

REPORT TO CITY COUNCIL

DATE: OCTOBER 26, 2011

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

BY: MIKE KAMINO, DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT

SUBJECT: ADOPTION OF ORDINANCE NO. 11-388, 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 IN SPECIFIC EXISTING COMMERCIAL DISTRICTS, AMEND THE COMMERCIAL USE TABLE, DELETE ZONING DISTRICTS NO LONGER IN USE, CODIFY PREVIOUS PLANNING COMMISSION INTERPRETATIONS OF THE ZONING ORDINANCE, UPDATE THE GENERAL PLAN LAND USE DESIGNATION MAP AND ZONING MAP, AND CORRECT EXISTING TYPOGRAPHICAL ERRORS WITHIN THE ZONING ORDINANCE (CASE NO. 11-ZOA-003)

At the October 12, 2011 City Council meeting, the Council introduced, read by title only, and waived further reading of Ordinance No. 11-388.

The Ordinance will implement the General Plan by amending the Zoning Ordinance to: 1) create new zoning districts; 2) amend development standards in specific, existing commercial districts; 3) amend the Commercial Use Table; 4) delete zoning districts no longer in use; 5) codify previous Planning Commission interpretations of the Zoning Ordinance; 6) update the General Plan Land Use Designation Map and Zoning Map; and 7) correct existing typographical errors within the Zoning Ordinance.

Attached for your reference is a copy of the proposed ordinance.

RECOMMENDATION

Staff recommends the City Council adopt Ordinance No. 11-388, regarding amendments to the Zoning Ordinance, for compliance with the City General Plan Implementation Measures.

Attachment: Ordinance No. 11-388

DRAFT ORDINANCE NO. 11-388

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.J. 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)
- ~~L~~ 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. School (SH)~~
- ~~D. Governmental office (G)~~
- ~~E. Utility (U)~~
- ~~F. Open water (OW)~~
- ~~G. Open space (OS)~~
- ~~H. 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~~8.2~~ 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 force;~~
- ~~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, nor 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 fulling 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, 9351-9360
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, 9391-9395.1
- ~~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.

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.

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> | | |
| 3.5.4. | Alcoholic beverage establishments, off-sale | W | W | W | <u>W</u> | <u>W</u> | W | W |
| 3.6.5. | Alcoholic beverage establishments, on-sale | W | W | W | <u>W</u> | <u>W</u> | W | <u>W</u> |
| 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 | | C | C | | ● X |
| i. | Auto brake replacement, service | C | ● X | | C | C | | C |
| j. | Auto minor repair, services, adjustment | C | ● X | | C | C | | C |
| k. | Auto trailer hitch installation | C | ● X | | C | C | | C |
| l. | Auto diagnosis and tune-up | C | ● X | | C | C | | ● X |
| m. | Auto detailing (servicing and cleaning for resale) | C | ● X | | C | C | | ● X |
| n. | Auto glass installation and sales | C | ● X | | C | C | | ● X |
| 2021. | 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 |
| 2122. | Auto storage, antique | | J | | | | | ● X |
| 2223. | Auto parts and accessory store | ● X | ● X | | ● | ● | | ● X |
| 2324. | 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 |
| 3. | <u>Banks and financial institutions</u> | ● X | ● X | | ● | ● | ● X | ● X |
| 34. | Bar/tavern | W | W | | W | W | U | W |
| 45. | Bath house/sauna, Turkish, steam | | | G | | | G, U | G |
| 56. | Barbershop | ● X | ● X | | ● | ● | E, U | ● X |
| 67. | Beverage bottling works | | | | | | | ● X |
| 78. | Bicycle sale, rent, service | | I | | | | | |

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>x</u> | ● <u>x</u> | | ● | ● | ● <u>x</u> | ● <u>x</u> |
| 910. | Boat sale, rent, service | | I | | | | | |
| 1011. | Boat parts and accessory store | D | D | | D | D | | D |
| 1112. | Bookstore | ● <u>x</u> | ● <u>x</u> | | ● | ● | U | ● <u>x</u> |
| 1213. | Bookstore, adult | Q | Q | | Q | Q | Q, U | Q |
| 1314. | Building trades contractors office | | ● <u>x</u> | | | | ● <u>x</u> | ● <u>x</u> |
| 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>x</u> |
| 1717. | Butcher and meat market | ● <u>x</u> | ● <u>x</u> | | ● | ● | | |
| 1818. | Butcher, wholesale, excluding slaughterhouse | | | | | | | ● <u>x</u> |
| (Ord. No. 09-362, §2, 7-8-09) | | | | | | | | |
| C. | | | | | | | | |
| 1. | Cabinet shop | | J | | | | | J |
| 2. | Reserved | X | X | | | | U | X |
| 2. | Candy store | ● <u>x</u> | ● <u>x</u> | | ● | ● | U | ● <u>x</u> |
| 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>x</u> |
| 6. | Church/temple | K | K | K | K | K | K, U | K |
| 7. | Clinic, child, family guidance | ● <u>x</u> | ● <u>x</u> | | ● | ● | ● <u>x</u> | ● <u>x</u> |
| 8. | Clinic, physical therapy | ● <u>x</u> | ● <u>x</u> | | ● | ● | ● <u>x</u> | ● <u>x</u> |
| 9. | Clothing and apparel store | ● <u>x</u> | ● <u>x</u> | | ● | ● | G, U | G |
| 10. | Coffee shop | ● <u>x</u> | ● <u>x</u> | | ● | ● | U | ● <u>x</u> |
| 11. | Coin operated amusement machine, incidental to a permitted use | ● <u>x</u> | ● <u>x</u> | ● <u>x</u> | ● | ● | ● <u>x</u> | ● <u>x</u> |
| 12. | Coin operated dispense, collection of vending machines | ● <u>x</u> | ● <u>x</u> | ● <u>x</u> | ● | ● | ● <u>x</u> | ● <u>x</u> |
| 13. | Community center/citizens improvement center | ● <u>x</u> | ● <u>x</u> | ● <u>x</u> | ● | ● | ● <u>x</u> | ● <u>x</u> |
| 14. | Cold storage food locker | | ● <u>x</u> | | | | | ● <u>x</u> |
| 15. | Computer programming/software and system design | ● <u>x</u> | ● <u>x</u> | | ● | ● | ● <u>x</u> | ● <u>x</u> |
| 16. | Computer sales, rental, lease, and service, and training | ● <u>x</u> | ● <u>x</u> | | ● | ● | ● <u>x</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 | | | | | | | |
| 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 people dog grooming | ● — x | ● — x | | ● — — | ● — — | | ● — x |
| 8. | Gun shop/gunsmith | | ● — x | | | | | ● — 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 |
| I. | | | | | | | | |
| 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 | <u>●</u> x | <u>●</u> x | | <u>●</u> | <u>●</u> | U | |
| (Ord. No. 04-325, §1, 8-25-2004) | | | | | | | | |
| J. | | | | | | | | |
| 1. | Janitor service | | <u>●</u> x | | | | <u>●</u> x | <u>●</u> x |
| 2. | Jewelry store, sales, repair | <u>●</u> x | <u>●</u> x | | <u>●</u> | <u>●</u> | G, U | G |
| L. | | | | | | | | |
| 1. | Labor union temple center | | <u>●</u> x | | | | | <u>●</u> x |
| 2. | Laboratory, medical, dental or optical | | <u>●</u> x | | | | E, U | <u>●</u> x |
| 3. | Laboratory, research, analysis | | | | | | | <u>●</u> x |
| 4. | Laboratory, materials testing | | | | | | | <u>●</u> x |
| 5. | Lapidary shop | <u>●</u> x | <u>●</u> x | | <u>●</u> | <u>●</u> | | |
| 6. | Laundromat, self-service | <u>●</u> x | <u>●</u> x | | <u>●</u> | <u>●</u> | | |
| 7. | Laundry or cleaning agency, retail (on-site cleaning permitted) | <u>●</u> x | <u>●</u> x | | <u>●</u> | <u>●</u> | 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 | <u>●</u> x | <u>●</u> x | | <u>●</u> | <u>●</u> | | <u>●</u> x |
| 119. | Laundry or cleaning plant, wholesale facility | | | | | | | <u>●</u> x |
| 1210. | Lawn mower engine and garden power tool repair | D | <u>●</u> x | | <u>D</u> | <u>D</u> | | D |
| 1311. | Library | S | S | | <u>S</u> | <u>S</u> | S | S |
| 1412. | Liquor store | W | W | | <u>W</u> | <u>W</u> | W | W |
| 13. | Live entertainment | <u>I</u> | <u>I</u> | <u>K</u> | <u>I</u> | <u>I</u> | <u>I, U</u> | <u>I</u> |
| 14. | Live entertainment, adult | <u>Q</u> | <u>Q</u> | | <u>Q</u> | <u>Q</u> | <u>Q, U</u> | <u>Q</u> |
| 1515. | Live theater | K | K | | <u>K</u> | <u>K</u> | Y, U | |
| 16-16 | Live theater, adult | Q | Q | | <u>Q</u> | <u>Q</u> | 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 | <u>●</u> x | <u>●</u> x | | <u>●</u> | <u>●</u> | U | <u>●</u> x |
| 1818. | Lodge/fraternal hall | M | M | | <u>M</u> | <u>M</u> | | M |
| 1919. | Lumber and building material sales | A | J | | <u>A</u> | <u>A</u> | | J |
| (Ord. No. 09-362, § 2, 7-8-09) | | | | | | | | |
| M. | | | | | | | | |
| 1. | Machine shop | | J | | | | | <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 | | | | | | | |
| 1. | Paint and wallpaper store | ● <u>x</u> | ● <u>x</u> | | ● <u>—</u> | ● <u>—</u> | | ● <u>x</u> |
| 2. | Pest control service | | | | | | | I |
| 3. | Pet store, no kennel | ● <u>x</u> | ● <u>x</u> | | ● <u>—</u> | ● <u>—</u> | | |
| 4. | Photocopy service | ● <u>x</u> | ● <u>x</u> | | ● <u>—</u> | ● <u>—</u> | E | ● <u>x</u> |
| 5. | Photographic supply/camera store | ● <u>x</u> | ● <u>x</u> | | ● <u>—</u> | ● <u>—</u> | | ● <u>x</u> |
| 6. | Photographic processing plant, wholesale facility | | | | | | | ● <u>x</u> |
| 7. | Photographic studio, including incidental processing | ● <u>x</u> | ● <u>x</u> | | ● <u>—</u> | ● <u>—</u> | ● <u>x</u> | ● <u>x</u> |
| 8. | Physical fitness studio club | ● <u>x</u> | ● <u>x</u> | ● <u>x</u> | ● <u>—</u> | ● <u>—</u> | K | ● <u>x</u> |
| 9. | Picture framing shop | ● <u>x</u> | ● <u>x</u> | | ● <u>—</u> | ● <u>—</u> | | ● <u>x</u> |
| 10. | Pool-table sale and repair service | ● <u>x</u> | ● <u>x</u> | | ● <u>—</u> | ● <u>—</u> | | ● <u>x</u> |
| 11. | Portable swimming pool supply-sales | J | J | | J | J | | J |
| 12. | Power tool sales, repair | C | ● <u>x</u> | | C | C | | ● <u>x</u> |
| 13. | Prescription-pharmacy | ● <u>x</u> | ● <u>x</u> | | ● <u>—</u> | ● <u>—</u> | E, U | |
| 14. | Printing plant | | | | | | | ● <u>x</u> |
| 15. | Print shop | ● <u>x</u> | ● <u>x</u> | | ● <u>—</u> | ● <u>—</u> | | ● <u>x</u> |
| 16. | Psychiatric facility, outpatient | K | | | K | | K, U | K |
| 17. | | | | | | | | |
| 18. 17. | Public and government uses within privately owned buildings, facilities, grounds | S | S | | S | S | S | S |
| 19. 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 |
| 2. | Recreation facility, indoor | ● <u>x</u> | ● <u>x</u> | K | ● <u>—</u> | ● <u>—</u> | 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 | |
|--|--|------------|--------|----|------|-------|---------------|------|
| Unless otherwise indicated, listings denote retail sales operations | | CS | CRS | CR | CN | CS-MU | BP-OR | BP-M |
| | 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 is 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 | ●x |
| <u>87.</u> | Residence of a caretaker, proprietor or owner of a permitted use | | M | | | | | |
| <u>98.</u> | Resorts | | | ●x | | | K, U | ●x |
| <u>109.</u> | Restaurant/cafe | ●x | ●x | ●x | ● | ● | ●x, U | ●x |
| <u>1110.</u> | Retail store | ●x | ●x | | ● | ● | | |
| <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) | | | | | | | | |
| <u>S.</u> | | | | | | | | |
| <u>1.</u> | Saddlery shop | ●x | ●x | | ● | ● | | |
| <u>2.</u> | Sanitarium-Salon: hair, nails | ● | ● | | ● | ● | E, UK, U | ●x |
| <u>3.</u> | School, business | ●x | ●x | | ● | ● | U | ●x |
| <u>4.</u> | School; charm, culture, modeling, acting | ●x | ●x | | ● | ● | 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 | ●x | ●x | | ● | ● | U | ●x |
| <u>89.</u> | School, self defense, judo, boxing, gymnastics School, vocational | ●x | ●x | ●x | ● | ● | U | ●x |
| <u>910.</u> | Shoe repair shop | ●x | ●x | | ● | ● | E, 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 | | | | | | | |
| 10 11. | Shoe shine parlor establishment | ● x | ● x | | ● — | ● — | E, G, U | E, G |
| 11 | Shoe store | ● x | ● x | | ● — | ● — | | |
| 12 | Snack shops: ice cream, frozen yogurt, coffee, juiceoda fountain/ice cream parlor | ● x | ● x | ● x | ● — | ● — | E, U | |
| 13 | Sporting goods and athletic equipment store | ● x | ● x | ● x | ● — | ● — | | |
| 14 | Stamp/coin store | ● x | ● x | | ● — | ● — | | |
| 15 | Stationery store | ● x | ● x | | ● — | ● — | E, U | ● x |
| 16 | Stenographic service | x | x | | | | x | x |
| 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 | ● x | ● x | ● x | ● — | ● — | | |
| 20 | Studio: dance, yoga | ● x | ● x | ● x | ● — | ● — | K | K |
| 21 | Studio: martial arts, gymnastics | ● — | ● — | ● — | ● — | ● — | U | ● — |
| 22 22. | Studio: radio, television, recording—office only | ● x | ● x | | ● — | ● — | ● x | ● x |
| 23 23. | Supermarket/food store | ● x | | | ● — | ● — | | |
| 24 24. | Swimming pool, spa – sales and service | D | J | | D | D | | |
| (Ord. No. 174, 8-22-90) | | | | | | | | |
| T. | | | | | | | | |
| 1. | Tailor | ● x | ● x | | ● — | ● — | G, U | G |
| 2. | Taxicab service and storage facility | | J | | | | | |
| 3. | Taxidermist | | ● x | | | | | K |
| 4 | Telegraph office | x | x | | | | x | x |
| 54 | Telephone answering service | ● x | ● x | | ● — | ● — | X | X |
| 65. | Television and radio sales | ● x | ● x | | ● — | ● — | | |
| 76. | Television and radio repair shop | A | ● x | | A | A | | ● x |
| 87. | Temporary uses | R | R | R | R | R | R, U | R |
| 98. | Ticket agency | ● x | ● x | | ● — | ● — | E, G, U | G |
| 109. | Tobacco shop | ● x | ● x | | ● — | ● — | E, G, U | G |

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 |
| 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."

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 primary tenant will usually be a supermarket or ~~drugstore~~ larger retail tenant, and the center will serve only the convenience needs, such as food, drugs, hardware, and personal services, of ~~a residential~~ the surrounding area. 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 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 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~~ 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. Athletic equipment and sporting goods store~~
10. 8. Auto service station, primary
11. 9. Auto parts and accessory store
- ~~12. 10.~~ Bakery/pastry shop
11. Banks and financial institutions
- ~~13. 12.~~ Bar/tavern
14. 13. Barber shop
- ~~15. 14.~~ Bicycle sale, rent, service
- ~~16. Book/record store~~
17. 15. Butcher and meat market
- ~~18. Café/restaurant~~
19. 16. Certified farmer's market
- ~~20. 17.~~ Candy store
21. 18. Child care center
- ~~22. 19.~~ Church/temple
23. 20. Citizens' improvement club/community center
24. 21. Clinic, child-family guidance
- ~~25. 22.~~ Clinic, physical therapy
26. 23. Clothing and apparel store
- ~~27. Coffee shop~~
28. 24. Coin operated amusement machine, incidental to a permitted use
29. 25. Computer programming/software and system design
30. 26. Computer sales, rental, lease and service, and training
31. 27. Concession, temporary
32. 28. Costume shop, sale and rent
33. 29. Curio/novelty shop
34. 30. Dancing as an incidental use in a bar or restaurant
- ~~35. Data processing service~~
36. 31. Delicatessen
37. 32. Dressmaker/tailor
38. 33. Drugstore
39. 34. Electronics equipment store
40. 35. Electronic, mechanical or video games, arcade
41. 36. Eye glasses and frames and contact lens sales and service
42. 37. Floor covering, drapery or upholstery store

- 43. ~~38.~~ Florist
- 44. ~~39.~~ Furniture store
- 45. ~~40.~~ Furniture cleaning, refinishing or reupholstery shop
- 46. ~~41.~~ Gardening-landscaping service yard and workshop
- 47. ~~42.~~ Gardening-landscaping supply store
- 48. ~~43.~~ Gift/card store
- 49. ~~44.~~ Grooming service, such as ~~poodle~~ dog grooming
- 50. ~~45.~~ Gun shop/gunsmith
- 51. ~~46.~~ Hardware store
- 52. ~~47.~~ Hay, seed and grain store
- 53. ~~48.~~ Hearing aids sales and service
- 54. ~~49.~~ Interior decorators office
- 55. ~~50.~~ Janitor service
- 56. ~~51.~~ Jewelry store sales, repair
- 57. ~~52.~~ Laboratory, medical, dental or optical
- 58. ~~53.~~ Laboratory, research, analysis
- 59. ~~54.~~ Laboratory, materials testing
- 60. ~~55.~~ Lapidary shop
- 61. ~~56.~~ Laundry or cleaning agency, retail (on-site cleaning permitted)
- 62. ~~57.~~ Live entertainment
- 63. ~~58.~~ Laundry or cleaning pick up station
- 64. ~~59.~~ Lawnmower engine and garden power tool repair
- 65. ~~60.~~ Library
- 66. ~~Liquor store~~
- 67. ~~61.~~ Live theater
- 68. ~~62.~~ Locksmith, key and lock
- 69. ~~63.~~ Mail order business
- 70. ~~64.~~ Messenger service
- 71. ~~65.~~ Motion picture theater
- 72. ~~66.~~ Motion picture filming, temporary
- 73. ~~67.~~ Museum
- 74. ~~68.~~ Music store, music sales, instrument sales and including instrument repair
- 75. ~~69.~~ Newspaper, magazine stand
- 76. ~~Novelty/curio shop~~
- 77. ~~70.~~ Nursery, plants
- 78. ~~71.~~ Office, business or professional
- 79. ~~Office, bank, savings and loans, finance, credit~~
- 80. ~~72.~~ Office, insurance
- 81. ~~73.~~ Office, medical or dental
- 82. ~~74.~~ Office, public relations or advertising
- 83. ~~75.~~ Office, real estate
- 84. ~~76.~~ Office, accountants, bookkeepers
- 85. ~~77.~~ Office machines and equipment sales
- 86. ~~78.~~ Paint and wallpaper store
- 87. ~~79.~~ Pest control service
- 88. ~~80.~~ Pet store, no kennel

- 89. 81. Photocopy service
- 90. 82. Photographic supply/camera store
- 91. 83. Photographic studio, including incidental processing
- 92. 84. Picture framing shop
- 93. 85. Prescription pharmacy
- 94. ~~Record/book store~~
- 95. 86. Remote teller, for pedestrian use
- 96. 87. Restaurant/café
- 97. 88. Retail store
- 98. 89. Saddlery/equestrian shop
- 99. 90. School: ~~charm, culture~~ modeling, acting
- 100. School; ~~self-defense, judo, boxing, gymnastics~~
- 101. 91. Shoe repair shop
- 102. 92. Shoe store
- 103. 93. ~~Soda fountain/ice cream parlor.~~ Snack shop: ice cream, coffee, juice
- 104. 94. Sporting goods and athletic equipment store
- 105. 95. Stamp/coin store
- 106. 96. ~~Stationary~~ Stationery store
- 107. ~~Stenographic service~~
- 108. 97. Studio: dance, ~~voice~~ yoga music, gymnastics
- 98. Studio: martial arts, gymnastics
- 109. 99. Studio: radio, television, recording
- 110. 100. Swimming pool, spa sales and service
- 111. 101. Tailor/dressmaker
- 112. ~~Telegraphic office~~
- 113. 102. Telephone answering service
- 114. ~~Television and radio sales~~
- 115. 103. Television and radio repair shop
- 116. 104. Ticket agency
- 117. 105. Tobacco shop
- 118. 106. Toy store
- 119. 107. Travel agency
- 120. 108. Veterinarian/animal hospital
- 121. 109. Watches, sale, repair
- 122. 110. Wig sales and service
- 124. 111. 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 park, 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;~~

~~F. H.~~ Development agreements;

~~F. 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: ()
NOES: ()
ABSENT: ()
ABSTAIN: ()

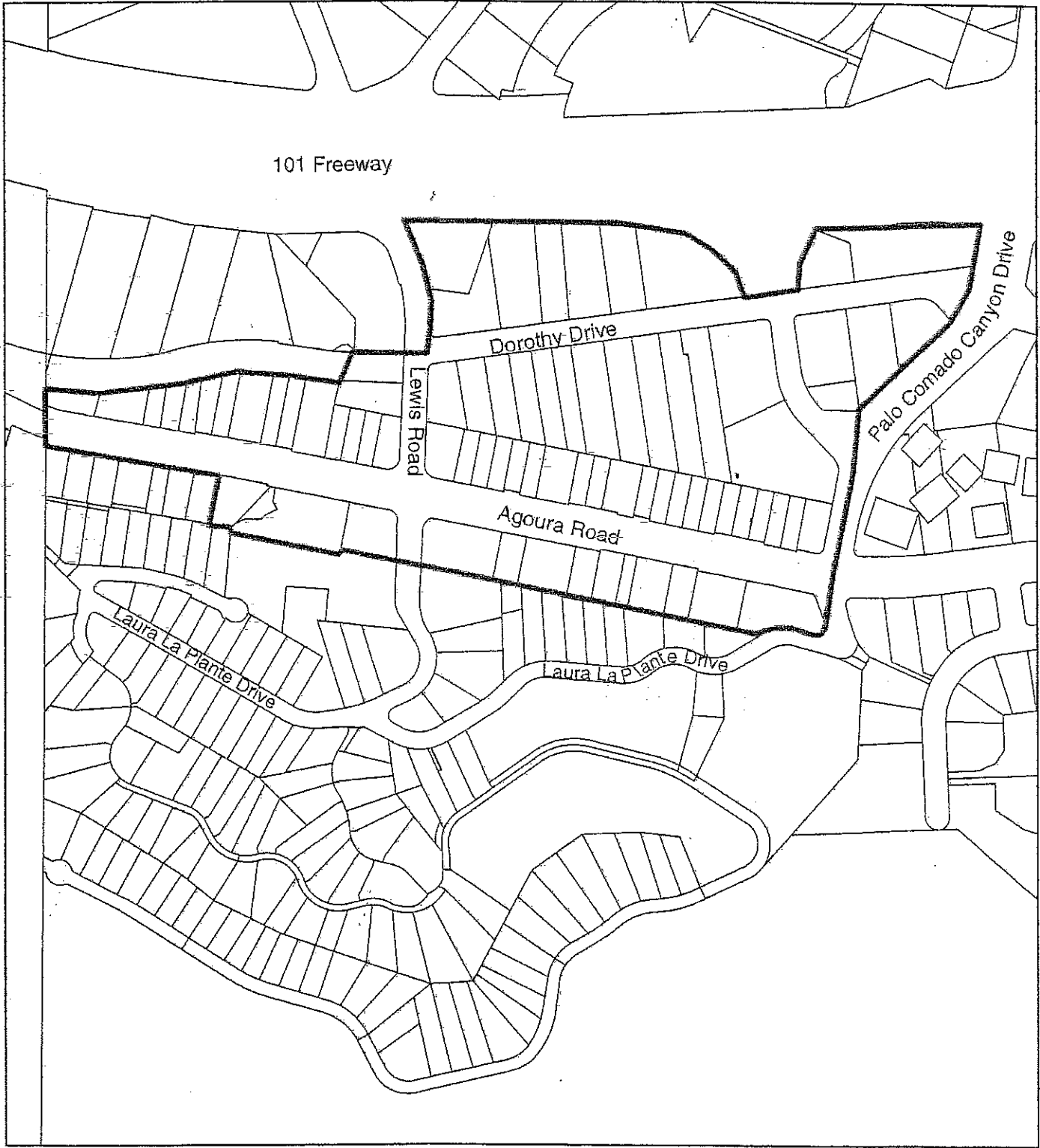
Harry Schwarz, Mayor

ATTEST:

Kimberly M. Rodrigues, City Clerk

APPROVED AS TO FORM

Craig A. Steele, City Attorney



101 Freeway

Dorothy Drive

Lewis Road

Palo Comado Canyon Drive

Agoura Road

Laura La Plante Drive

Laura La Plante Drive

Exhibit A
Old Agoura Business Center Area

