



**DEPARTMENT OF PLANNING AND
COMMUNITY DEVELOPMENT**

TO: Planning Commission

FROM: Planning Staff

SUBJECT: Residential Neighborhood Compatibility Ordinance and Guidelines Monitoring Report

DATE: January 17, 2013

The purpose of this agenda item is to update the Planning Commission on the City's implementation of the Residential Neighborhood Compatibility Ordinance and Guidelines that were adopted by the City Council on January 28, 2009. As part of adoption of the Ordinance and Guidelines, staff was directed to return after two years with an implementation monitoring report to the Planning Commission.

I. BACKGROUND

In 2008 the Planning Commission noted the significant demand for new housing that occurred in prior years in the Old Agoura neighborhood and the challenges the Planning Commission was facing in addressing the issue of neighborhood compatibility for each project. Both staff and the Planning Commission recognized that all lots in the Old Agoura neighborhood differ in terms of size, topography, access and the existence of natural resources. In addition, it was evident in neighborhoods outside of Old Agoura that requests for substantially sized residential additions were becoming more prevalent. As such, the Planning Commission requested staff assistance, and the City Council agreed, in drafting standards or guidelines to assist the Planning Commission in evaluating these types of single family residential projects.

Staff subsequently prepared draft standards and guidelines and, in order to receive public input prior to conducting public hearings, held a community workshop and made a presentation to the Old Agoura Homeowners Association. The Planning Commission also held two study sessions and two public hearings before recommending the City Council adopt the Residential Neighborhood Compatibility Ordinance (RNCO) and Guidelines. The key components of the attached RNCO and Guidelines ultimately adopted by the City Council consist of the following:

1. **Floor Area Ratio (FAR)**: New FARs that were established for Old Agoura are based on the size and topography of the parcel. In general, larger and flatter parcels would allow for larger sized homes, and smaller and steeper parcels would have lower FARs. The largest recommended size of a new home is 8,000 square feet. Rather than adopting the FARs as required development standards, the Planning Commission supported them as guidelines to give themselves the flexibility to view each project and proposed house size on a case-by-case basis. The adopted FARs do not apply to accessory structures.

2. Equestrian (EQ) Overlay District: This a new section of the Zoning Ordinance that provides standards for the Equestrian Overlay (EQ) District, located in Old Agoura. The Planning Commission included detailed descriptions of the types of uses that would be allowed in the horse keeping area of a parcel, and required a minimum 1,500 square foot area be allocated on each residential lot for future horse keeping use.
3. Lot Coverage: Impermeable driveways and patios were added to the list of items that are counted in lot coverage in the RV (Very Low Density Residential) and RL (Low Density Residential) zones. The Planning Commission was given discretion to exclude all or portions of long flag lot driveways and Fire Department turn-around areas from lot coverage calculations if deemed consistent with the Old Agoura Design Guidelines.
4. Old Agoura Design Guidelines: Design guidelines for Old Agoura were adopted not with the intention of mandating a certain architectural style or theme, but to encourage the design of homes that fit into the existing neighborhood and environment. The Old Agoura Design Guidelines contain recommendations to maintain neighborhood scale. The adopted FARs were placed in these new guidelines, as were other guidelines for building height, horse keeping stalls, site design, oak tree preservation, lot coverage, building style and colors, hardscape and driveways, drainage, fences, landscaping, and outdoor lighting.
5. Neighborhood Compatibility Guidelines: The Planning Commission desired to ensure that all new homes and additions to existing homes outside of Old Agoura are also harmonious with and enhance the surrounding neighborhood. The Neighborhood Compatibility Guidelines, which are distinct from the Old Agoura Design Guidelines, define “neighborhood character” and include recommendations for the following:
 - a. Early neighbor notification (by the applicant);
 - b. Front yard setbacks;
 - c. Building height;
 - d. Roof pitch;
 - e. Plate height;
 - f. Roof eaves;
 - g. Second story wall height;
 - h. Entry feature height;
 - i. Second story decks;
 - j. Second story room additions.
6. Planning Commission Review: The Planning Commission’s review of single family homes was previously limited to new home proposals. The RNCO now also requires the Planning Commission’s review for all second story additions to existing single-story residences, and for second story additions that result in the second story exceeding 75% of the existing first story. In addition, the Planning Commission is required to review “substantial remodels” that consist of removal of 50% or more of exterior walls or roofs.

7. Public Hearing Notification: As recommended by the Planning Commission, the RNCO requires notification to all property owners within a 750-foot radius of a subject parcels for both Conditional Use Permit and Site Plan/Architectural Review applications. Previously notification was sent to a 750-foot radius for Conditional Use Permit applications, to adjoining neighbors for a Site Plan/Architectural Review application.

II. DISCUSSION

Since January of 2009, when the RNCO was adopted, 20 residential projects were processed under the RNCO development standards and guidelines. The projects included the following types:

- New Single Family Residences
 reviewed by the Planning Commission: 6 (+1 extension)
- Additions reviewed by the Planning Commission: 7
- Additions reviewed by the Planning Director: 6

Of these 20 projects, the following were in Old Agoura:

- New Single Family Residences: 3 (+1 extension)
- Additions: 6

With these projects, both individually and in totality, staff has evaluated whether any changes to the RNCO should be considered by the Planning Commission. Overall, staff has found the RNCO and Guidelines beneficial in informing and preparing applicants for the design considerations that should be given to a residential development project application, and thereby limiting potential confusion regarding the expectations of the reviewing authority. Moreover, the RNCO and Guidelines provide a tool for staff in analyzing proposed projects and guidance to the Planning Commission in judging neighborhood compatibility of projects. The RNCO and Guidelines are clearly written and are being implemented as intended. Futhermore, staff has not received any negative feedback from residents in Old Agoura, or the Old Agoura Homeowners Association, regarding the adopted RNCO and guidelines.

The only area in which the Planning Commission may wish to consider changing is the reviewing authority for second story additions that do not significantly increase or modify the exterior of the residence. For instance, the Planning Commission recently reviewed a proposal for a second floor addition that, in combination with the existing second floor, exceeded 75% of the first floor. The Planning Commission's review was required by code, but the additional second floor area was interior, within the existing building envelope, and included no exterior modifications to the residence other than a new window. For such instances of proposed interior additions that do not impact neighborhood compatibility, staff respectfully requests the Planning Commission consider delegating the reviewing authority to the Planning Director. Such a motion would allow for significant cost and time savings to the applicants. Should there be any question regarding potential impacts to the neighborhood or the desire for neighborhood input, the Planning Director would require the Planning Commission's review.

Staff is also interested in hearing from Commissioners on the implementation of the RNCO and guidelines and whether they have proven useful in your deliberations.

III. RECOMMENDATION

Staff requests the Planning Commission review the monitoring report, consider the recommended change by staff, and provide any further comments on the implementation of the Residential Neighborhood Compatibility Ordinance and Guidelines.

IV. ATTACHMENTS

- Ordinance 09-358
- Neighborhood Compatibility Guidelines and Old Agoura Design Guidelines

ORDINANCE NO. 09-358

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING THE FOLLOWING SECTIONS OF THE ZONING ORDINANCE: 1) SECTION 9142.3 (LAND USE DISTRICTS), SECTION 9120.18.S (DEFINITIONS), SECTION 9212.2 (RR RESIDENTIAL-RURAL DISTRICT-CONDITIONAL USES), SECTIONS 9223.3, 9223.4, AND 9223.9 (RV RESIDENTIAL-VERY LOW DENSITY DISTRICT-DEVELOPMENT STANDARDS), SECTIONS 9233.3, 9233.4, AND 9233.9 (RL RESIDENTIAL-LOW DENSITY DISTRICT-DEVELOPMENT STANDARDS), SECTIONS 9241, 9242.4, AND 9243.9 (RS - RESIDENTIAL SINGLE FAMILY DISTRICT), SECTIONS 9551 AND 9553 - 9554 (OA OLD AGOURA DESIGN OVERLAY DISTRICT), SECTIONS 9677.1, 9677.2, AND 9677.7 (SITE PLANS/ARCHITECTURAL REVIEW), SECTION 9605.1 (YARD STANDARDS), SECTION 9804.4 (PUBLIC HEARING PROCEDURES), AND 9833 (ZONING MAP); AND 2) APPROVING A NEW EQUESTRIAN OVERLAY DISTRICT SECTION 9590 - 9592 AND AN AMENDMENT TO THE ZONING MAP TO PLACE THE EQUESTRIAN OVERLAY DISTRICT ON ALL RESIDENTIAL PROPERTIES ZONED RR, RL, RV, RS, AND OS IN OLD AGOURA

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

Section 1. Section 9142.3 (Establishment of Districts) of Part 5 of Chapter 1 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

"H. Equestrian Overlay District (-EQ)"

Section 2. Section 9120.S (Definitions) of Part 3 of Chapter 1 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read and renumber subsequent sections:

"DD. Substantial remodel. "Substantial remodel" means the removal of fifty percent or more of the exterior walls or roof or removal of fifty percent or more of supporting members of a structure such as bearing walls, columns, beams or girders for any duration of time. This definition does not apply to the replacement and upgrading of residential roof coverings."

Section 3. Section 9212.2 (Residential-Rural District-Conditional Uses) of Part 2 of Chapter 2 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

"F. Substantial Remodels."

Section 4. Section 9223 (Residential-Very Low-Development Standards) of Part 3 of

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

“9223.3. Main building, accessory building or structure.

Main buildings, accessory buildings or structures, and all impermeable surfaces including but not limited to driveways, patios, sports courts (such as tennis courts, basketball courts, racquetball courts), pools, spas, and gazebos shall conform to the following requirement: The combined maximum site coverage of main and all accessory buildings or structures shall not exceed twenty-five (25) percent. The Planning Commission shall have discretion in excluding all or portions of impermeable surface driveways for flag lots, Fire Department required turnaround areas or other special circumstances from the maximum site coverage. These driveways and turnaround areas must be designed consistent with the Old Agoura Residential Design Guidelines.

9223.4. Building height.

The maximum building height shall be two (2) stories or thirty-five (35) feet, whichever is less. Vertical design projections may not exceed a height of thirty-five (35) feet as measured vertically from the finished grade to the top of said projection.

9223.9. Substantial Remodels

All substantial remodels shall require review by the Planning Commission. Substantial remodels on lots with an average slope of ten (10) percent or less shall require a Site Plan Review. Substantial remodels on lots with an average slope of ten (10) percent or greater shall require a Conditional Use Permit.”

Section 5. Section 9233 (Residential Low-Development Standards) of Part 4 of Chapter 2 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9233.3. Main building, accessory building or structure.

Main buildings, accessory buildings or structures, and all impermeable surfaces including but not limited to driveways, patios, sports courts (such as tennis courts, basketball courts, racquetball courts), pools, spas, and gazebos shall conform to the following requirement: The combined maximum site coverage of main and all accessory structures shall not exceed thirty-five (35) percent. The Planning Commission shall have discretion in excluding all or portions of impermeable surface driveways for flag lots, Fire Department required turnaround areas and other special circumstances from the maximum site coverage. These driveways and turnaround areas must be designed consistent with the Old Agoura Design Guidelines.

9233.4. Building height.

The maximum building height shall be thirty (30) feet, or two (2) stories, whichever is less. ~~Turrets, widows walks, cupolas, finials, and other v~~ Vertical design projections may not exceed a height of thirty-five (35) feet as measured vertically from the finished grade to the top of said projection.

9233.9. Substantial Remodels

All substantial remodels shall require review by the Planning Commission. Substantial remodels on lots with an average slope of ten (10) percent or less shall require a Site Plan Review. Substantial remodels on lots with an average slope of ten (10) percent or greater shall require a Conditional Use Permit."

Section 6. Sections 9241, 9242.4 and 9243.9 (Residential Single Family) of Part 5 of Chapter 2 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

"9241. Purpose.

The RS district is intended to encourage the development of conventional single-family detached residential development, with related compatible uses and full community levels of service and public improvements.

The regulations are also intended to ensure that new homes or additions to an existing home in established residential neighborhoods are designed in a manner that is compatible with the neighborhood character.

9242.4 Conditional uses.

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

E. Development of property, including substantial remodels, with an average slope of ten (10) percent or greater, subject to the provisions of section 9652 et seq.;

9243.9. Site plan review.

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

B. The reviewing authority for all site plan review requests for new single family homes and additions shall be as set forth below:

1. The Director of Planning and Community Development shall be the reviewing

authority for administrative site plan reviews for the projects listed below. The Director may refer any project to the Planning Commission.

- a) One-story additions greater than 30% of the original gross floor area.
 - b) Additions to existing second story that do not result in the second story exceeding 75% of the existing first story.
2. The Planning Commission shall be the reviewing authority for site plan reviews for the projects listed below.
- a) A new single-family dwelling on a vacant lot.
 - b) A new single-family dwelling that is proposed to replace an existing residence.
 - c) A substantial remodel to an existing single-family dwelling.
 - c) Any second story addition to an existing one-story single-family dwelling.
 - d) Additions to an existing second story that result in the second story exceeding 75% of the existing first story.

C. Exemptions. The following shall be exempt from the site plan review process unless the Director determines that the addition has the potential to be incompatible with the predominant adjacent structures and the surrounding neighborhood character and should be referred to the Planning Commission.

- (a) First story additions to a single-family residence that are less than thirty percent of the original gross floor area.

D. Findings for Project Approval. The reviewing authority shall make the following findings, in addition to the findings listed in 9677.5, for additions to existing single family dwellings and new single family dwellings proposed in existing neighborhoods.

1. The mass and bulk of the design is reasonably compatible with the predominant adjacent structures and the surrounding neighborhood character.
2. The proposed buildings and structures are designed with quality architectural details.
3. New buildings and structures or substantial remodels are not disproportionately larger than, or out of scale with, the neighborhood character.

4. The project is consistent with the Neighborhood Compatibility Guidelines found in the City's Architectural Design Standards and Guidelines."

Section 7. Section 9551 and 9553-9554 (Old Agoura Overlay) of Part 6 of Chapter 5 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

9551. Purpose.

Old Agoura is a rural equestrian community. The residential streets meander around the natural terrain with no curb and gutters and no street lights. The visual ambiance is rural, rustic and country. The purpose of the OA overlay district shall be to preserve and enhance the unique character of Old Agoura through the establishment of special public improvement standards and design guidelines.

9553. Special development standards area.

Within the special area described in section 9552, the following standards shall apply;

9553.1. Building coverage.

The maximum building coverage shall be as approved as a part of any discretionary review. With the exception of the provisions contained in section 9233.3, it is intended that The maximum building coverage shall not exceed fifty (50) percent of the lot unless the proposed development consists of a commercial use encompassing more than one (1) lot.

9553.2. Building height.

With the exception of the provisions contained in section 9233.4, the maximum building height shall be thirty-five (35) feet, or two (2) stories, whichever is less.

9553.3. Yards.

With the exception of the provisions contained in section 9233.2., required yards shall be as approved as a part of any discretionary review and may not be required at all.

9553.4. Off-street parking and loading requirements.

Off-street parking and loading shall be provided as required by chapter 6, but if approved as a part of any discretionary review, may be located off the subject lot. Joint use provisions for off-street parking and loading shall be utilized wherever feasible.

9553.5. Signs.

All signs shall be consistent with the provisions in chapter 6, and shall conform to the following criteria:

A. Monument and/or directory signs are permitted for parcels with businesses whose signs are not visible from the street with a sign permit subject to design review. All other monument signs are permitted subject to a sign program. Monument signs may only be externally illuminated.

B. No sign shall be internally illuminated, however; halo illuminated wall signs are permitted, subject to design review.

C. Signs shall be made of materials such as wood, stone or materials that mimic wood or stone or non-reflective or patinated metals that enhance the rural appearance of the neighborhood. Other sign materials may be considered as part of a sign program.

D. Signs located in the geographic area shown on the following exhibit shall be turned off at close of business or 9:30 p.m., whichever occurs later. In addition, this provision shall apply to signs oriented towards Dorothy Road on parcels located on the north side of Dorothy Road between Lewis Road and Palo Comado Canyon Road.

GRAPHIC Old Agoura Sign Lighting District

9553.6. Required architectural style and building materials.

Project design and development shall perpetuate and reinforce the natural character of Old Agoura. Building materials such as natural rock, stucco, slate, tile, brick, and wood are encouraged.

9553.7. Required landscaping and walls.

Required landscaping and walls shall be limited to the amount necessary to provide for adequate open space and security. With regard to landscaping, the emphasis shall be to provide appropriate pedestrian areas to encourage retail trade, but in no event shall less than fifteen (15) percent be provided.

9554.3. Commercial and residential development standards.

These standards are designed to promote a natural environment that is country like while allowing architecturally sensitive developments which perpetuate Old Agoura's unique rural character. In addition to all development standards provided for in the underlying district, the following shall be applicable in the OA Overlay District.

9553-1.4. General design standards, commercial/residential.

While encouraging the broadest possible range of individual and creative design, the planning commission or the director, where authorized, may grant site plan approval if the proposed development substantially conforms to all of the following standards:

A. *Commercial.*

1. Proposed signage is an integral architectural feature which does not overwhelm or dominate the structure or object to which it is attached.
2. Mechanical equipment, storage and trash areas, and utilities are architecturally screened from public view.
3. The proposed plans provide for adequate and safe on-site vehicular and pedestrian circulation.
4. The main entrance to any commercial or business building provides for independent access for the physically impaired.
5. All fences and walls shall be finished on both sides.
6. No outdoor display or storage shall be permitted except for nurseries.

B. *Residential.*

1. Six-foot-high fences shall be permitted in any required front or street side yard when it can be demonstrated that it will be sufficiently open to preserve adequate visibility of vehicles entering and leaving said property. Solid walls are prohibited in the front yard setback areas.
2. Residential development in Old Agoura shall embrace an eclectic, rural style that preserves the equestrian nature of the area and shall be consistent with the Old Agoura Design Guidelines found in the City's Architectural Design Standards and Guidelines and the Equestrian Overlay.
3. Residential development shall not render property untenable for horses and other farm animals.
~~The total area of lot coverage of main buildings, accessory buildings or structures, sports courts (such as tennis courts, basketball courts, and racquetball courts), pools, and spas on residential lots shall not be so extensive that such lots are rendered untenable for horses and other farm animals~~

C. *Commercial/Residential.*

1. The proposed design is in character with existing development in the Old Agoura District, in terms of height, materials, colors, roof pitch, roof eaves, and the preservation of privacy.
2. The proposed plans indicate proper consideration for the relationship between the existing and finished grades of the site to be improved and adjacent properties.
3. Lighting is stationary and is deflected away from adjacent properties.
4. All building elevations have been architecturally treated in a compatible manner including the incorporation within the side and rear building elevations of some or all of the design elements used for the primary facades.
5. Fences or walls constructed of grape stake, plywood, sheet metal, corrugated aluminum, corrugated fiberglass, barbed wire, rubber, PVC (excluding plastic corrals designed for equestrian use), or razor ribbon are prohibited, except where allowed by a temporary use permit for an approved construction project. Rural ranching and farm materials designed consistent with the architecture of the house will be considered as part of a site plan review.

Exterior materials and colors shall harmonize with, and complement the surrounding natural and man-made environment. Where appropriate, dominant exterior colors shall reflect a natural earthtone theme using warm and rich colors. Exterior treatments characterized by an overly bright, shiny, reflective or artificial appearance shall not be permitted.

6. To the greatest extent possible, the architectural design and location of the building shall discourage grading on a hillside. If grading is required, building shall be integrated into existing terrain such that grading is minimized, taking care to preserve the viewshed, natural ridgelines, and oak trees.
7. Native, drought resistant plants are recommended for project landscaping. Such plants are required and shall be used extensively on manufactured slopes. Refer to the City of Agoura Hills Plant Guide for lists of appropriate vegetation.

~~9554. Special development standards area.~~

~~Within the special area described in section 9552, the following standards shall apply.~~

~~9554.1. Building coverage.~~

~~The maximum building coverage shall be as approved as a part of any discretionary review. With the exception of the provisions contained in section 9233.3, it is intended that the maximum building coverage shall not exceed fifty (50) percent unless the proposed development consist of a commercial use encompassing more than one (1) lot.~~

~~9554.2. Building height.~~

~~With the exception of the provisions contained in section 9233.4, the maximum building height shall be thirty five (35) feet, or two (2) stories, whichever is less.~~

~~9554.3. Yards.~~

~~With the exception of the provisions contained in section 9233.2., required yards shall be as approved as a part of any discretionary review and may not be required at all.~~

~~9554.4. Off street parking and loading requirements.~~

~~Off street parking and loading shall be provided as required by chapter 6, but if approved as a part of any discretionary review, may be located off the subject lot. Joint use provisions for off street parking and loading shall be utilized wherever feasible.~~

~~9554.5. Signs.~~

~~All signs shall be as required by chapter 6, except any sign shall conform to the following criteria:~~

~~A. Monument and/or directory signs are permitted for parcels with businesses whose signs are not visible from the street with a sign permit subject to design review. All other monument signs are permitted subject to a sign program. Monument signs may only be externally illuminated.~~

~~B. No sign shall be internally illuminated, however; halo illuminated wall signs are permitted, subject to design review.~~

~~C. Signs shall be made of materials such as wood, stone or materials that mimic wood or stone or non reflective or patinated metals that enhance the rural appearance of the neighborhood. Other sign materials may be considered as part of a sign program.~~

~~D. Signs located in the geographic area shown on the following exhibit shall be turned off at close of business or 9:30 p.m., whichever occurs last. In addition, this provision shall apply to signs oriented towards Dorothy Road on parcels located on the north side of Dorothy Road between Lewis Road and Palo Comado Canyon Road.~~

~~GRAPHIC — Old Agoura Sign Lighting District~~

~~9554.6. Required architectural style and building materials.~~

~~Project design and development shall perpetuate and reinforce the natural character of Old Agoura. Building materials such as natural rock, stucco, slate, tile, brick, and wood are encouraged.~~

~~9554.7. Required landscaping and walls.~~

~~Required landscaping and walls shall be limited to the amount necessary to provide for adequate open space and security. With regard to landscaping, the emphasis shall be to provide appropriate pedestrian areas to encourage retail trade, but in no event shall less than fifteen (15 percent be provided."~~

Section 8. Section 9590-9592 of Part 10 of Chapter 5 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby added to read:

"Part 10 – EQUESTRIAN OVERLAY DISTRICT

9590. Purpose.

The purpose of the EQ - Equestrian Overlay District is to create, enhance, and protect the equestrian and rural atmosphere within the overlay area.

9591. Permitted uses

All uses permitted and conditionally permitted in the underlying district shall be permitted in this district.

9592. Development standards.

In addition to the development standards governing development in the underlying district, the following development standards shall apply:

A. Minimum Horse Keeping Area. A minimum horse keeping area for the stabling and servicing of horses consisting of one thousand five hundred (1,500) square feet of useable area shall be designated as part of a Conditional Use Permit or Site Plan Review for development of a house on a residential lot within the "EQ" Overlay District. A site plan identifying the location, dimensions, and slope of the one thousand five hundred (1,500) square foot area shall be provided to the city and retained in the city's files. At the discretion of the Planning Commission, the minimum horse keeping area shall be optional for lots under 10,890 square feet (¼ acre) or lots with an average slope over twenty-five (25) percent.

B. Useable Area for Horse Keeping. Useable area for horse keeping areas shall be defined as an area with an average slope no greater than 10%. Proposed development projects shall demonstrate that the horse keeping area is able to viably site, at a minimum, the following horse facilities:

- 1) Stall: 12 feet by 12 feet or a minimum 144 square feet per horse with a minimum 10 foot interior clearance.
- 2) Paddock (corral): A 24 feet x 48 feet (1,152 square feet) paddock area with length for running should be provided. Paddocks refer to pens, exercise areas, or pasture often adjacent to horse stalls.
- 3) Access for feed delivery, manure management and veterinary access.
- 4) A minimum area of 150 square feet for hay and tack storage.

If it cannot be demonstrated that these facilities can be practically accommodated within 1,500 square feet, the Planning Commission may require additional square footage be dedicated to the horse keeping area.

C. Uses Permitted in Horse Keeping Area. The dedicated horse keeping area, if not actually supporting horses, may be developed to the extent that any activity (such as landscaping) or structures may be easily removed without any loss of value to the entire property. Site improvements consisting of landscaping and irrigation; detached trellises, patio covers or gazebos; above-grade/portable spas; barbeques and fire pits; temporary (as defined by the building code) non-habitable accessory structures that are no more than one hundred twenty (120) square feet in size and private sewage disposal systems shall be permitted within the 1,500-square-foot area. Orchards, vineyards and specimen trees are not considered landscaping for the purposes of this section and would be prohibited within the horse keeping area. Any improvements in the horse keeping area shall have a permeable foundation.

D. Setbacks for Horse Facilities. Barns and other similar roofed structures for stabling or servicing horses shall be permitted to encroach up to 30% into the required front yard setback of the underlying district.

E. Equestrian Trails. All lots adjacent to a proposed equestrian trail shall provide public equestrian trails in accordance with City plans and policies.”

Section 9. Section 9605.1 (Side and Rear Yards) of Part 1 of Chapter 6 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“D. On any lot located in the RR, RV, RL, RS, and RM zones, the minimum side yard requirement for second-story development additions shall be the existing distance of the first-story structure. The total combined side yard setback prescribed for the district shall be maintained. The combined side yard setback may be situated on any one side of the property, or any combination of distances. ~~Second stories, in excess of fifty (50) percent of the total square footage of the first story of the residence, shall be subject to~~

~~approval by the director of planning and community development. In considering the request, the director shall consider architectural compatibility with the surrounding residences and properties relative to preserving light, air, and privacy.~~ No second-story cantilever is permitted into required side yards and all second-story development additions shall not encroach into the front and rear yards prescribed for the district. An application for site plan review shall be required for all second-story additions which do not conform with the required yards prescribed for the district and shall be subject to the provisions this Chapter. ~~approval by the director of planning and community development~~ This provision shall not apply to new construction or substantial remodels which include the removal and reconstruction of square footage, as determined by the director of planning and community development.”

Section 10. Section 9677.1, 9677.2 and 9677.7 (Site Plans/Architectural Review) of Part 3 of Chapter 6 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“9677.1. Application.

All uses involving new construction that require building permits but not any discretionary approvals under this article shall not be permitted unless a site plan is approved pursuant to the provisions of this section. ~~Notwithstanding the foregoing, such section shall not be applicable to addition to existing single family residences.~~

9677.2. Reviewing authority.

A. The director of planning and community development shall be the reviewing authority for all administrative site plan requests for new construction of one (1) dwelling unit on one (1) lot in all residential (RR, RL, RVL, and RS) land use districts and all additions to existing structures, if less than three thousand five hundred (3,500) square feet. ~~All other new construction shall be subject to the approval of the planning commission.~~

B. The planning commission shall be the reviewing authority for all other site plan review requests. Any determination by the director or the planning commission is subject to appeal pursuant to the provisions of this article.

9677.7. Architectural review procedure.

Except as otherwise provided in this article, no building permit shall be issued with respect to any new construction or sign on property located in any district unless an architectural review application is approved for the proposed construction in accordance with the provisions of this section. In those cases where a site plan review application is also required by this chapter, architectural review shall be combined with said application. Notwithstanding the foregoing, architectural review shall not be required for the alteration or repair of the interior only of an existing building or

structure.

A. *Director's duties.* The director shall review all architectural review applications and, where subject to approval of the planning commission, shall make recommendations thereon to the planning commission. The purpose of such review is to ensure that all proposed developments shall preserve or enhance the physical environment and aesthetic characteristics of the city. The director's architectural review of the following applications shall be final:

- ~~1. Single dwelling units on single lots;~~
1. ~~Exterior additions, a~~Alterations and repairs to existing buildings, structures or other improvements; and
2. New signs related to existing buildings.

All other applications for architectural review shall be subject to the approval of the planning commission.”

Section 11. Section 9804.4 (Public Hearing Procedures) of Part 1 of Chapter 8 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“D. [For] all other requests requiring a public hearing, [notice] shall be given by the city not less than ten (10) days nor more than thirty (30) days prior to the date of the hearing in at least three (3) public places within the city, including the location of the subject property. Notices shall be given by publication in a newspaper circulated in the city, and by mailing notices to the owner of the subject real property, the project applicant, all affected public agencies, known official homeowners' associations' representatives in the city, and any individual who has requested notice in writing. Notice shall also be given for all public hearing requests, except modification requests, to all persons whose names appear on the latest equalized assessment roll of Los Angeles County as owning property within seven hundred fifty (750) feet of the exterior boundaries of the property that is the subject of the hearing. Notices of requests for modifications shall be given to all persons whose names appear on the latest equalized assessment roll of Los Angeles County as owning property within three hundred (300) feet of the exterior boundaries of the property that is the subject of the hearing. Hearings may be continued from time to time even though the continued hearing may extend beyond the time limits described in this section.

Notices for all site plan/architectural review requests that are reviewed by the planning commission and/or city council, and requests for single-family residences reviewed by the director of planning and community development, shall be given by the city not less than ten (10) days, nor more than thirty (30) days, prior to the date of the hearing, in at least three (3) public places within the city, including the location of the subject property. Notices shall be given to the owner of the subject real property, the project applicant, all affected public agencies, known official homeowners' associations' representatives in the city, and any individual who has requested notice in writing. Notice shall also be given to

all persons whose names appear on the latest equalized assessment roll of Los Angeles County as owning property ~~abutting the exterior boundaries within seven hundred fifty (750) feet of the subject real property.~~"

Section 12. Section 9833 (Zoning Map) of Part 4 of Chapter 8 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to add at the end of the list:

"EQ Equestrian"

Section 13. The City Council hereby approves placing the EQ Equestrian Overlay on all properties zoned OS (Open Space), RR (Residential-Rural), RV (Residential-Very Low), RL (Residential-Low), and RS (Residential Single Family) in Old Agoura, as shown on Exhibit A. The Official Zoning Map of the City shall be amended consistent with Exhibit A.

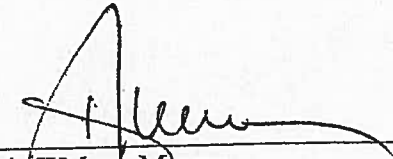
Section 14. If any provision of this ordinance, or the application thereof, to any person or circumstances is held invalid or unconstitutional by any court or competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or applications, and to this end, the provisions 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 15. This ordinance shall apply to any new projects submitted to the City after adoption of the ordinance.

Section 16. The City Council hereby adopts the Planning Commission's recommendations as follows that: (1) the Residential Neighborhood Compatibility Ordinance and Guidelines be reviewed by the Planning Commission two years after its adoption to ensure that the ordinance amendments and guidelines are working as intended, (2) the City's administrative process be modified to include a requirement for the posting of an early notification sign advising of application submittal to allow greater public participation in the planning review process, and (3) the application submittal requirements be modified to provide discretion to the Director of Planning and Community Development or the Planning Commission to require story poles on a case-by-case basis to provide a visualization tool to assist the Commission and public in understanding what the project will look like when built.

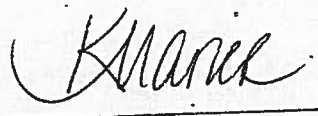
PASSED, APPROVED, and ADOPTED this 28th day of January, 2009, by the following vote to wit:

AYES: (5) Weber, Koehler, Edelston, Kuperberg, Schwarz
NOES: (0)
ABSENT: (0)
ABSTAIN: (0)



Denis Weber, Mayor

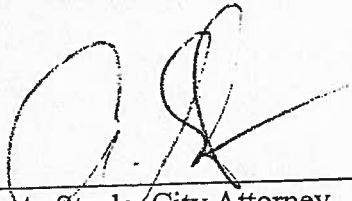
ATTEST:



Kimberly M. Rodrigues, City Clerk

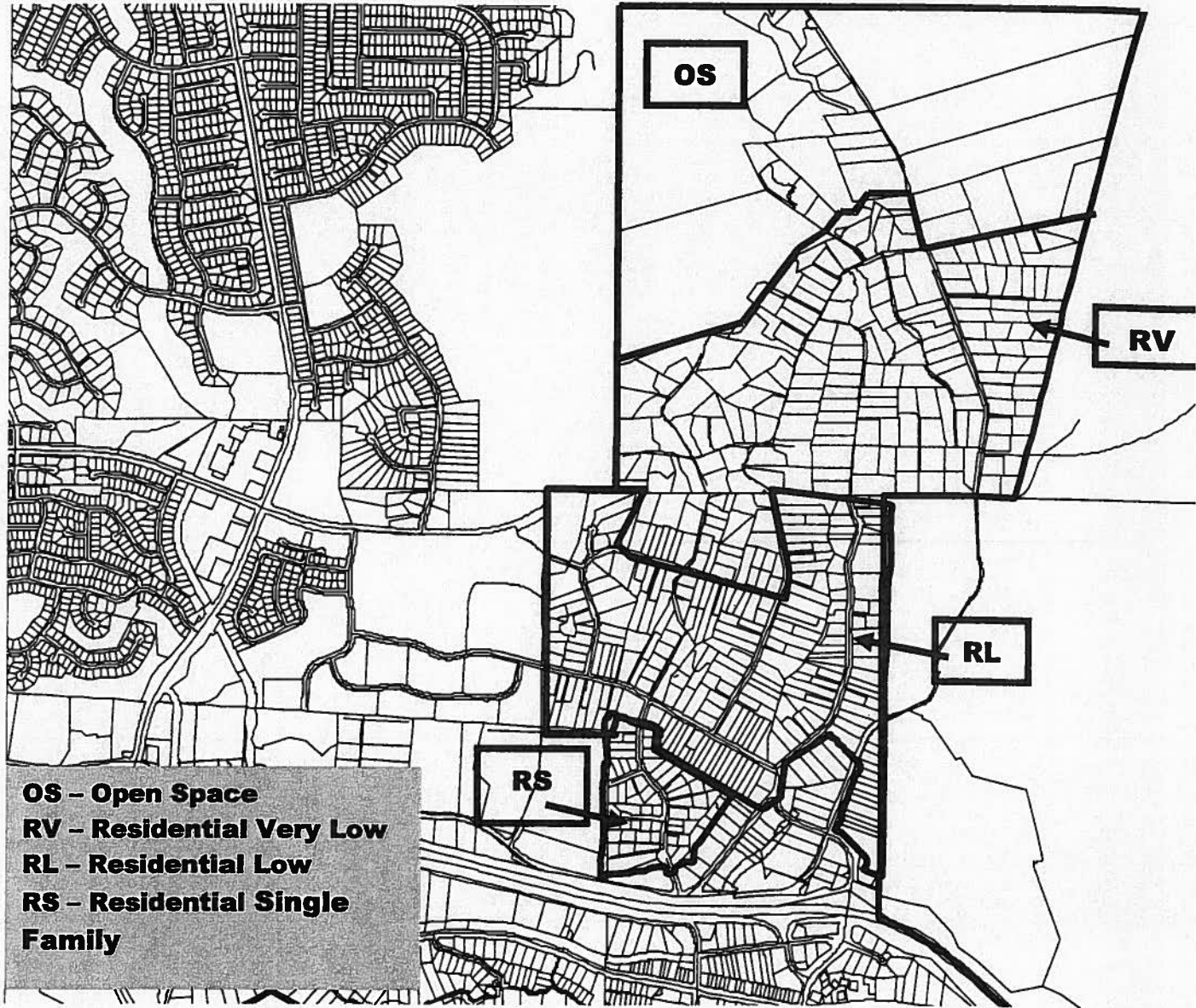


APPROVED AS TO FORM:



Craig A. Steele, City Attorney

EXHIBIT A
EQ – EQUESTRIAN OVERLAY ZONE



vehicle use. Pedestrian pathways are especially encouraged where residential areas/shopping centers, residential areas/office complexes, and shopping centers/office complexes abut each other, and where two or more shopping centers are adjacent to one another. Where feasible and appropriate, the pedestrian paths should incorporate the items described in Item A.2., above. In some cases, however, especially in residential areas and connections to open space areas, the paths, or portions of the paths, may be more informal and less developed in appearance, and consist of natural materials (e.g., decomposed granite, split-rail fencing, less prominent lighting fixtures).

V. Neighborhood Compatibility Guidelines

The following guidelines are intended to ensure that new homes or additions to existing homes are harmonious with and enhance the surrounding neighborhood character. These guidelines are intended to apply to all houses except in Old Agoura. Houses in Old Agoura are subject to separate guidelines found in Section VI. Neighborhoods that were constructed as part of a residential tract or by the same builder generally have common features, such as similar lot sizes, setbacks, architectural styles and details. To meet the intent of the Neighborhood Compatibility Standards, a new or modified structure should be designed so that it is similar to the neighboring structures⁶.

For purposes of these Guidelines, “neighborhood character” means a combination of unique features that make up a distinct character of a given neighborhood including but not limited to the following: architectural style, mass and bulk, height number of stories, and roof design, scale orientation, setbacks, open space, architecture style, texture, color and building materials.

1. Early Neighbor Notification. Applicants are encouraged to notify owners of property located within 100 feet of the property and any homeowners’ association within 30 days of application submittal.
2. Setbacks. The minimum front yard setback should be equal to the average of the front yards of existing buildings within the block face.
3. Heights. Building heights should be compatible with the size of a lot, as well as the context of the surrounding neighborhood. The height of a structure should be compatible with the established building heights in the neighborhood.
4. Roof Pitch. Roof lines influence the overall mass and scale of a structure. Low to medium roof pitch should be provided with a minimum number of hips and valleys.

⁶ Revisions adopted on January 14th, 2009 per Resolution No. 09-1513.

5. Plate Height. Tall plate heights unnecessarily add to the volume of a structure. Eight foot plate heights, the most common for single family homes, are encouraged.
6. Eaves. Adjusting the height of an eave may be used to lower the mass and scale of a structure by lowering the building plate.
7. Second Story Wall Height. Second story wall heights greater than six feet, as measured from the second story finished floor, should have building wall offsets to help articulate second story mass. The offsets should comprise the full height of the wall plane.
8. Entry Feature Height. The height of entry features should match the height of eaves in the neighborhood so not to create an overwhelming entry feature.
9. Second Story Decks. New or expanded second story decks or balconies with views into neighboring residential side or rear yards should address privacy protection to the greatest extent possible. The Director may refer second story decks or balconies to the Planning Commission if issues of privacy are present.
10. Second Story Design. Special sensitivity must be shown in the design of two story homes and additions, as they have a greater visual impact on the neighborhood. The construction of two-story buildings or additions can be compatible provided the design incorporates features which reduce the visual prominence of the second floor. Design features which generally reduce visual prominence include:
 - Provision of second floor offsets to avoid an unrelieved two-story wall.
 - Placing the second floor towards the back of the house to avoid a two-story profile at the street.
 - Placing the second floor in the middle of the footprint to provide a one-story transition to adjacent homes.
 - Where appropriate to the architectural style, consider architectural features that indicate where a first story ends and a second story begins when the structure is viewed from the street. Examples of appropriate floor delineations for some architectural styles include adding rooflines.
 - Where appropriate, some portions of the second story roof should be brought down to the gutter or eave line of the first story roof to reduce the apparent volume of the building.

- First and second floor plate heights should be consistent with those established on other homes in the neighborhood.
- Long, uninterrupted side walls should be avoided. Second stories should be setback further from the side property line than the first floor.
- Windows on side elevations should have window and sill heights high enough to mitigate intrusion into a neighbor's privacy.

VI. Old Agoura Design Guidelines

The goal of the Old Agoura Design Guidelines is to encourage the design of a home and an environment that is rural in its roots. Even the most contemporary of homes can feature elements that are rural and which pay homage to classic and historic styles. Looking to the past provides insight and inspiration for future development in Old Agoura⁷.

The character of historic Agoura can be preserved through development and design that reflect the original quality of life. When beginning plans to build or remodel in Old Agoura, the following goals should be incorporated.

1. Preserve existing hills by situating buildings to use the existing contours of the land, incorporate surrounding oak trees and creeks, and minimize grading and destruction of the natural landscape and view sheds; conform to the land, not impose upon it.
2. Integrate into the surrounding neighborhood, considering compatible scale, style, color, and feel.
3. Respect Old Agoura's history and create architecture that incorporates both the essence of the historical periods of the area and the designs dictated by the local climate.
4. Use natural and traditional materials with an emphasis on excellent design and detail.
5. Use of eco-friendly design including the use of green building materials and energy efficient lighting, heating and cooling systems.
6. Design or preserve horse keeping areas so that the land is made untenable for horses.

⁷ Revisions adopted on January 14th, 2009 per Resolution No. 09-1513.

Home designs should use materials and forms that reflect the semi-rural character of the area and its climate in order to create places intimately connected with nature. Imitation of non-indigenous styles that are closely identified with other geographics is discouraged.

The following are design guidelines for new development and remodels in Old Agoura:

Maintain Neighborhood Scale

A new or remodeled home should not be out of proportion with adjacent houses. A home should be designed to fit the lot and surroundings and with internal design integrity. To help define an acceptable buildable area for each lot, the following Floor Area Ratio (FAR) and Slope Density charts were developed. The FAR is intended to guide the structure's size based on the lot size and slope. The charts are designed to preserve the character of Old Agoura's existing neighborhood by ensuring that new and remodeled homes are compatible and appropriate in scale and bulk with the existing neighborhood.

Table 1 and Table 2 below set forth the recommended maximum size of a new single family home or remodel of an existing single family home including the garage and any attached structures with less than 50% open lattice covering.

Lofts and mezzanines are included in the calculation of floor area. Fractions of .5 or larger should be rounded to the nearest whole number. For the purposes of these Guidelines, a remodel is defined as a project that does not meet the threshold for an administrative site plan review as defined in Section 9233.8 of the Zoning Code.

The maximum size of any single family dwelling including any habitable accessory structures, regardless of lot size, should not exceed 8,000 square feet.

Table 1 – Floor Area Ratio (FAR)

Lot Size	Maximum Allowed Structure Size
10,000 square feet or less	.2 multiplied by the lot area
10,001 to 20,000 square feet	2,000 square feet plus .2 multiplied by the lot area over 10,001 square feet
20,001 to 40,000 square feet	4,000 square feet plus .06 multiplied by the lot area over 20,001 square feet
40,001 to 80,000 square feet	5,200 square feet plus .02 multiplied by the lot area over 40,001 square feet
80,001 to 90,000 square feet	6,000 square feet plus .03 multiplied the lot area over 80,001 square feet
90,001 to 130,000 square feet	6,300 square feet plus .009 multiplied the lot area over 90,001 square feet
130,001 and above	6,660 square feet plus .012 multiplied the lot area over 130,001 square feet

Exemptions from FAR calculations:

- a. Space for a three car garage (230 square feet per space up to a maximum of 690 square feet for a single-family residence).
- b. Attic space under six feet in height.
- c. A basement with no exposed sides in which the finished floor of the level above the basement level, at any point, is not more than three feet above adjacent natural or finished grade, whichever is lower. Such floor area may abut light wells which may occupy not more than forty percent (40%) of the lineal perimeter of that level of the building.
- d. Roofed porches attached to the primary residence, and facing the street, with no enclosure between the height of three feet and seven feet except for the building face to which it is attached.
- e. Unclosed roofed structures for the keeping or maintaining of horses up to three hundred (300 square feet in area and one detached one story barn for the keeping or maintaining of horses up to five hundred seventy six (576) square feet in area.

The following slope factor table was developed to address hillside lots. The slope factor table further reduces the size of the house based on the slope of the parcel. Once the maximum size of the house has been determined using the FAR table (Table 1 above), that number is then multiplied by the related slope factor and the resulting number represents the maximum square footage allowed for the structure.

As average lot slope increases, allowable floor area is lowered per Table 2 below. Fractions of .5 or over are rounded to the nearest whole number.

Table 2 - Slope Factor as Related to Average Slope

% Slope	Slope Factor	% Slope	Slope Factor
15 or less	1.00	31	0.78
16	0.99	32	0.76
17	0.98	33	0.73
18	0.97	34	0.70
19	0.96	35	0.67
20	0.95	36	0.64
21	0.94	37	0.60
22	0.93	38	0.57
23	0.92	39	0.54
24	0.91	40	0.50
25	0.90	41	0.45
26	0.88	42	0.40
27	0.86	43	0.35
28	0.84	44	0.30
29	0.82	45+	0.20
30	0.80		

It should be noted the established square footages represent the maximum recommended not the minimum recommended FAR. The established FAR may need to be reduced if special circumstances exist of the lot that would reduce the actual buildable area of the lot. These special circumstances could include but are not limited to flood zones and irregular shaped lots.

Height

Although the Zoning Code allows up to 35 feet in height for single family homes, homes should be designed to be compatible with the size of the lot, as well as the context of the surrounding neighborhood. Appropriate building heights may vary from site to site in order to be compatible with the established building heights in the area.

Tall plate heights (over ten feet) that unnecessarily add to the volume of a structure should be avoided. Eight foot plate heights, the most common for single family homes, are encouraged. Where appropriate to the architectural style, architectural features that delineate where a first story ends and a second story begins when the structure is viewed from the street should be considered.

Horse Keeping

The following are suggested standards for horse keeping. Details for minimum horse-keeping facilities per horse would consist of a 12 ft x 12 ft stall or shelter (or 144 square ft with a 10 ft minimum interior clearance) and a basic pipe corral paddock, minimum size 12 ft x 24 ft. However, for the large majority of horses that are not worked daily, a minimum 24 ft x 48 ft turnout should be provided, with length for running and kicking up their heels. Larger or multiple turnouts should be planned if more animals are on a property. High use areas should be located on higher ground away from streams, with a 1-2% minimum slope for drainage. Paddocks should have sand or gravel substrate for filtration and not be built on areas with a greater than 10% slope. For pasture areas, avoid steep slopes that are susceptible to erosion; geologists recommend that horse facilities, including barns, turnouts and pasture, not be placed on areas over 10% because of potential slope failure.

A good reference book for best management practices related to runoff from horse keeping areas is "Stable and Horse Management in the Santa Monica Mountains, A Manual on Best Management Practices for the Reduction of Non-point Source Pollution." A copy is available for viewing at the City's public counter.

Access for feed delivery and manure management should be as close to the street as possible, with separate entry gates if needed. A plan for horse keeping facilities should include an area for hay & manure storage, accessory areas, such as horse trailer storage, wash racks, tack rooms, tools, etc. Some items found on site may serve multiple functions, such as septic tanks and leach fields being located under corral or pasture areas. Access can also be solved via turnout areas with wide gates. Barns may be used as storage for an owner who does not intend to keep horses, but future owners should maintain the area so it is convertible. Landscaping such as, but not limited to trees, vineyards, and trellises, should not be placed so as to prevent future conversion to horse keeping areas.

Site Design

Site design should respect the natural features of the site including landforms and trees. Existing natural features, such as a creek or large tree, can provide a special challenge but also opportunities for creative solutions.

Oak Tree Preservation

The existence of oak trees adds to the character of the house as well as to the Old Agoura community as a whole. The City's oak tree ordinance sets forth carefully crafted rules to preserve oak trees and mitigate the loss of oaks. A copy of the ordinance is available from the City.

Minimize lot coverage

The design of a home need not maximize the allowable lot coverage. It should provide ample open space around a structure. The relative placement of horse

keeping areas, house, garage, accessory structures and driveway play a major role in shaping the character of a house. Consideration should also be given to the existing structures and views of the neighbors.

Style

The visual mass of a structure should be reduced with deliberate architectural elements. With the use of windows, porches, balconies, trellises, and terraces help create free-flowing space to the outdoors. Preferred basic features include:

- Wrap-around porches, balconies;
- Rear or side yard-facing garage doors or detached garages;
- Front door or entryway distinctly visible from the road giving a sense of human scale;
- Generous roof overhang (where appropriate to architectural style);
- Use of natural materials such as wood and stone.

When creating architectural details, and especially when utilizing the technology of stone veneer, it is important that they be used in a manner that is honest in their application and consistent with their function in construction technique.

Roofs

Roofs should have variation in texture. Roof overhangs of good proportion and balance provide a fundamental appeal as well as respect for the local climate. Excessively steep roof pitch is discouraged.

Color

Bright colors and reflective surfaces are strongly discouraged. Dominant exterior colors that are warm, rich and reflect natural regional earth tones are preferred.

Hardscape & Driveways

Colors and textures should be chosen to best approximate the natural environment of the homesite. Permeable and semi-permeable surfaces should be installed whenever possible and the amount of paving should be kept to a minimum. In order to reduce runoff and augment ground water recharging use of as much porous material as possible is encouraged. Preferred materials are:

- Decomposed granite or other natural appearing aggregates such as gravel
- Natural flat stone
- Interlocking concrete manufactured pavers
- Grasscrete to reduce the hardscape ratio

If concrete is used, bring out its more natural looking applications by using:

- Stained or stamped concrete
- Exposed aggregate concrete

While the use of asphalt is generally discouraged, a better application is “chip seal,” where loose rock is pressed into the surface to provide a gravel look.

Storm Water Drainage

There are very stringent and well-defined laws dealing with water drainage. Basically, the natural or traditional path of water across their property cannot be altered without a legally approved engineering plan.

Fences

Unfenced front yards help promote openness in Old Agoura. If fencing is proposed, white or natural wood, equestrian style fencing is recommended in all yard areas visible from the road. The use of wrought iron with sharp-pointed posts or stakes is discouraged, as is the use of chain link fencing.

Landscape Areas

Landscape plants should be selected with wildfire fuel modification, water conservation, and summer heat and winter cold snaps in mind. Old Agoura has a number of microclimates and frost sensitive trees and plants may be severely damaged during the cold spells, especially in the lowlands along creek beds. The use of native plants is encouraged.

Native California heritage trees should be preserved in place whenever possible and incorporated into the project design.

Outdoor Lighting

All outdoor lighting should be the minimum intensity possible for the task required. All lighting should be non-blinding, indirect, or diffused. All lights should be *off* unless they are being used. Motion sensor switches function well for this purpose.

The source of light in any light fixture, i.e., the bulb or other source of indirect illumination, should not be visible off-site. All light fixtures should be selected for their ability to focus light on the feature (i.e. step, path, entry) to be lighted and to have minimum light spillage.

Zoning Ordinance

In addition to the above Old Agoura Design Guidelines, please refer to the Zoning Ordinance for requirements for each zone (RV, RL, RS, RM, RMH and RH) as well as the Equestrian Overlay (EQ) and Old Agoura Overlay (OA).