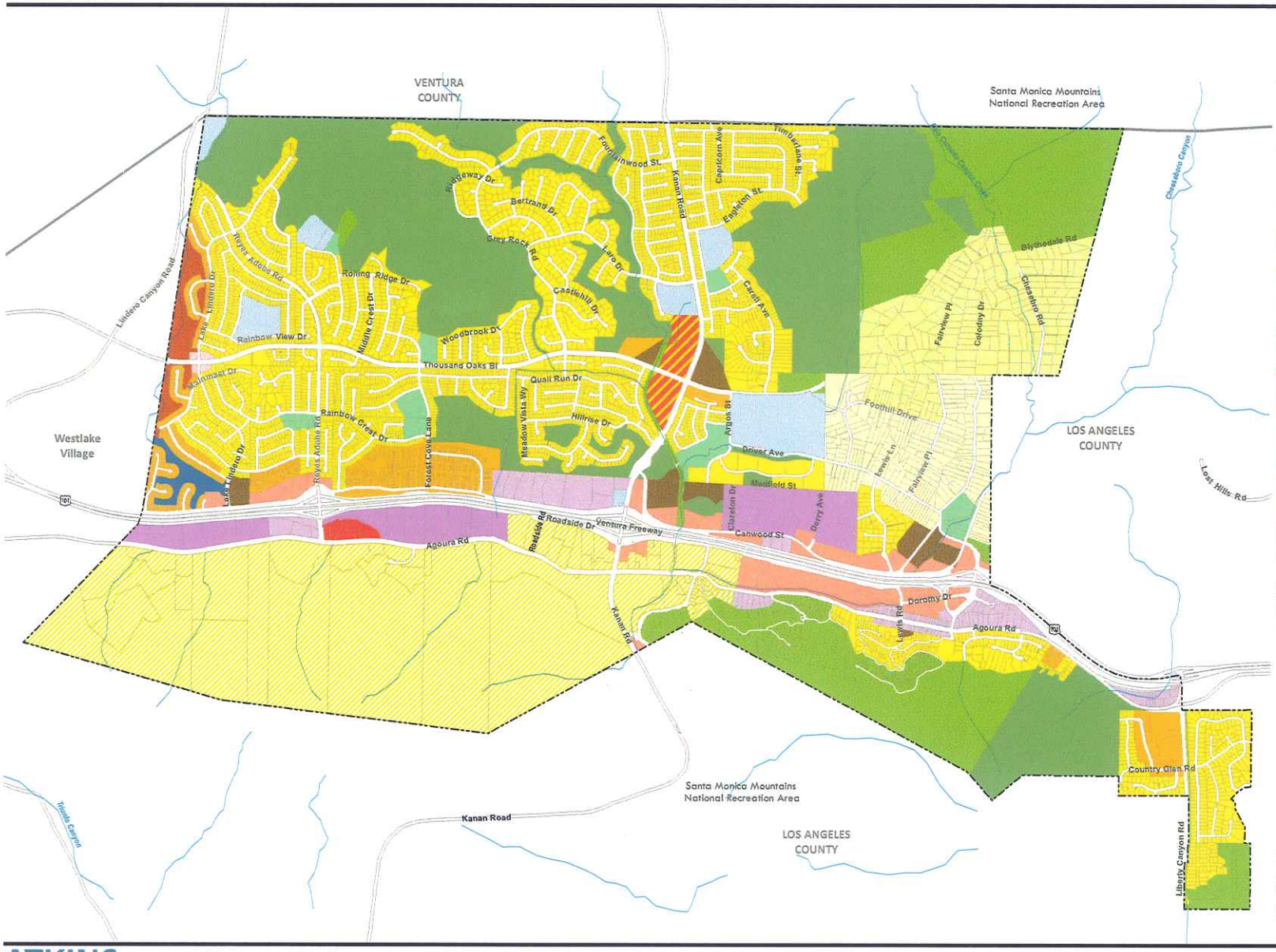
CITY of AGOURA HILLS
General Plan Update

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
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Date Revised: June 30, 2011

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CITY OF AGOURA HILLS

General Plan Implementation Measures Ordinance

Final Initial Study/Negative Declaration

August 11, 2011

General Plan Implementation Measures Ordinance

Final Initial Study/Negative Declaration

Prepared by:
City of Agoura Hills
Planning and Community Development Department
30001 Ladyface Court
Agoura Hills, CA 91301

Contact:
Doug Hooper
Assistant Director of Community Development
(818) 597-7342

August 11, 2011

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INTRODUCTION

This Initial Study/Negative Declaration (IS/ND) addresses the potential environmental effects from a Zoning Ordinance Amendment (ZOA) to make the Zoning Ordinance consistent with the General Plan by creating new zoning districts, amending development standards, amending the commercial use table, deleting districts no longer in use, updating the Zoning Map and General Plan Land Use Designation Map, and incorporating previous Planning Commission interpretations of the Zoning Ordinance.

LEGAL AUTHORITY

This Initial Study/Negative Declaration has been prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines, the City's CEQA Guidelines, and relevant provisions of CEQA of 1970, as amended.

Initial Study. Section 15063(a) of the CEQA Guidelines provides that an Initial Study is the proper preliminary method of analyzing the potential environmental consequences of a project. The purposes of the Initial Study set forth in Section 15063(c) include in part:

(1) To provide the Lead Agency with the necessary information to decide whether to prepare an Environmental Impact Report (EIR), a Negative Declaration (ND), or a Mitigated Negative Declaration (MND);
(2) To enable the Lead Agency to modify a project, mitigating adverse impacts, thus avoiding the need to prepare an EIR; and
(3) To provide documentation of the factual basis for the finding in a Negative Declaration, based on the record as a whole, that the project will not have a significant effect on the environment.

Negative Declaration or Mitigated Negative Declaration. Section 15070 of the CEQA Guidelines states that a public agency shall prepare a Negative Declaration or Mitigated Negative Declaration for a project subject to CEQA when:

(1) The Initial Study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment; or
(2) The Initial Study identifies a potentially significant effect on the environment; but
   (b) Revisions in the project plans or proposals made by, or agreed to by, the applicant before a proposed Mitigated Negative Declaration and Initial Study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and
   (c) There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.

EVALUATION OF ENVIRONMENTAL IMPACTS

(Requirements specified in CEQA Guidelines, Appendix G)

The following sections of this IS/ND provide discussions of the possible environmental effects of the proposed project for specific issue areas that have been identified in the CEQA Initial Study Checklist. For each issue area, potential effects are discussed and evaluated.

A "significant effect" is defined by Section 15382 of the CEQA Guidelines as "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by a project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance." According to the CEQA Guidelines, "an economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant."

The following information applies to the Initial Study Checklist:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not

apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.

5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (D). In this case, a brief discussion should identify the following:

   (a) Earlier Analysis Used. Identify and state where they are available for review.

   (b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   (c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The analysis of each issue should identify: (a) the significance criteria or threshold used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.

City of Agoura Hills

FINAL INITIAL STUDY/NEGATIVE DECLARATION

Project Title: General Plan Implementation Measures Ordinance

Case Number: 11-ZOA-003

Lead Agency Name & Address: City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

Contact Person and Phone #: Doug Hooper, Assistant Director of Community Development
818-597-7342

Project Location: The project is the adoption of an Ordinance, and is located Citywide.

Sponsor's Name & Address: City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

General Plan Designation:
Existing: NA
Proposed: NA

Zoning:
Existing: NA
Proposed: NA

Project Description: The project is a Zoning Ordinance Amendment (ZOA) to adopt a General Plan Implementation Measures Ordinance. The project proposes to make the Zoning Ordinance consistent with the General Plan, adopted in March, 2010. Specifically, the Ordinance amends 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 and General Plan Land Use Designation 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. (Ref. Attachments: Location Map; Draft Ordinance, General Plan Land Use Map, Zoning Map)

Surrounding Land Uses & Setting: The project applies Citywide. The City is bordered by unincorporated Ventura County to the north; unincorporated Los Angeles County and the City of Calabasas to the east; unincorporated Los Angeles County to the south; and the City of Westlake Village to the west. See Figure 1 for the Location Map.

Other Public Agencies Whose Approval Is Required: None.

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.

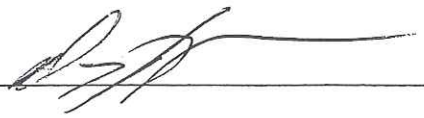
	Aesthetics		Greenhouse Gases		Population/Housing
	Agricultural Resources		Hazards & Hazardous Materials		Public Services
	Air Quality		Hydrology/Water Quality		Recreation
	Biological Resources		Land Use/Planning		Transportation/Traffic
	Cultural Resources		Mineral Resources		Utilities/Service Systems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

(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

(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**.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact

(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

(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

(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
(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
(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 exiting 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

(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

(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

(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

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

(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

(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

(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

(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**.

Issues and Supporting Information	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Measures**	**Less Than Significant Impact**	**No Impact**

(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

(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,

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.

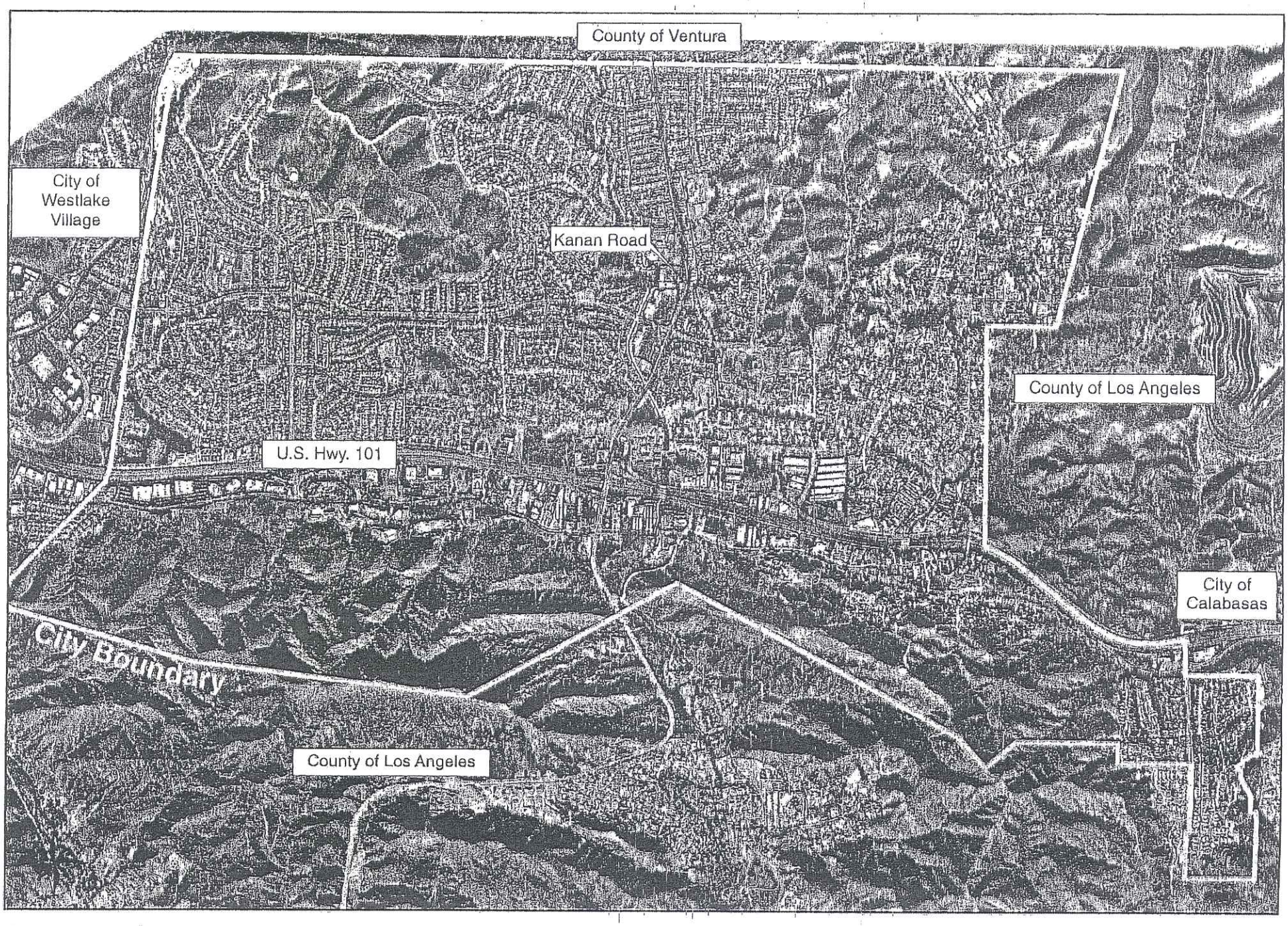
City of Agoura Hills

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