



Parking Ordinance Amendment

Final Initial Study/Negative Declaration

Prepared by:

City of Agoura Hills
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Agoura Hills, CA 91301

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INTRODUCTION

This Initial Study and Negative Declaration (IS/ND) addresses the potential environmental effects resulting from a Zoning Ordinance Amendments (ZOA) to revise regulations applicable to the parking in commercial areas of the City of Agoura Hills.

LEGAL AUTHORITY AND FINDINGS

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

Initial Study. Section 15063(c) of the CEQA Guidelines defines an Initial Study as the proper preliminary method of analyzing the potential environmental consequences of a project. The purposes of the Initial Study are:

- (1) To provide the Lead Agency with the necessary information to decide whether to prepare an Environmental Impact Report (EIR) or a Mitigated Negative Declaration (MND);
- (2) To enable the Lead Agency to modify a project, mitigating adverse impacts, thus avoiding the need to prepare an EIR; and
- (3) To provide sufficient technical analysis of the environmental effects of a project to permit a judgment based on the record as a whole, that the environmental effects of a project have been adequately mitigated.

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

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

An IS/ND may be used to satisfy the requirements of CEQA when the physical effects of the proposed project are anticipated to have no significant unmitigable effects on the environment. As discussed further in subsequent sections of this document, implementation of the proposed project would not result in any significant effects on the environment.

IMPACT ANALYSIS AND SIGNIFICANCE CLASSIFICATION

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

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

considered a significant effect on the environment, but may be considered in determining whether the physical change is significant.”

The following information applies to the Initial Study Checklist:

- (1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- (2) All answers must take account of the whole action involved, including off site as well as on site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- (3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, and EIR is required.
- (4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
- (5) Earlier analyses may be used where, pursuant to the tiering, Program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D) in this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
- (6) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - (a) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
 - (b) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- (7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- (8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
- (9) The explanation of each issue should identify:
 - (a) The significance criteria or threshold, if any, used to evaluate each question; and
 - (b) The mitigation measure identified, if any, to reduce the impact to less than significant.

INITIAL STUDY CHECKLIST

Project Title: Parking Ordinance Amendment

Case Number: 11-ZOA-001

Lead Agency Name and Address: City of Agoura Hills
30001 Ladyface Court
Agoura Hills, California 91301

Contact Person and Phone Number: Valerie Darbouze – Associate Planner
City of Agoura Hills
(818) 597-7310

Project Location: Citywide

Project Sponsor's Name and Address: City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 93101

General Plan Designation: Citywide

Zoning: Citywide

Project Description: The project consists of the amendment of Article IX, Chapter 6, Part 2, Division 4. Sections 9654.6.B. and 9654.2.K to modify the parking space requirement of specific non-residential uses, as well as the shared parking provision for commercial areas. The Ordinance would apply to the appropriately zoned parcels citywide. The Zoning Ordinance Amendment (ZOA) updates the parking requirement for number of spaces for certain non-residential uses to reflect changes in the types of land uses and tenants in the City and changes in parking habits within the last several years. With regard to shared parking provisions, the ZOA further clarifies the current Code and establishes new provisions for allowing the sharing of parking in commercial areas, resulting in a reduction in required parking spaces. These commercial areas include shopping centers and commercial uses in a planned development. The proposed changes are based on industry standards, as well as local conditions and parking and land use/tenant patterns gathered by City staff. The Draft Ordinance is included in its entirety as Exhibit 1.

The project being analyzed as part of this environmental document is an amendment to the text found in the Zoning Ordinance, and not any specific development proposal. In the future, each individual commercial development project being proposed would need to undergo separate and specific CEQA review, beyond this current document.

Surrounding Land Uses: Citywide

Site Description and Environmental Setting: Citywide

Other Public Agencies Whose Approval Is Required: None

Entitlements: No entitlements or permits are required for the ZOA.

ENVIRONMENTAL FACTORS AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that could be lessened to a level of insignificance through incorporation of mitigation.

- | | | |
|---|--|---|
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Hydrology and Water Quality | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Utilities and Service Systems |
| <input type="checkbox"/> Geology and Soils | <input type="checkbox"/> Population and Housing | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION

On the basis of this initial evaluation:

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

Report Preparer:

Valerie Darbouze

Valerie Darbouze
Associate Planner
City of Agoura Hills

1/26/2012

Date

EVALUATION OF ENVIRONMENTAL IMPACTS

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

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

Discussion:

- a) The project consists of a Zoning Ordinance Amendment (ZOA), and is therefore not a physical development capable of dividing an established community. The proposed changes would allow staff to apply the parking space requirement equitably across non-residential uses. The parking update will apply to existing developed commercial properties as well as new development. The shared parking provision is meant to maximize the efficient utilization of parking lots. In the case of new development, the project would be analyzed pursuant to CEQA, separate from this ND. However, as the current project is a Zoning Ordinance Amend with physical changes proposed, the project would result in **no impact**.

- b) The ZOA is in compliance with the General Plan 2035 and the General Plan EIR (2010). The ZOA is consistent with Goal M-11 of the General Plan, which is to provide parking that is convenient and efficient for the use of residents, workers, and visitors, and related Policies M-11.1 and M-11.2, which call for adequate parking standards and maximizing shared parking opportunities. More specifically, the ZOA is consistent with General Plan Implementation Measures M-28 and M-29, which call for conducting an update to the Parking Ordinance to establish new ratios of parking space requirements, and expanding shared parking options in the Code, respectively. The current ZOA works toward accomplishing these implementation measures.

- c) The new language would facilitate the rentability of shopping centers which in turn would enhance the sale tax revenues for the City. As noted above under Item a), each development project would be analyzed per CEQA as individual project applications come forward. Therefore, there would be **no impact** from implementation of the ZOA.

- d) There are no habitat conservation plans or natural communities' conservation plans applicable to the geographical area of the ZOA, either within or in the vicinity of, and so the project would result in **no impact**.

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

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?				X
Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
b) Have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?				X
g) Result in damage to, loss of, or removal of native oak trees or other locally-identified specimen trees of significance?				X

Discussion:

- a) The City as a whole is primarily developed with urban uses, and any additional development would be considered infill. As a result, the potential for sensitive habitat is somewhat limited. In the case of the ZOA, there is no physical development that could adversely affect sensitive biological species. Therefore, there would be **no impact** from the implementation of the Ordinance. Any proposal for development would be analyzed separately under CEQA as part of project specific environmental review, which would need to consider the particular site and surrounding habitat further.
- b), c) Please see the discussion in Item a) above. The project is not a physical development that could adversely affect wetlands, riparian habitat or other sensitive natural communities regulated by the California Department of Fish and Game or the U.S. Fish and Wildlife Service or the Army Corps of Engineers. Therefore, there would be **no impact** from the implementation of the Ordinance. Any future specific development proposals would be separate projects under CEQA, and would undergo specific environmental review, including considering the particular site and surrounding habitat further.

- d) Please see the discussion in Item a) above. Because the project is not a physical development, it does not have the potential to interfere with the movement of fish or wildlife. Any future development would be separate projects under CEQA, and would undergo separate environmental review, Therefore, there would be **no impact**.
- e), g) Since the project is not a proposal for a physical development in the area, there would be no impacts to oak trees, and furthermore, the project is not in conflict with existing policies to protect the local oak tree resources. Any future proposal for development would require a separate CEQA analysis, which would need to consider the oak trees impacts, if any, as a result of the Zoning Ordinance Amendment. Since the project is a Zoning Ordinance Amendment, it would not adversely affect oak trees, there would be **no impact**.
- f) There are no Habitat Conservation Plans (HCPs) or Natural Communities Conservation Plans (NCCPs) or other conservation plans in or near the project area, nor in the City as a whole, so there would be **no impact**.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
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(3) **AIR QUALITY.** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

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

Discussion:

- a)-c) The City of Agoura Hills is located within the South Coast Air Basin, and is governed by the South Coast Air Quality Management District (SCAQMD). Since the project is not a proposal for a physical development, there would be no impacts to air quality as a result of the amendments to the Zoning Ordinance. None of the regulations in the Zoning Ordinance Amendment would adversely affect efforts to minimize air quality emissions. In any case, according to the Air Pollution Control District (APCD) Guidelines, to be consistent with the Air Quality Management Plan (AQMP), a project must conform to the local General Plan. As discussed in Item b) of Section 1, Lands Use and Planning, the Zoning Ordinance Amendment is consistent with the General Plan and would not add building square footage or traffic trips beyond that analyzed in the General Plan EIR. As such, there would be **no impact**.

d)-e) The project does not consist of a physical development that could result in air quality emissions therefore there would be no impacts from the Zoning Ordinance Amendment implementation. As individual development projects are proposed in the future, specific CEQA review would occur to assess the potential for air quality impacts.

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

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

Discussion:

a)-e) The project is not a physical development capable of impacting cultural resources that may exist on or under the ground, or within a given area. In any case, the remaining vacant lots in the City are not currently known areas of historical, archaeological, or paleontological sensitivity, nor are there any human remains expected to be located here. Additionally, the area is not considered an identified sacred place or other ethnographically documented location of significance to native Californians. None of the proposed regulations under the ZOA would create cultural resource preservation concerns. Any proposal to build or remodel development accommodating uses subject to the Zoning Ordinance Amendment would be analyzed separately under CEQA as part of project specific environmental review as a development proposal is submitted to the City, which would need to consider potential site specific cultural resources. Therefore, the current project would result in **no impacts**.

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

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

Discussion:

a)-e) Per the City's General Plan, there are no active or inactive faults within the City limits, and therefore potential hazard from faulting is remote. However, there are several active and/or potentially active faults in the surrounding region that could produce ground shaking in the area. Other geologic or soil conditions are specific to individual sites. Nonetheless, the project that is the subject of this IS/ND is not a physical development with the potential for causing adverse impacts in the area of geology and soils. None of the proposed regulations or changes to the Zoning Ordinance would create additional geologic safety concerns. As previously noted, any proposal to build commercial projects would need to be analyzed separately under CEQA as part of project specific environmental review. The site specific geologic conditions and the type of development and construction methods would be assessed at that time for the actual development project. Therefore, the current project would result in **no impact**.

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

a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wild lands?				X

Discussion:

- a)-d) The ZOA does not address the regulation of a use, but rather the regulation of its parking requirement. Because it is not a physical development proposal, the project would not result in the use of substantial hazardous materials, nor their storage, disposal or transport. The project, being a ZOA, would also not cause an accidental release or upset of such materials. Any future proposal for development would be considered a separate project under CEQA, and would need to undergo separate project and environmental review per CEQA, aside from the current project, where these environmental issues would be further analyzed. Therefore, the current project would result in **no impact**.
- e)-f) There are no airports or airstrips in the vicinity of the City of Agoura Hills. Therefore, the ZOA project would result in **no impact**.
- g) There are no known currently adopted emergency response plans or emergency evacuation plans in the City that would be affected by the ZOA. In any case, the project itself, not being a physical development, would not interfere with such plans if created in the future. None of the proposed regulations or changes to the Zoning Ordinance would interfere with such plans. As specific development projects are proposed, they would be analyzed under separate CEQA review to ensure that they do not conflict with such plans. Therefore, the ZOA project would result in **no impact**.

- h) The project does not include specific physical development proposals. Any future proposal to develop would be considered a separate project under CEQA, and would need to undergo separate project and environmental review per CEQA, aside from the project. The project would result in **no impact**.

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

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

Discussion:

a)-e, i) The project that is the subject of this IS/ND is not a physical development with the potential for causing adverse impacts in the area of hydrology and water quality. None of the proposed regulations or changes to the Zoning Ordinance would adversely affect hydrology and water quality. As noted previously, any development proposals would be analyzed separately under CEQA as part of project specific environmental review. The site specific hydrology and the type of development and construction methods would be assessed at that time for the actual development project. Therefore, the current project would result in **no impact**.

f)-h) The project is not a physical development that could cause flood concerns. None of the proposed regulations or changes to the Zoning Ordinance would result in greater flood concerns in the project area.

Each specific future development proposal would be considered a separate project under CEQA that would need to undergo separate environmental review, including flood impact analysis. Therefore, the current project would result in **no impact**.

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

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

Discussion:

- a) The General Plan Natural Resources Element identifies Local Scenic Highways, County Scenic Highway, and areas eligible for state scenic highway designation. Many of the City's commercial areas do not impact vistas of Ladyface Mountain and the ridgelines along the north and south sides of the City. Nonetheless, the project consists of a ZOA, and is not a physical development proposal. The project does not involve any direct physical changes to the environment. As such, it would result in **no adverse impact** to scenic vistas. As individual development projects are proposed, and the details of the improvements, CEQA review, separate from this IS/ND, would be required to assess any potential impacts from known development in the future.
- b) There are no state scenic highways for the subject zones, although U.S. Highway 101 is eligible for state scenic highway designation. There are no historic buildings or rock outcroppings in or adjacent to the U.S. Highway 101. In any case, since the project is not a specific physical development proposal, the project would result in **no impact**. As individual development projects are proposed, CEQA review, separate from this IS/ND, would be required to assess any potential impacts from development on aesthetics.
- c) The project does not involve any direct physical changes to the environment. As such, it would result in **no impact** to the visual character or quality of the City. As individual development projects are proposed, and the details of the proposed improvements, CEQA review, separate from this IS/ND, would be required to assess any potential impacts from development in the future.
- d) Since the project is not a physical development proposal, it would not result in impacts from lighting and glare. As previously described, any development proposal would be analyzed separately under CEQA as part of project specific environmental review, which would include a development project-specific lighting and glare assessment. Therefore, the current project would result in **no impacts**.
- e) The area subject to the ZOA is not located in the immediate vicinity of any known streets or public spaces used for the assembly and congregation of people. Therefore, there would be **no impact**.

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

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

Discussion:

Noise level (or volume) is generally measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound power levels to be consistent with that of human hearing response, which is most sensitive to frequencies around 4,000 Hertz (about the highest note on a piano) and less sensitive to low frequencies (below 100 Hertz). For the most sensitive uses, such as single family residential, 60 dBA Day-Night average level (Ldn) is the maximum normally acceptable exterior level. Ldn is the time average of all A-weighted levels for a 24-hour period, with a 10 dB upward adjustment added to those noise levels occurring between 10:00 PM and 7:00 AM to account for the general increased sensitivity of people to nighttime noise levels. The Community Noise Equivalent Level (CNEL) is similar to the Ldn except that it adds 5 dB to evening noise levels (7:00 PM to 10:00 PM). The City of Agoura Hills utilizes the CNEL for measuring noise levels. Sensitive noise receptors include residential units, libraries, hospitals and nursing homes.

- a),c),d) The project would not result in any physical development. The Zoning Ordinance Amendment would not result in any changes to the types of uses allowed in commercial zones, or to any noise standards. Any proposal for development in the project area would be analyzed separately under CEQA as part of project specific environmental review. The site specific noise conditions and the type of development and construction methods would be assessed at that time for the actual development project. Therefore, the current project itself would result in **no impacts**.
- b) Because it is not a physical development, the proposed project would not result in any impacts related to excessive groundborne vibration. As specific development projects are proposed, along with information about construction and grading details and methods, these projects would need to undergo separate CEQA review, including analysis of this issue area. Therefore, the current project would result in **no impacts**.
- e),f) There are no airports or private airstrips within or adjacent to the City. The ZOA would therefore not affect air traffic noise impacts. There would be **no impact**.

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

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

Discussion:

- a) The project would not result in any physical development and so would not affect population numbers. Regulations proposed by the ZOA would not increase the density of commercial development described and so there would not be any increase in population above that already accounted for in the General Plan as a result of the project. Therefore, the project would result in **no impacts** to population growth.
- b) The project does not consist of any physical development. Consequently, the proposed regulations do not result in the displacement of current housing. As specific development projects are proposed, these projects would need to undergo separate CEQA review, including analysis of this issue area. Therefore, there would be **no impacts**.

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

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

Discussion:

- a),b) The City of Agoura Hills is served by the Los Angeles County Fire Department (LACFD) and the Los Angeles County Sheriff's Department (LACSD). The project itself would not require additional police or fire protection services, as no development is proposed. As such, the project would result in **no impacts**. As individual development projects are proposed at a later date, separate CEQA review would be undertaken to assess potential fire and police protection services impacts on an individual level. Any future development project would be required to comply with Fire Code and LACFD standards, including specific construction specifications, access design, location of fire hydrants, and other design requirements.
- c) The project would not result in impacts to schools, as no physical development is being proposed as part of the project itself. Therefore, there would be **no impacts** from the current project. As individual development proposals come forward, each development would undergo specific CEQA review and be assessed for school impacts. Such a development project would likely be required to pay school impact fees at the current rate to the local school district, Las Virgenes Unified School District.
- d) The project would not result in physical development and so would not impact park or park services. As individual development proposals come forward, each development would undergo specific CEQA review and be assessed for parks impacts. Therefore, there would be **no impacts**.
- e) Since the proposal is for a ZOA, not a development proposal, the project would not contribute to the demand for any other public facilities. Therefore, there would be **no impacts**.

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

a) Increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

Discussion:

- a),b) Since the project is not a particular development proposal, there would be **no impacts** to recreational facilities. As individual development projects are proposed in the project area, separate CEQA review would be undertaken to determine the specific project's impacts to recreation.

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

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

Discussion:

- a) The ZOA is not a physical development project, and so there would be no impact from increases in traffic. As individual development projects are proposed, separate CEQA review would be undertaken to determine the specific project's impacts to traffic and circulation.
- b) The Los Angeles County Congestion Management Plan (CMP) requires a regional traffic impact analysis when a project adds 150 or more trips in each direction to a freeway segment. Based on the discussion in Item "a" above, there would be **no impacts**.
- c) There are no airports or airfields in the project vicinity, so the proposal would result in **no impacts**.
- d), e) The ZOA is not a development proposal and it would not result in traffic-related hazards. As individual new development projects are proposed, separate CEQA review would be undertaken to determine the specific project's impacts on these items. The current project would result in **no impacts**.
- f) The intent of the update to the shared parking provision is to maximize the use of parking lots in commercial areas and indirectly encourage the use of alternative means of transportation. The update to parking space requirements is to ensure sites are adequately served by parking spaces and there is not a shortage or large surplus of spaces. Therefore, the ZOA would assist in providing adequate parking capacity. No adverse impacts are expected from the project.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
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(14) UTILITIES AND SERVICE SYSTEMS. Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X

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

Discussion:

- a) - e) As the project is not a physical development proposal, it would not result in impacts to wastewater, water or storm water. As individual development projects are proposed separate CEQA review would be undertaken to determine the specific project's impacts to these services. The current project would result in **no impacts**.
- f) – g) As noted above, the proposed ZOA would not constitute a development proposal and so would not result in impacts to solid waste. As individual development projects are proposed in the ZOA, separate CEQA review would be undertaken to determine the specific project's impacts to these services. The ZOA would result in **no impacts**.

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

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

Discussion:

- a) Given that the project consists of a ZOA, with no physical development component, it would not have the potential to significantly degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. Therefore, there would be **no impacts**.
 - b) As listed in the specific environmental issue sections, the project is not expected to have any impacts, so there would be **no cumulative impacts**. The project complies with the intent of the General Plan EIR 2010.
 - c) As listed in the specific environmental issue sections, the project is not expected to have any impacts, so there would be no effects that would cause substantial adverse effects on human beings. Therefore, there would be no impacts.
-

REFERENCES

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

Agoura Hills, City of. *Municipal Code*, revised 2010.

Agoura Hills, City of. *General Plan Master Environmental Assessment*, July 1992.

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

COMMENT LETTERS AND RESPONSES TO COMMENTS

The public period for the Draft IS/ND took place between September 15, 2011 and October 14, 2011. During that time, one comment was received, as listed below:

1. Scott Morgan, Director, State of California, Governor's Office of Planning and Research, State Clearinghouse and Planning Unit, October 14, 2011.
2. Gary T.K. Tse, Director, County of Los Angeles Sheriff's Department, October 28, 2011.

The letter from the Governor's Office of Planning and Research, State Clearinghouse, indicated that the City has complied with the review requirements for draft environmental documents per CEQA, and that no state agencies submitted comments on the Draft IS/ND.

The letter from the Los Angeles County Sheriff's Department indicated that the project would not have an effect on the agency. Given these comments, no changes to the Draft IS/ND are necessary.

The letters are attached as Attachment I.

ATTACHMENT I



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

October 14, 2011

Valerie Darbouze
City of Agoura Hills
30001 Agoura Road
Agoura Hills, CA 91301

Subject: Parking Ordinance Amendment
SCH#: 2011091046

Dear Valerie Darbouze:

The State Clearinghouse submitted the above named Negative Declaration to selected state agencies for review. The review period closed on October 13, 2011, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

**Document Details Report
State Clearinghouse Data Base**

SCH# 2011091046
Project Title Parking Ordinance Amendment
Lead Agency Agoura Hills, City of

Type Neg Negative Declaration
Description The purpose of this Zoning Ordinance Amendment (ZOA) (Case No. 11-ZOA-001) is to amend the Parking Ordinance Sections 9654.6.B, and 9654.2.K of Division 4 of Part 2 of Chapter 6 of Article IX of the City of Agoura Hills Municipal Code pertaining to parking requirements for specific uses and shared parking requirements. This action requires Planning Commission review and recommendation to the City Council for final approval.

Lead Agency Contact

Name Valerie Darbouze
Agency City of Agoura Hills
Phone 818 597 7328 **Fax**
email
Address 30001 Agoura Road
City Agoura Hills **State** CA **Zip** 91301

Project Location

County Los Angeles
City Calabasas

Region

Lat / Long

Cross Streets

Parcel No.

Township

Range

Section

Base

Proximity to:

Highways Hwy 101

Airports

Railways

Waterways

Schools

Land Use The amendment affects mostly the development standards of the retail zones but also industrial and office zoned parcels.

Project Issues

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 5; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 7; Regional Water Quality Control Board, Region 4; Native American Heritage Commission

Date Received 09/14/2011 **Start of Review** 09/14/2011 **End of Review** 10/13/2011



Leroy D. Baca, Sheriff

October 28, 2011

County of Los Angeles
Sheriff's Department Headquarters

4700 Ramona Boulevard
Monterey Park, California 91754-2169

CITY OF AGOURA HILLS

2011 NOV -1 PM 3: 05



CITY CLERK

Valerie Darbouze, Associate Planner
Planning and Community Development Department
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, California -91301

Dear Ms. Darbouze:

**REVIEW COMMENTS
INITIAL STUDY AND NEGATIVE DECLARATION
CITY OF AGOURA HILLS PARKING ORDINANCE AMENDMENT
(CASE NO. 11-ZOA-001; LASD/FPB PROJECT NO. 11-041)**

The Los Angeles County Sheriff's Department (Department) submits the following review comments on the Initial Study and Negative Declaration (IS/ND) for the City of Agoura Hills Parking Ordinance Amendment (Project). The proposed Project will amend Parking Ordinance Sections 9654.6.B and 9654.2.K of Division 4 of Part 2 of Chapter 6 of Article IX of the City of Agoura Hills' Municipal Code pertaining to parking requirements for specific uses and shared parking requirements.

The proposed Project was reviewed by the Department's Malibu/Lost Hills Station (see Captain Joseph H. Stephens, Jr.'s, attached October 4, 2011, correspondence).

In summary, the proposed Project, as it is described in the IS/ND, is not expected to impact Department operations. The Department has no other comments to submit at this time, but reserves the right to further address this matter in subsequent reviews of the proposed Project.

Thank you for including the Department in the environmental review process. Should you have any questions regarding this matter, please contact Lester Miyoshi, of my staff, at (626) 300-3012, and refer to Facilities Planning Bureau Project No. 11-041. You may also contact Mr. Miyoshi, via e-mail, at Lhmiyosh@lasd.org.

Sincerely,

LEROY D. BACA, SHERIFF


Gary T. K. Tse, Director
Facilities Planning Bureau

A Tradition of Service Since 1850

COUNTY OF LOS ANGELES CITY OF AGOURA HILLS
SHERIFF'S DEPARTMENT
"A Tradition of Service" 2011 NOV -1 PM 3:05

CITY CLERK
DATE: October 4, 2011

OFFICE CORRESPONDENCE

FROM:  JOSEPH H. STEPHEN JR., CAPTAIN TO: GARY T. K. TSE, DIRECTOR
MALIBU/LOST HILLS STATION FACILITIES PLANNING BUREAU

SUBJECT: **AGOURA HILLS ZONING ORDINANCE AMENDMENT PARKING
CASE NO. 11-ZOA-001**

This project consists of the amendment to the citywide zoning ordinance to modify the parking space requirement of specific non-residential uses, as well as the shared parking provision for commercial areas. This change has no impact on law enforcement service for the city.

Should you have any additional questions regarding this matter, please contact Sergeant Philip D. Brooks at (818) 878-5555, or by e-mail at pdbrooks@lasd.org.

JHS:pb

Exhibit I

Parking Ordinance Amendment
Draft Ordinance

ORDINANCE NO. 11-___

**AN ORDINANCE OF THE CITY OF AGOURA HILLS,
CALIFORNIA, AMENDING SECTIONS 9654.6.B. AND 9654.2.K.
OF DIVISION 4 OF PART 2 OF CHAPTER 6 OF TITLE IX OF
THE AGOURA HILLS MUNICIPAL CODE PERTAINING TO
PARKING REQUIREMENTS**

A. Recitals

(i) The purpose of this ordinance is to amend the parking provisions of the City's Municipal Code to provide updated parking ratio requirements for a variety of uses and to update the standards and requirements for the use of shared parking.

(ii) On ___, 2012, the Planning Commission of the City of Agoura Hills held a duly noticed public hearing to consider Ordinance 11-___, and received testimony from City staff and all interested parties regarding the proposed amendment. Following the close of the public hearing, the Planning Commission adopted Resolution No. 11-___ recommending approval of Ordinance 11-___, and recommending adoption of the Initial Study/Negative Declaration prepared for the Ordinance pursuant to the California Environmental Quality Act.

(iii) On ___, 2012, the City Council of the City of Agoura Hills conducted and concluded a duly noticed public hearing concerning the Zoning Ordinance Amendment contained herein as required by law, and received testimony from City staff and all interested parties regarding the proposed amendments.

(iv) All legal prerequisites to the adoption of the Ordinance have occurred.

B. Ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AGOURA HILLS DOES ORDAIN AS FOLLOWS:

SECTION 1. The facts set forth in the Recitals, Part A of this Ordinance, are true and correct.

SECTION 2. 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 Zoning Ordinance Amendment 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 Initial Study/Negative Declaration.

B. The City Council has independently reviewed (1) the Initial Study/Negative Declaration, which are incorporated herein by this reference);and (2) all comments received, both written and oral, regarding the Initial Study/Negative Declaration, 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 Guidelines for Implementing CEQA, that City staff has 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 Initial Study/Negative Declaration for this project.

C. The custodian of records for the Initial Study/Negative Declaration and all materials that 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.

SECTION 3. Sections 9654.2.K. and 9654.6.B., Division 4 of Part 2 of Chapter 6 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code are hereby amended to read:

"K. *Provisions for commercial uses.*

1. *Parking locations.* In commercial zones off-street parking shall be located on the same lot as, or on a lot contiguous to, the building, structure, or use to be served in a planned development. ~~If t~~The required parking spaces shall not be located in the rear of a commercial building, ~~unless direct customer access to the facility from the parking area is~~shall be provided. At the discretion of the director of planning and community development or the planning commission, whichever has jurisdiction, where two (2) or more commercial uses in a commercial development project share parking facilities, notwithstanding provision 5 of section 9654.2.K., and the business hours of such uses do not overlap, the minimum space requirement may be reduced by up to fifty (50) percent of the parking requirement for the use requiring the least parking, subject to a minimum of twenty (20) parking spaces being provided. Such reduction shall be subject to the approval of the covenants, conditions, and restrictions for the project by the director of planning and community development or planning commission, whichever has jurisdiction, and/or through a parking agreement or easement running with the land.

2. ~~*Double counting.* At the discretion of the director of planning and community development or the planning commission, whichever has jurisdiction, where two (2) or more commercial uses in a planned commercial development share parking facilities, and the business hours of such uses do not overlap, the minimum space requirement may be reduced by up to fifty (50) percent of the parking requirement for the use requiring the least parking, subject to a minimum of twenty (20) parking spaces being provided. Such reduction shall be subject to the approval of the~~

eovenants, conditions, and restrictions for the project by the director of planning and community development or planning commission, whichever has jurisdiction.

32. *Spaces not for repair, servicing or storage.* Required parking spaces shall not be used, or be permitted to be used, for the repair, servicing, or storage of vehicles or for the storage of materials.

4.3. —*Racks not counted as parking spaces.* For auto repair shops or other similar uses, the racks and pump blocks shall not be considered in calculating the required parking spaces.

54. *Uses not specified.* Commercial parking requirements for uses not specified in this part shall be based upon a standard of one (1) space per two hundred fifty (250) square feet of gross floor area, unless the director of planning and community development or planning commission approve a different parking requirement, based on the most comparable uses specified in this part.

65. ~~Shopping center~~ *Shared parking.* For the purposes of this section, “shopping center” shall mean a group of architecturally unified commercial and retail establishments, containing ~~twenty-five~~ fifty thousand (2550,000) square feet or more of buildings, built on a site which is planned, developed, and managed as an operating unit. At the discretion of the director of planning and community development, or the planning commission, whichever has jurisdiction, a shared parking reduction shall be allowed for the shopping centers based on the following:

~~In shopping centers where office spaces exceed ten (10) percent of the total gross floor area, that portion in excess of ten (10) percent of the gross floor area shall be calculated at one (1) parking space per three hundred (300) square feet.~~

~~Where cinema spaces exceed ten (10) percent of the total gross floor area, that portion in excess of ten (10) percent of the gross floor area shall be calculated at one (1) parking space per one hundred (100) square feet.~~

~~Where restaurant, café, or other food and beverage service uses exceed ten (10) percent of the total gross floor area, that portion in excess of ten (10) percent of the total gross floor area shall be calculated at one (1) parking space per one hundred (100) square feet.~~

TABLE I: SHARED PARKING

<u>Combination of land uses</u>	<u>Shared Parking Reduction Allowed*</u>
<u>Office+Retail</u> or <u>Office+Restaurant</u>	<u>Lowest of :</u> <u>up to 15% of combined parking requirement or</u> <u>up to 20% of highest individual use parking</u> <u>requirement</u>
<u>Retail+Restaurant</u>	<u>Lowest of :</u> <u>up to 18% of combined parking requirement or</u> <u>up to 24% of highest individual use parking</u> <u>requirement</u>

<u>Office+Retail+Restaurant</u>	<u>Lowest of :</u> <u>up to 20% of combined parking requirement or</u> <u>up to 25% of highest individual use parking</u> <u>requirement</u>
<u>* Final allowable shared parking for these and other uses not addressed above will be at the discretion of the director of planning and community development.</u>	
<u>Note: Shared parking reduction values other than those identified above, or for other uses not identified above, may be allowed based on City accepted methodology for shared parking analysis completed by the applicant using a qualified traffic or parking consultant.</u>	
<u>Note: For residential mixed-use development, residential parking shall be provided per Section 9654.6 in addition to the parking requirement for other proposed non-residential uses. To be considered for shared parking reduction for non-residential parking spaces, a shared parking analysis shall be completed by the applicant based upon a City accepted methodology, using a qualified traffic or parking consultant.</u>	
<u>Source: Based upon ULI Shared Parking 2nd Edition, ITE Parking 3rd Edition</u>	

Shared parking reduction values other than those identified above, or for other uses not identified above, may be allowed at the discretion of the director or planning commission, whichever has jurisdiction, based on a shared parking analysis completed by the applicant, providing the analysis methodology is acceptable to the director. For residential mixed-use development, residential parking shall be provided pursuant to section 9654.6 in addition to the parking requirement for the proposed non-residential uses. To be considered for a shared parking reduction for non-residential parking spaces, a shared parking analysis shall be completed by the applicant using a methodology acceptable to the director. All shared parking analysis shall be conducted by a qualified traffic or parking consultant.”

“9654.6. Parking Allocation

A. *Purpose.* The intent and purpose of this section is to provide properly designed off-street parking areas adequate in capacity, location and design to prevent traffic congestion.

The allocation of off-street parking is intended to provide a sufficient number of off-street parking spaces that are in proportion to the need created by the particular land use.

B. *Parking spaces required.* The number of off-street parking spaces shall be no less than the following:

USE	PARKING SPACES REQUIRED
<i>Residential</i>	

Single-family dwellings	2 covered parking spaces. Said spaces shall be provided within a garage
Apartments:	
Studio or bachelor	1 covered, plus 0.5 uncovered parking spaces per each unit
One (1) bedroom	1.5 covered, plus 1.0 uncovered parking spaces per each unit
Two (2) bedrooms or more	2 covered, plus 0.50 uncovered parking spaces per unit
Condominiums or townhouses	2 covered, plus 0.50 uncovered parking spaces per unit. Recreational vehicle parking may be required at a location and of a design approved by the planning commission.
(All uncovered parking spaces shall be used for "guest parking" and marked as such).	
Second units/granny flats	1 covered parking space per each unit
<i>Commercial</i>	
Office	
Business and professional	1 for each 300 square feet of gross floor area. Permanent common lobbies within each building totaling 35,000 square feet or larger are excluded from gross floor area.
<u>Banks and Financial Institutions</u>	<u>1 for each 300 square feet of gross floor area.</u>
Psychologists, psychiatrists, counselors, <u>chiropractors</u> , <u>acupuncturists</u> , and other similar uses with individualized patient programs.	1 for each 300 square feet of gross floor area.
<u>Medical, and dental, and veterinarian</u>	<u>5-1 for each 1,000-200 square feet of gross floor area</u>
Restaurants, including drinking establishments, <u>take-out and drinking establishments, sit down and fast food</u>	15 for each 1,000 square feet of seating or <u>and</u> waiting floor area. A minimum of 10 parking spaces shall be required
<u>With Live Entertainment</u>	<u>1 for every 100 square feet of dancing area if not already counted by other uses</u>
<u>Snack shops (e.g. ice cream, coffee and juice) and take-out</u>	<u>1 for each 250 square feet of gross floor area</u>

<u>Live Entertainment</u>	<u>Parking Study at Director's discretion</u>
Automotive	
Full-service service station (fuel dispensing and/or repairs)	3, plus 2 for each service bay. A minimum of 10 parking spaces shall be required.
Repair facilities	1 for each 200 square feet of gross floor area
Self-service service station (fuel dispensing only)	1 for each employee on the largest shift
Dealerships and other open air sales	1 for each 1,000 square feet of outdoor sales and display area, plus 1 for each 5,000 square feet over 10,000 square feet
Self service or coin operated operating washing and cleaning establishments	2 for each washing area or unit
Washing and cleaning establishments	1 for each employee and 2 for each detailing bay or area
General retail stores, except as otherwise specified herein	1 for each 250 square feet of gross floor area
<u>Kennels</u>	<u>1 for each 500 square feet of gross floor area</u>
Game arcades	1 for each 250 square feet of gross floor area
Mortuaries and funeral homes	1 for each 20 square feet of floor area, or assembly area, plus 1 for each vehicle owned by such establishment
Furniture, appliance and carpet stores	1 for each 750 square feet of gross floor area
Recreation	
Batting cage facility, primary use	1 for each batting cage, pitching cage or practice cage; plus 1 for each 1,000 square feet of practice and instruction field area; plus 1 per 250 square feet of gross floor area for retail sales; plus 15 for each 1,000 square feet of seating and waiting area floor area for eating and drinking uses (a minimum of 10 parking spaces shall be required); plus 1 for each 300 square feet of floor area for office uses
Bowling lanes	3 for each bowling lane, plus the spaces required for each additional use on the site
Billiard parlors and poolrooms	3 for each billiard or pool table

Tennis facility	3 for each court, plus the spaces required for each additional use on the site
Public swimming pools, gymnasiums and skating rinks	1 for each 100 square feet of gross floor area, plus the spaces required for each additional use on the site
Miniature golf courses and driving ranges	1 for each hole or driving tee
Health Fitness clubs and dance/ exercise studios	1 space for each 220 <u>250</u> square feet of gross floor area up to 5,000 square feet; greater than 5,000 gross square feet: <u>1/220</u> of activity area + other space according to tehe use of gross floor area in the activity area, plus 1 space for each 250 <u>300</u> square feet of other floor area
Boarding and riding stables	1 parking space for each stall retained for rental purposes on the site, plus 1 for each employee
Theaters, sport arenas, and stadiums	1 for each 3 fixed seats or for every 35 square feet of non fixed seats
Hotels and motels	1 for each unit, plus the spaces required for each additional use on the site
Barbershops or beauty parlors <u>Salons and spas (hair styling, nails, massage, and acupressure)</u>	2 for each barber chair and 3 for each beautician station <u>1 for each 200 square feet of gross floor area, but no less than 4 spaces</u>
Laundromats and dry cleaning facilities	<u>5-1</u> for each 1,000 <u>200</u> square feet of gross floor area
Banks	<u>5</u> for each 1,000 square feet of gross floor area
Savings and loan offices, financial institutions, public and private utility offices	1 for each 250 square feet of gross floor area
Shopping centers	Except as otherwise specified, 4 for every 1,000 square feet of gross floor area
Supermarkets and drugstores	1 for each 200 square feet of gross floor area
Plant nurseries or similar outdoor sales and display areas	<u>5</u> , plus 1 additional for each 500 square feet of outdoor sales, display or service areas
Recycling centers	1 for each 500 square feet of gross floor area
Any commercial use listed, as permitted in the C-1, C-2, C-3, or CPD, CS, CRS, CS-MU, CR and CN zones, except as specifically provided	1 for each 250 square feet of gross floor area

<i>Institutional</i>	
Hospitals	2 for each bed
Convalescent hospitals, children's homes, nursing homes, and homes for the aged	1 for each 5 beds
Churches	1 for each 3 seats (18 linear inches shall be considered a seat), or 1 for each 28 square feet where no permanent seats are maintained
Libraries, galleries, and museums	1 for each 225 square feet of gross floor area
<i>Schools</i>	
Elementary and junior high school	1 for each classroom, and 1 for each 5 seats or for each 35 square feet of area in the auditorium
High school	6 for each classroom and 1 for each 5 seats or for each 35 square feet of area in the auditorium
Colleges and universities	7 for each classroom and 1 for each 5 seats or for each 35 square feet of area in the auditorium, plus the required spaces required for each additional use on the site
Day nurseries and preschools	1 for each 5 children
Trade schools	1 for each employee on the largest shift, plus 1 for each student during maximum enrollment
<i>Industrial</i>	
Research and development facilities	1 for each 300 square feet of gross floor area, plus 1 for each company vehicle, plus 1 for each 250 square feet of gross floor area for incidental office use
<u>Light industrial</u>	<u>1 for each 500 square feet of gross floor area</u>
Automated or semi-automatic public or quasi-public utilities	1 for every employee on the largest shift, plus 1 for each company vehicle (2 minimum) plus 1 for each 250 square feet of gross floor area for incidental office use
Warehouse, exclusive of any assembly, manufacturing or sales activity	1 for every 1,000 square feet of gross floor area for the first 5,000 square feet of gross floor area, then 1 for every 5,000 square feet of additional gross floor area, plus 1 for each company vehicle, plus 1 for each 250 square feet of gross floor area for incidental office use

”

SECTION 4. Severability. 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.

SECTION 5. Certification and Effective Date. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published and posted pursuant to state law. Said Ordinance shall become effective on the 31st day of its passage.

PASSED, APPROVED, and ADOPTED this ____ day of _____, 2012, by the following vote to wit:

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

BY:

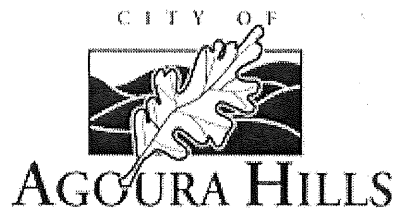
John M. Edelston, Mayor

ATTEST:

Kimberly M. Rodrigues, MMC, City Clerk

APPROVED AS TO FORM:

Craig A. Steele, City Attorney



Parking Ordinance Amendment

Final Initial Study/Negative Declaration

Prepared by:

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

Contact:
Valerie Darbouze, Associate Planner
(805) 597-7328

November 8, 2011

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INTRODUCTION

This Initial Study and Negative Declaration (IS/ND) addresses the potential environmental effects resulting from a Zoning Ordinance Amendments (ZOA) to revise regulations applicable to the parking in commercial areas of the City of Agoura Hills.

LEGAL AUTHORITY AND FINDINGS

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

Initial Study. Section 15063(c) of the CEQA Guidelines defines an Initial Study as the proper preliminary method of analyzing the potential environmental consequences of a project. The purposes of the Initial Study are:

- (1) To provide the Lead Agency with the necessary information to decide whether to prepare an Environmental Impact Report (EIR) or a Mitigated Negative Declaration (MND);
- (2) To enable the Lead Agency to modify a project, mitigating adverse impacts, thus avoiding the need to prepare an EIR; and
- (3) To provide sufficient technical analysis of the environmental effects of a project to permit a judgment based on the record as a whole, that the environmental effects of a project have been adequately mitigated.

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

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

An IS/ND may be used to satisfy the requirements of CEQA when the physical effects of the proposed project are anticipated to have no significant unmitigable effects on the environment. As discussed further in subsequent sections of this document, implementation of the proposed project would not result in any significant effects on the environment.

IMPACT ANALYSIS AND SIGNIFICANCE CLASSIFICATION

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

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

considered a significant effect on the environment, but may be considered in determining whether the physical change is significant.”

The following information applies to the Initial Study Checklist:

- (1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- (2) All answers must take account of the whole action involved, including off site as well as on site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- (3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, and EIR is required.
- (4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
- (5) Earlier analyses may be used where, pursuant to the tiering, Program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D) in this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
- (6) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - (a) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
 - (b) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- (7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- (8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
- (9) The explanation of each issue should identify:
 - (a) The significance criteria or threshold, if any, used to evaluate each question; and
 - (b) The mitigation measure identified, if any, to reduce the impact to less than significant.

INITIAL STUDY CHECKLIST

Project Title: Parking Ordinance Amendment

Case Number: 11-ZOA-001

Lead Agency Name and Address: City of Agoura Hills
30001 Ladyface Court
Agoura Hills, California 91301

Contact Person and Phone Number: Valerie Darbouze – Associate Planner
City of Agoura Hills
(818) 597-7310

Project Location: Citywide

Project Sponsor's Name and Address: City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 93101

General Plan Designation: Citywide

Zoning: Citywide

Project Description: The project consists of the amendment of Article IX, Chapter 6, Part 2, Division 4. Sections 9654.6.B. and 9654.2.K to modify the parking space requirement of specific non-residential uses, as well as the shared parking provision for commercial areas. The Ordinance would apply to the appropriately zoned parcels citywide. The Zoning Ordinance Amendment (ZOA) updates the parking requirement for number of spaces for certain non-residential uses to reflect changes in the types of land uses and tenants in the City and changes in parking habits within the last several years. With regard to shared parking provisions, the ZOA further clarifies the current Code and establishes new provisions for allowing the sharing of parking in commercial areas, resulting in a reduction in required parking spaces. These commercial areas include shopping centers and commercial uses in a planned development. The proposed changes are based on industry standards, as well as local conditions and parking and land use/tenant patterns gathered by City staff. The Draft Ordinance is included in its entirety as Exhibit 1.

The project being analyzed as part of this environmental document is an amendment to the text found in the Zoning Ordinance, and not any specific development proposal. In the future, each individual commercial development project being proposed would need to undergo separate and specific CEQA review, beyond this current document.

Surrounding Land Uses: Citywide

Site Description and Environmental Setting: Citywide

Other Public Agencies Whose Approval Is Required: None

Entitlements: No entitlements or permits are required for the ZOA.

ENVIRONMENTAL FACTORS AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that could be lessened to a level of insignificance through incorporation of mitigation.

- | | | |
|---|--|---|
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Hydrology and Water Quality | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Utilities and Service Systems |
| <input type="checkbox"/> Geology and Soils | <input type="checkbox"/> Population and Housing | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION

On the basis of this initial evaluation:

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

Report Preparer:

 Valerie Darbouze
 Associate Planner
 City of Agoura Hills

 Date

EVALUATION OF ENVIRONMENTAL IMPACTS

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

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

Discussion:

- a) The project consists of a Zoning Ordinance Amendment (ZOA), and is therefore not a physical development capable of dividing an established community. The proposed changes would allow staff to apply the parking space requirement equitably across non-residential uses. The parking update will apply to existing developed commercial properties as well as new development. The shared parking provision is meant to maximize the efficient utilization of parking lots. In the case of new development, the project would be analyzed pursuant to CEQA, separate from this ND. However, as the current project is a Zoning Ordinance Amend with physical changes proposed, the project would result in **no impact**.
- b) The ZOA is in compliance with the General Plan 2035 and the General Plan EIR (2010). The ZOA is consistent with Goal M-11 of the General Plan, which is to provide parking that is convenient and efficient for the use of residents, workers, and visitors, and related Policies M-11.1 and M-11.2, which call for adequate parking standards and maximizing shared parking opportunities. More specifically, the ZOA is consistent with General Plan Implementation Measures M-28 and M-29, which call for conducting an update to the Parking Ordinance to establish new ratios of parking space requirements, and expanding shared parking options in the Code, respectively. The current ZOA works toward accomplishing these implementation measures.
- c) The new language would facilitate the rentability of shopping centers which in turn would enhance the sale tax revenues for the City. As noted above under Item a), each development project would be analyzed per CEQA as individual project applications come forward. Therefore, there would be **no impact** from implementation of the ZOA.
- d) There are no habitat conservation plans or natural communities' conservation plans applicable to the geographical area of the ZOA, either within or in the vicinity of, and so the project would result in **no impact**.

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

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?				X
Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
b) Have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?				X
g) Result in damage to, loss of, or removal of native oak trees or other locally-identified specimen trees of significance?				X

Discussion:

- a) The City as a whole is primarily developed with urban uses, and any additional development would be considered infill. As a result, the potential for sensitive habitat is somewhat limited. In the case of the ZOA, there is no physical development that could adversely affect sensitive biological species. Therefore, there would be **no impact** from the implementation of the Ordinance. Any proposal for development would be analyzed separately under CEQA as part of project specific environmental review, which would need to consider the particular site and surrounding habitat further.
- b), c) Please see the discussion in Item a) above. The project is not a physical development that could adversely affect wetlands, riparian habitat or other sensitive natural communities regulated by the California Department of Fish and Game or the U.S. Fish and Wildlife Service or the Army Corps of Engineers. Therefore, there would be **no impact** from the implementation of the Ordinance. Any future specific development proposals would be separate projects under CEQA, and would undergo specific environmental review, including considering the particular site and surrounding habitat further.

- d) Please see the discussion in Item a) above. Because the project is not a physical development, it does not have the potential to interfere with the movement of fish or wildlife. Any future development would be separate projects under CEQA, and would undergo separate environmental review, Therefore, there would be **no impact**.
- e), g) Since the project is not a proposal for a physical development in the area, there would be no impacts to oak trees, and furthermore, the project is not in conflict with existing policies to protect the local oak tree resources. Any future proposal for development would require a separate CEQA analysis, which would need to consider the oak trees impacts, if any, as a result of the Zoning Ordinance Amendment. Since the project is a Zoning Ordinance Amendment, it would not adversely affect oak trees, there would be **no impact**.
- f) There are no Habitat Conservation Plans (HCPs) or Natural Communities Conservation Plans (NCCPs) or other conservation plans in or near the project area, nor in the City as a whole, so there would be **no impact**.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant impact	No Impact
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(3) **AIR QUALITY.** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

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

Discussion:

- a)-c) The City of Agoura Hills is located within the South Coast Air Basin, and is governed by the South Coast Air Quality Management District (SCAQMD). Since the project is not a proposal for a physical development, there would be no impacts to air quality as a result of the amendments to the Zoning Ordinance. None of the regulations in the Zoning Ordinance Amendment would adversely affect efforts to minimize air quality emissions. In any case, according to the Air Pollution Control District (APCD) Guidelines, to be consistent with the Air Quality Management Plan (AQMP), a project must conform to the local General Plan. As discussed in Item b) of Section 1, Lands Use and Planning, the Zoning Ordinance Amendment is consistent with the General Plan and would not add building square footage or traffic trips beyond that analyzed in the General Plan EIR. As such, there would be **no impact**.

d)-e) The project does not consist of a physical development that could result in air quality emissions therefore there would be no impacts from the Zoning Ordinance Amendment implementation. As individual development projects are proposed in the future, specific CEQA review would occur to assess the potential for air quality impacts.

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

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

Discussion:

a)-e) The project is not a physical development capable of impacting cultural resources that may exist on or under the ground, or within a given area. In any case, the remaining vacant lots in the City are not currently known areas of historical, archaeological, or paleontological sensitivity, nor are there any human remains expected to be located here. Additionally, the area is not considered an identified sacred place or other ethnographically documented location of significance to native Californians. None of the proposed regulations under the ZOA would create cultural resource preservation concerns. Any proposal to build or remodel development accommodating uses subject to the Zoning Ordinance Amendment would be analyzed separately under CEQA as part of project specific environmental review as a development proposal is submitted to the City, which would need to consider potential site specific cultural resources. Therefore, the current project would result in **no impacts**.

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

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

Discussion:

a)-e) Per the City's General Plan, there are no active or inactive faults within the City limits, and therefore potential hazard from faulting is remote. However, there are several active and/or potentially active faults in the surrounding region that could produce ground shaking in the area. Other geologic or soil conditions are specific to individual sites. Nonetheless, the project that is the subject of this IS/ND is not a physical development with the potential for causing adverse impacts in the area of geology and soils. None of the proposed regulations or changes to the Zoning Ordinance would create additional geologic safety concerns. As previously noted, any proposal to build commercial projects would need to be analyzed separately under CEQA as part of project specific environmental review. The site specific geologic conditions and the type of development and construction methods would be assessed at that time for the actual development project. Therefore, the current project would result in **no impact**.

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

a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wild lands?				X

Discussion:

- a)-d) The ZOA does not address the regulation of a use, but rather the regulation of its parking requirement. Because it is not a physical development proposal, the project would not result in the use of substantial hazardous materials, nor their storage, disposal or transport. The project, being a ZOA, would also not cause an accidental release or upset of such materials. Any future proposal for development would be considered a separate project under CEQA, and would need to undergo separate project and environmental review per CEQA, aside from the current project, where these environmental issues would be further analyzed. Therefore, the current project would result in **no impact**.
- e)-f) There are no airports or airstrips in the vicinity of the City of Agoura Hills. Therefore, the ZOA project would result in **no impact**.
- g) There are no known currently adopted emergency response plans or emergency evacuation plans in the City that would be affected by the ZOA. In any case, the project itself, not being a physical development, would not interfere with such plans if created in the future. None of the proposed regulations or changes to the Zoning Ordinance would interfere with such plans. As specific development projects are proposed, they would be analyzed under separate CEQA review to ensure that they do not conflict with such plans. Therefore, the ZOA project would result in **no impact**.

- h) The project does not include specific physical development proposals. Any future proposal to develop would be considered a separate project under CEQA, and would need to undergo separate project and environmental review per CEQA, aside from the project. The project would result in **no impact**.

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

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

Discussion:

- a)-e), i) The project that is the subject of this IS/ND is not a physical development with the potential for causing adverse impacts in the area of hydrology and water quality. None of the proposed regulations or changes to the Zoning Ordinance would adversely affect hydrology and water quality. As noted previously, any development proposals would be analyzed separately under CEQA as part of project specific environmental review. The site specific hydrology and the type of development and construction methods would be assessed at that time for the actual development project. Therefore, the current project would result in **no impact**.
- f)-h) The project is not a physical development that could cause flood concerns. None of the proposed regulations or changes to the Zoning Ordinance would result in greater flood concerns in the project area.

Each specific future development proposal would be considered a separate project under CEQA that would need to undergo separate environmental review, including flood impact analysis. Therefore, the current project would result in **no impact**.

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

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

Discussion:

- a) The General Plan Natural Resources Element identifies Local Scenic Highways, County Scenic Highway, and areas eligible for state scenic highway designation. Many of the City's commercial areas do not impact vistas of Ladyface Mountain and the ridgelines along the north and south sides of the City. Nonetheless, the project consists of a ZOA, and is not a physical development proposal. The project does not involve any direct physical changes to the environment. As such, it would result in **no adverse impact** to scenic vistas. As individual development projects are proposed, and the details of the improvements, CEQA review, separate from this IS/ND, would be required to assess any potential impacts from known development in the future.
- b) There are no state scenic highways for the subject zones, although U.S. Highway 101 is eligible for state scenic highway designation. There are no historic buildings or rock outcroppings in or adjacent to the U.S. Highway 101. In any case, since the project is not a specific physical development proposal, the project would result in **no impact**. As individual development projects are proposed, CEQA review, separate from this IS/ND, would be required to assess any potential impacts from development on aesthetics.
- c) The project does not involve any direct physical changes to the environment. As such, it would result in **no impact** to the visual character or quality of the City. As individual development projects are proposed, and the details of the proposed improvements, CEQA review, separate from this IS/ND, would be required to assess any potential impacts from development in the future.
- d) Since the project is not a physical development proposal, it would not result in impacts from lighting and glare. As previously described, any development proposal would be analyzed separately under CEQA as part of project specific environmental review, which would include a development project-specific lighting and glare assessment. Therefore, the current project would result in **no impacts**.
- e) The area subject to the ZOA is not located in the immediate vicinity of any known streets or public spaces used for the assembly and congregation of people. Therefore, there would be **no impact**.

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

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

Discussion:

Noise level (or volume) is generally measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound power levels to be consistent with that of human hearing response, which is most sensitive to frequencies around 4,000 Hertz (about the highest note on a piano) and less sensitive to low frequencies (below 100 Hertz). For the most sensitive uses, such as single family residential, 60 dBA Day-Night average level (Ldn) is the maximum normally acceptable exterior level. Ldn is the time average of all A-weighted levels for a 24-hour period, with a 10 dB upward adjustment added to those noise levels occurring between 10:00 PM and 7:00 AM to account for the general increased sensitivity of people to nighttime noise levels. The Community Noise Equivalent Level (CNEL) is similar to the Ldn except that it adds 5 dB to evening noise levels (7:00 PM to 10:00 PM). The City of Agoura Hills utilizes the CNEL for measuring noise levels. Sensitive noise receptors include residential units, libraries, hospitals and nursing homes.

- a),c),d) The project would not result in any physical development. The Zoning Ordinance Amendment would not result in any changes to the types of uses allowed in commercial zones, or to any noise standards. Any proposal for development in the project area would be analyzed separately under CEQA as part of project specific environmental review. The site specific noise conditions and the type of development and construction methods would be assessed at that time for the actual development project. Therefore, the current project itself would result in **no impacts**.
- b) Because it is not a physical development, the proposed project would not result in any impacts related to excessive groundborne vibration. As specific development projects are proposed, along with information about construction and grading details and methods, these projects would need to undergo separate CEQA review, including analysis of this issue area. Therefore, the current project would result in **no impacts**.
- e),f) There are no airports or private airstrips within or adjacent to the City. The ZOA would therefore not affect air traffic noise impacts. There would be **no impact**.

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

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

Discussion:

- a) The project would not result in any physical development and so would not affect population numbers. Regulations proposed by the ZOA would not increase the density of commercial development described and so there would not be any increase in population above that already accounted for in the General Plan as a result of the project. Therefore, the project would result in **no impacts** to population growth.
- b) The project does not consist of any physical development. Consequently, the proposed regulations do not result in the displacement of current housing. As specific development projects are proposed, these projects would need to undergo separate CEQA review, including analysis of this issue area. Therefore, there would be **no impacts**.

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

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

Discussion:

- a),b) The City of Agoura Hills is served by the Los Angeles County Fire Department (LACFD) and the Los Angeles County Sheriff's Department (LACSD). The project itself would not require additional police or fire protection services, as no development is proposed. As such, the project would result in **no impacts**. As individual development projects are proposed at a later date, separate CEQA review would be undertaken to assess potential fire and police protection services impacts on an individual level. Any future development project would be required to comply with Fire Code and LACFD standards, including specific construction specifications, access design, location of fire hydrants, and other design requirements.
- c) The project would not result in impacts to schools, as no physical development is being proposed as part of the project itself. Therefore, there would be **no impacts** from the current project. As individual development proposals come forward, each development would undergo specific CEQA review and be assessed for school impacts. Such a development project would likely be required to pay school impact fees at the current rate to the local school district, Las Virgenes Unified School District.
- d) The project would not result in physical development and so would not impact park or park services. As individual development proposals come forward, each development would undergo specific CEQA review and be assessed for parks impacts. Therefore, there would be **no impacts**.
- e) Since the proposal is for a ZOA, not a development proposal, the project would not contribute to the demand for any other public facilities. Therefore, there would be **no impacts**.

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

a) Increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				x
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				x

Discussion:

- a),b) Since the project is not a particular development proposal, there would be **no impacts** to recreational facilities. As individual development projects are proposed in the project area, separate CEQA review would be undertaken to determine the specific project's impacts to recreation.

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

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

Discussion:

- a) The ZOA is not a physical development project, and so there would be no impact from increases in traffic. As individual development projects are proposed, separate CEQA review would be undertaken to determine the specific project's impacts to traffic and circulation.
- b) The Los Angeles County Congestion Management Plan (CMP) requires a regional traffic impact analysis when a project adds 150 or more trips in each direction to a freeway segment. Based on the discussion in Item "a" above, there would be **no impacts**.
- c) There are no airports or airfields in the project vicinity, so the proposal would result in **no impacts**.
- d), e) The ZOA is not a development proposal and it would not result in traffic-related hazards. As individual new development projects are proposed, separate CEQA review would be undertaken to determine the specific project's impacts on these items. The current project would result in **no impacts**.
- f) The intent of the update to the shared parking provision is to maximize the use of parking lots in commercial areas and indirectly encourage the use of alternative means of transportation. The update to parking space requirements is to ensure sites are adequately served by parking spaces and there is not a shortage or large surplus of spaces. Therefore, the ZOA would assist in providing adequate parking capacity. No adverse impacts are expected from the project.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
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(14) UTILITIES AND SERVICE SYSTEMS. Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X

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

Discussion:

- a) - e) As the project is not a physical development proposal, it would not result in impacts to wastewater, water or storm water. As individual development projects are proposed separate CEQA review would be undertaken to determine the specific project's impacts to these services. The current project would result in **no impacts**.
- f) – g) As noted above, the proposed ZOA would not constitute a development proposal and so would not result in impacts to solid waste. As individual development projects are proposed in the ZOA, separate CEQA review would be undertaken to determine the specific project's impacts to these services. The ZOA would result in **no impacts**.

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

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

Discussion:

- a) Given that the project consists of a ZOA, with no physical development component, it would not have the potential to significantly degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. Therefore, there would be **no impacts**.
 - b) As listed in the specific environmental issue sections, the project is not expected to have any impacts, so there would be **no cumulative impacts**. The project complies with the intent of the General Plan EIR 2010.
 - c) As listed in the specific environmental issue sections, the project is not expected to have any impacts, so there would be no effects that would cause substantial adverse effects on human beings. Therefore, there would be no impacts.
-

REFERENCES

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

Agoura Hills, City of. *Municipal Code*, revised 2010.

Agoura Hills, City of. *General Plan Master Environmental Assessment*, July 1992.

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

COMMENT LETTERS AND RESPONSES TO COMMENTS

The public period for the Draft IS/ND took place between September 15, 2011 and October 14, 2011. During that time, one comment was received, as listed below:

1. Scott Morgan, Director, State of California, Governor's Office of Planning and Research, State Clearinghouse and Planning Unit, October 14, 2011.
2. Gary T.K. Tse, Director, County of Los Angeles Sheriff's Department, October 28, 2011.

The letter from the Governor's Office of Planning and Research, State Clearinghouse, indicated that the City has complied with the review requirements for draft environmental documents per CEQA, and that no state agencies submitted comments on the Draft IS/ND.

The letter from the Los Angeles County Sheriff's Department indicated that the project would not have an effect on the agency. Given these comments, no changes to the Draft IS/ND are necessary.

The letters are attached as Attachment I.

ATTACHMENT I



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

October 14, 2011

Valerie Darbouze
City of Agoura Hills
30001 Agoura Road
Agoura Hills, CA 91301

Subject: Parking Ordinance Amendment
SCH#: 2011091046

Dear Valerie Darbouze:

The State Clearinghouse submitted the above named Negative Declaration to selected state agencies for review. The review period closed on October 13, 2011, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

**Document Details Report
State Clearinghouse Data Base**

SCH# 2011091046
Project Title Parking Ordinance Amendment
Lead Agency Agoura Hills, City of

Type Neg Negative Declaration
Description The purpose of this Zoning Ordinance Amendment (ZOA) (Case No. 11-ZOA-001) is to amend the Parking Ordinance Sections 9654.6.B, and 9654.2.K of Division 4 of Part 2 of Chapter 6 of Article IX of the City of Agoura Hills Municipal Code pertaining to parking requirements for specific uses and shared parking requirements. This action requires Planning Commission review and recommendation to the City Council for final approval.

Lead Agency Contact

Name Valerie Darbouze
Agency City of Agoura Hills
Phone 818 597 7328 **Fax**
email
Address 30001 Agoura Road
City Agoura Hills **State** CA **Zip** 91301

Project Location

County Los Angeles
City Calabasas
Region
Lat / Long
Cross Streets
Parcel No.
Township **Range** **Section** **Base**

Proximity to:

Highways Hwy 101
Airports
Railways
Waterways
Schools
Land Use The amendment affects mostly the development standards of the retail zones but also industrial and office zoned parcels.

Project Issues

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 5; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 7; Regional Water Quality Control Board, Region 4; Native American Heritage Commission

Date Received 09/14/2011 **Start of Review** 09/14/2011 **End of Review** 10/13/2011



County of Los Angeles
Sheriff's Department Headquarters

4700 Ramona Boulevard
Monterey Park, California 91754-2169

CITY OF AGOURA HILLS
2011 NOV -1 PM 3: 05



CITY CLERK

Leroy D. Baca, Sheriff

October 28, 2011

Valerie Darbouze, Associate Planner
Planning and Community Development Department
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, California 91301

Dear Ms. Darbouze:

**REVIEW COMMENTS
INITIAL STUDY AND NEGATIVE DECLARATION
CITY OF AGOURA HILLS PARKING ORDINANCE AMENDMENT
(CASE NO. 11-ZOA-001; LASD/FPB PROJECT NO. 11-041)**

The Los Angeles County Sheriff's Department (Department) submits the following review comments on the Initial Study and Negative Declaration (IS/ND) for the City of Agoura Hills Parking Ordinance Amendment (Project). The proposed Project will amend Parking Ordinance Sections 9654.6.B and 9654.2.K of Division 4 of Part 2 of Chapter 6 of Article IX of the City of Agoura Hills' Municipal Code pertaining to parking requirements for specific uses and shared parking requirements.

The proposed Project was reviewed by the Department's Malibu/Lost Hills Station (see Captain Joseph H. Stephens, Jr.'s, attached October 4, 2011, correspondence).

In summary, the proposed Project, as it is described in the IS/ND, is not expected to impact Department operations. The Department has no other comments to submit at this time, but reserves the right to further address this matter in subsequent reviews of the proposed Project.

Thank you for including the Department in the environmental review process. Should you have any questions regarding this matter, please contact Lester Miyoshi, of my staff, at (626) 300-3012, and refer to Facilities Planning Bureau Project No. 11-041. You may also contact Mr. Miyoshi, via e-mail, at Lhmiyosh@lasd.org.

Sincerely,

LEROY D. BACA, SHERIFF

Gary T. K. Tse, Director
Facilities Planning Bureau

COUNTY OF LOS ANGELES CITY OF AGOURA HILLS
SHERIFF'S DEPARTMENT
"A Tradition of Service" 2011 NOV -1 PM 3:05

CITY CLERK
DATE: October 4, 2011

OFFICE CORRESPONDENCE

FROM:  JOSEPH H. STEPHEN JR., CAPTAIN TO: GARY T. K. TSE, DIRECTOR
MALIBU/LOST HILLS STATION FACILITIES PLANNING BUREAU

SUBJECT: **AGOURA HILLS ZONING ORDINANCE AMENDMENT PARKING
CASE NO. 11-ZOA-001**

This project consists of the amendment to the citywide zoning ordinance to modify the parking space requirement of specific non-residential uses, as well as the shared parking provision for commercial areas. This change has no impact on law enforcement service for the city.

Should you have any additional questions regarding this matter, please contact Sergeant Philip D. Brooks at (818) 878-5555, or by e-mail at pdbrooks@lasd.org.

JHS:pb

Exhibit I

Parking Ordinance Amendment Draft Ordinance

ORDINANCE NO. 11-___

**AN ORDINANCE OF THE CITY OF AGOURA HILLS,
CALIFORNIA, AMENDING SECTIONS 9654.6.B. AND 9654.2.K.
OF DIVISION 4 OF PART 2 OF CHAPTER 6 OF TITLE IX OF
THE AGOURA HILLS MUNICIPAL CODE PERTAINING TO
PARKING REQUIREMENTS**

A. Recitals

(i) The purpose of this ordinance is to amend the parking provisions of the City's Municipal Code to provide updated parking ratio requirements for a variety of uses and to update the standards and requirements for the use of shared parking.

(ii) On ___, 2012, the Planning Commission of the City of Agoura Hills held a duly noticed public hearing to consider Ordinance 11-___, and received testimony from City staff and all interested parties regarding the proposed amendment. Following the close of the public hearing, the Planning Commission adopted Resolution No. 11-___ recommending approval of Ordinance 11-___, and recommending adoption of the Initial Study/Negative Declaration prepared for the Ordinance pursuant to the California Environmental Quality Act.

(iii) On ___, 2012, the City Council of the City of Agoura Hills conducted and concluded a duly noticed public hearing concerning the Zoning Ordinance Amendment contained herein as required by law, and received testimony from City staff and all interested parties regarding the proposed amendments.

(iv) All legal prerequisites to the adoption of the Ordinance have occurred.

B. Ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AGOURA HILLS DOES ORDAIN AS FOLLOWS:

SECTION 1. The facts set forth in the Recitals, Part A of this Ordinance, are true and correct.

SECTION 2. 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 Zoning Ordinance Amendment 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 Initial Study/Negative Declaration.

B. The City Council has independently reviewed (1) the Initial Study/Negative Declaration, which are incorporated herein by this reference);and (2) all comments received, both written and oral, regarding the Initial Study/Negative Declaration, 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 Guidelines for Implementing CEQA, that City staff has 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 Initial Study/Negative Declaration for this project.

C. The custodian of records for the Initial Study/Negative Declaration and all materials that 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.

SECTION 3. Sections 9654.2.K. and 9654.6.B., Division 4 of Part 2 of Chapter 6 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code are hereby amended to read:

"K. *Provisions for commercial uses.*

1. *Parking locations.* In commercial zones off-street parking shall be located on the same lot as, or on a lot contiguous to, the building, structure, or use to be served in a planned development. ~~If t~~The required parking spaces shall not beare located in the rear of a commercial building, ~~unless direct customer access to the facility from the parking area is~~shall be provided. At the discretion of the director of planning and community development or the planning commission, whichever has jurisdiction, where two (2) or more commercial uses in a commercial development project share parking facilities, notwithstanding provision 5 of section 9654.2.K., and the business hours of such uses do not overlap, the minimum space requirement may be reduced by up to fifty (50) percent of the parking requirement for the use requiring the least parking, subject to a minimum of twenty (20) parking spaces being provided. Such reduction shall be subject to the approval of the covenants, conditions, and restrictions for the project by the director of planning and community development or planning commission, whichever has jurisdiction, and/or through a parking agreement or easement running with the land.
2. ~~*Double counting.* At the discretion of the director of planning and community development or the planning commission, whichever has jurisdiction, where two (2) or more commercial uses in a planned commercial development share parking facilities, and the business hours of such uses do not overlap, the minimum space requirement may be reduced by up to fifty (50) percent of the parking requirement for the use requiring the least parking, subject to a minimum of twenty (20) parking spaces being provided. Such reduction shall be subject to the approval of the~~

covenants, conditions, and restrictions for the project by the director of planning and community development or planning commission, whichever has jurisdiction.

32. *Spaces not for repair, servicing or storage.* Required parking spaces shall not be used, or be permitted to be used, for the repair, servicing, or storage of vehicles or for the storage of materials.

4.3. *Racks not counted as parking spaces.* For auto repair shops or other similar uses, the racks and pump blocks shall not be considered in calculating the required parking spaces.

54. *Uses not specified.* Commercial parking requirements for uses not specified in this part shall be based upon a standard of one (1) space per two hundred fifty (250) square feet of gross floor area, unless the director of planning and community development or planning commission approve a different parking requirement, based on the most comparable uses specified in this part.

65. *Shopping center Shared parking.* For the purposes of this section, "shopping center" shall mean a group of architecturally unified commercial and retail establishments, containing ~~twenty-five~~thirty thousand (2550,000) square feet or more of buildings, built on a site which is planned, developed, and managed as an operating unit. At the discretion of the director of planning and community development, or the planning commission, whichever has jurisdiction, a shared parking reduction shall be allowed for the shopping centers based on the following:

~~In shopping centers where office spaces exceed ten (10) percent of the total gross floor area, that portion in excess of ten (10) percent of the gross floor area shall be calculated at one (1) parking space per three hundred (300) square feet.~~

~~Where cinema spaces exceed ten (10) percent of the total gross floor area, that portion in excess of ten (10) percent of the gross floor area shall be calculated at one (1) parking space per one hundred (100) square feet.~~

~~Where restaurant, café, or other food and beverage service uses exceed ten (10) percent of the total gross floor area, that portion in excess of ten (10) percent of the total gross floor area shall be calculated at one (1) parking space per one hundred (100) square feet.~~

TABLE I: SHARED PARKING

<u>Combination of land uses</u>	<u>Shared Parking Reduction Allowed*</u>
<u>Office+Retail</u> or <u>Office+Restaurant</u>	<u>Lowest of :</u> <u>up to 15% of combined parking requirement or</u> <u>up to 20% of highest individual use parking</u> <u>requirement</u>
<u>Retail+Restaurant</u>	<u>Lowest of :</u> <u>up to 18% of combined parking requirement or</u> <u>up to 24% of highest individual use parking</u> <u>requirement</u>

<u>Office+Retail+Restaurant</u>	<u>Lowest of :</u> <u>up to 20% of combined parking requirement or</u> <u>up to 25% of highest individual use parking</u> <u>requirement</u>
<u>* Final allowable shared parking for these and other uses not addressed above will be at the discretion of the director of planning and community development.</u>	
<u>Note: Shared parking reduction values other than those identified above, or for other uses not identified above, may be allowed based on City accepted methodology for shared parking analysis completed by the applicant using a qualified traffic or parking consultant.</u>	
<u>Note: For residential mixed-use development, residential parking shall be provided per Section 9654.6 in addition to the parking requirement for other proposed non-residential uses. To be considered for shared parking reduction for non-residential parking spaces, a shared parking analysis shall be completed by the applicant based upon a City accepted methodology, using a qualified traffic or parking consultant.</u>	
<u>Source: Based upon ULI Shared Parking 2nd Edition, ITE Parking 3rd Edition</u>	

Shared parking reduction values other than those identified above, or for other uses not identified above, may be allowed at the discretion of the director or planning commission, whichever has jurisdiction, based on a shared parking analysis completed by the applicant, providing the analysis methodology is acceptable to the director. For residential mixed-use development, residential parking shall be provided pursuant to section 9654.6 in addition to the parking requirement for the proposed non-residential uses. To be considered for a shared parking reduction for non-residential parking spaces, a shared parking analysis shall be completed by the applicant using a methodology acceptable to the director. All shared parking analysis shall be conducted by a qualified traffic or parking consultant.”

“9654.6. Parking Allocation

A. *Purpose.* The intent and purpose of this section is to provide properly designed off-street parking areas adequate in capacity, location and design to prevent traffic congestion.

The allocation of off-street parking is intended to provide a sufficient number of off-street parking spaces that are in proportion to the need created by the particular land use.

B. *Parking spaces required.* The number of off-street parking spaces shall be no less than the following:

USE	PARKING SPACES REQUIRED
<i>Residential</i>	

Single-family dwellings	2 covered parking spaces. Said spaces shall be provided within a garage
Apartments:	
Studio or bachelor	1 covered, plus 0.5 uncovered parking spaces per each unit
One (1) bedroom	1.5 covered, plus 1.0 uncovered parking spaces per each unit
Two (2) bedrooms or more	2 covered, plus 0.50 uncovered parking spaces per unit
Condominiums or townhouses	2 covered, plus 0.50 uncovered parking spaces per unit. Recreational vehicle parking may be required at a location and of a design approved by the planning commission.
(All uncovered parking spaces shall be used for "guest parking" and marked as such).	
Second units/granny flats	1 covered parking space per each unit
<i>Commercial</i>	
Office	
Business and professional	1 for each 300 square feet of gross floor area. Permanent common lobbies within each building totaling 35,000 square feet or larger are excluded from gross floor area.
<u>Banks and Financial Institutions</u>	<u>1 for each 300 square feet of gross floor area.</u>
Psychologists, psychiatrists, counselors, chiropractors, acupuncturists, and other similar uses with individualized patient programs.	1 for each 300 square feet of gross floor area.
<u>Medical, and dental, and veterinarian</u>	<u>5-1 for each 1,000-200 square feet of gross floor area</u>
Restaurants, including drinking establishments, take-out and drinking establishments, sit down and fast food	15 for each 1,000 square feet of seating or and waiting floor area. A minimum of 10 parking spaces shall be required
<u>With Live Entertainment</u>	<u>1 for every 100 square feet of dancing area if not already counted by other uses</u>
<u>Snack shops (e.g. ice cream, coffee and juice) and take-out</u>	<u>1 for each 250 square feet of gross floor area</u>

<u>Live Entertainment</u>	<u>Parking Study at Director's discretion</u>
Automotive	
Full-service service station (fuel dispensing and/or repairs)	3, plus 2 for each service bay. A minimum of 10 parking spaces shall be required.
Repair facilities	1 for each 200 square feet of gross floor area
Self-service service station (fuel dispensing only)	1 for each employee on the largest shift
Dealerships and other open air sales	1 for each 1,000 square feet of outdoor sales and display area, plus 1 for each 5,000 square feet over 10,000 square feet
Self service or coin operated operating washing and cleaning establishments	2 for each washing area or unit
Washing and cleaning establishments	1 for each employee and 2 for each detailing bay or area
General retail stores, except as otherwise specified herein	1 for each 250 square feet of gross floor area
<u>Kennels</u>	<u>1 for each 500 square feet of gross floor area</u>
Game arcades	1 for each 250 square feet of gross floor area
Mortuaries and funeral homes	1 for each 20 square feet of floor area, or assembly area, plus 1 for each vehicle owned by such establishment
Furniture, appliance and carpet stores	1 for each 750 square feet of gross floor area
Recreation	
Batting cage facility, primary use	1 for each batting cage, pitching cage or practice cage; plus 1 for each 1,000 square feet of practice and instruction field area; plus 1 per 250 square feet of gross floor area for retail sales; plus 15 for each 1,000 square feet of seating and waiting area floor area for eating and drinking uses (a minimum of 10 parking spaces shall be required); plus 1 for each 300 square feet of floor area for office uses
Bowling lanes	3 for each bowling lane, plus the spaces required for each additional use on the site
Billiard parlors and poolrooms	3 for each billiard or pool table

Tennis facility	3 for each court, plus the spaces required for each additional use on the site
Public swimming pools, gymnasiums and skating rinks	1 for each 100 square feet of gross floor area, plus the spaces required for each additional use on the site
Miniature golf courses and driving ranges	1 for each hole or driving tee
Health Fitness clubs and dance/ <u>exercise</u> studios	1 space for each 220 <u>250</u> square feet of gross floor area up to 5,000 square feet; greater than 5,000 gross square feet: <u>1/220 of activity area + other space according to the use of gross floor area in the activity area</u> , plus 1 space for each 250 <u>300</u> square feet of other floor area
Boarding and riding stables	1 parking space for each stall retained for rental purposes on the site, plus 1 for each employee
Theaters, sport arenas, and stadiums	1 for each 3 fixed seats or for every 35 square feet of non fixed seats
Hotels and motels	1 for each unit, plus the spaces required for each additional use on the site
Barbershops or beauty parlors <u>Salons and spas (hair styling, nails, massage, and acupressure)</u>	2 for each barber chair and 3 for each beautician station <u>1 for each 200 square feet of gross floor area, but no less than 4 spaces</u>
Laundromats and dry cleaning facilities	5 <u>1</u> for each 1,000 <u>200</u> square feet of gross floor area
Banks	5 for each 1,000 square feet of gross floor area
Savings and loan offices, financial institutions, public and private utility offices	1 for each 250 square feet of gross floor area
Shopping centers	Except as otherwise specified, 4 for every 1,000 square feet of gross floor area
Supermarkets and drugstores	1 for each 200 square feet of gross floor area
Plant nurseries or similar outdoor sales and display areas	5, plus 1 additional for each 500 square feet of outdoor sales, display or service areas
Recycling centers	1 for each 500 square feet of gross floor area
Any commercial use listed, as permitted in the C-1, C-2, C-3, or CPD , <u>CS, CRS, CS-MU, CR and CN</u> zones, except as specifically provided	1 for each 250 square feet of gross floor area

<i>Institutional</i>	
Hospitals	2 for each bed
Convalescent hospitals, children's homes, nursing homes, and homes for the aged	1 for each 5 beds
Churches	1 for each 3 seats (18 linear inches shall be considered a seat), or 1 for each 28 square feet where no permanent seats are maintained
Libraries, galleries, and museums	1 for each 225 square feet of gross floor area
<i>Schools</i>	
Elementary and junior high school	1 for each classroom, and 1 for each 5 seats or for each 35 square feet of area in the auditorium
High school	6 for each classroom and 1 for each 5 seats or for each 35 square feet of area in the auditorium
Colleges and universities	7 for each classroom and 1 for each 5 seats or for each 35 square feet of area in the auditorium, plus the required spaces required for each additional use on the site
Day nurseries and preschools	1 for each 5 children
Trade schools	1 for each employee on the largest shift, plus 1 for each student during maximum enrollment
<i>Industrial</i>	
Research and development facilities	1 for each 300 square feet of gross floor area, plus 1 for each company vehicle, plus 1 for each 250 square feet of gross floor area for incidental office use
<u>Light industrial</u>	<u>1 for each 500 square feet of gross floor area</u>
Automated or semi-automatic public or quasi-public utilities	1 for every employee on the largest shift, plus 1 for each company vehicle (2 minimum) plus 1 for each 250 square feet of gross floor area for incidental office use
Warehouse, exclusive of any assembly, manufacturing or sales activity	1 for every 1,000 square feet of gross floor area for the first 5,000 square feet of gross floor area, then 1 for every 5,000 square feet of additional gross floor area, plus 1 for each company vehicle, plus 1 for each 250 square feet of gross floor area for incidental office use

SECTION 4. Severability. 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.

SECTION 5. Certification and Effective Date. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published and posted pursuant to state law. Said Ordinance shall become effective on the 31st day of its passage.

PASSED, APPROVED, and ADOPTED this _____ day of _____, 2012, by the following vote to wit:

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

BY:

John M. Edelston, Mayor

ATTEST:

Kimberly M. Rodrigues, MMC, City Clerk

APPROVED AS TO FORM:

Craig A. Steele, City Attorney