

REPORT TO CITY COUNCIL

DATE: FEBRUARY 27, 2013

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

BY: MIKE KAMINO, DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT

SUBJECT: ADOPTION OF ORDINANCE NO. 13-399; AMENDING MUNICIPAL CODE SECTIONS 9253.1, 9312.2, 9312.3, 9371, 9381, 9383, 9383.2, AND 9655.4 THAT INCLUDE DEVELOPMENT STANDARDS OF EXISTING ZONING DISTRICTS (RM, BP-M, AND BP-OR), THE COMMERCIAL USE TABLE AND THE SIGN ORDINANCE TO CORRECT TYPOGRAPHICAL ERRORS AND OMISSIONS, AND AMENDING THE COMMERCIAL USE TABLE TO ALLOW A CARETAKER RESIDENCE FOR MINI SELF-STORAGE FACILITIES, AND ADOPTING A NEGATIVE DECLARATION (CASE NO. 12-ZOA-001)

At the February 13, 2013, City Council meeting, the Council introduced, read by title only, and waived further reading of Ordinance No. 13-399.

The Ordinance amends the Zoning Ordinance, including portions of commercial development standards, the commercial use table and the sign ordinance to correct typographical errors and omissions, and amends the commercial use table to allow a caretaker residence for mini-self-storage facilities.

Attached for your reference is a copy of Ordinance No. 13-399.

RECOMMENDATION

Staff recommends the City Council adopt Ordinance No. 13-399, amending Municipal Code Sections 9253.1, 9312.2, 9312.3, 9371, 9381, 9383, 9383.2, and 9655.4 that include development standards of existing zoning districts (RM, BP-M, AND BP-OR), the commercial use table and the sign ordinance to correct typographical errors and omissions, and amending the commercial use table to allow a caretaker residence for mini self-storage facilities and adopting a Negative Declaration prepared for this ordinance.

Attachment: Ordinance No. 13-399

ORDINANCE NO. 13-399

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING THE ZONING ORDINANCE (ARTICLE IX OF THE AGOURA HILLS MUNICIPAL CODE) TO AMEND DEVELOPMENT STANDARDS OF EXISTING DISTRICTS (RM, BP-M, BP-OR), THE COMMERCIAL USE TABLE AND THE SIGN ORDINANCE TO CORRECT TYPOGRAPHICAL ERRORS AND OMISSIONS, AND AMEND THE COMMERCIAL USE TABLE TO ALLOW A CARETAKER RESIDENCE FOR MINI SELF-STORAGE FACILITIES (CASE NO. 12-ZOA-001)

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

Section 1. Pursuant to the California Environmental Quality Act (“CEQA”), as amended, the CEQA Guidelines promulgated thereunder, and the City’s local CEQA Guidelines, City staff prepared an Initial Study of the potential environmental effects of this proposed Ordinance and the Municipal Code amendments contained herein (the “project”). On the basis of the Initial Study, City staff for the City of Agoura Hills, acting as Lead Agency, determined that there was no substantial evidence that the project could have a significant effect on the environment; as a result, City staff prepared a Negative Declaration for the project and provided public notice of the public comment period and of the intent to adopt the Negative Declaration; and

The City Council has independently reviewed (1) the Negative Declaration and Initial Study, and (2) all comments received, both written and oral, regarding the Negative Declaration and Initial Study, and based upon the whole record before it finds that those documents were prepared in compliance with CEQA, the CEQA Guidelines, and the City’s CEQA Guidelines, that City staff correctly concluded that there is no substantial evidence that the project will have a significant effect on the environment, and that the findings contained therein represent the independent judgment and analysis of the City Council.

Section 2. The City Council has considered the contents of the Negative Declaration in its decision-making processes and adopts the Negative Declaration prepared for Case No. 12-ZOA-001. The custodian of records for the Initial Study, Negative Declaration and all materials which constitute the record of proceedings upon which the City Council’s decision was based is the City Clerk of the City of Agoura Hills. Those documents are available for public review in the Office of the City Clerk located at 30001 Ladyface Court, Agoura Hills, California, 91301.

Section 3. Section 9253.1. of Part 6 of Chapter 2 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

9253.1. Maximum density.

“The maximum density shall be as shown on the zoning map as a number of dwelling units per gross acre following the zoning symbol RM. However, said designation shall be limited to the range of six (6) through ~~ten (10)~~ fifteen (15) dwelling units per acre. For example, RM-10 means residential-medium density land use district with a maximum of ten (10) dwelling units per acre.”

Section 4. Section 9312.2 of Part 2 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

9312.2. Commercial use table I.

| | USE, SERVICE, OR FACILITY | COMMERCIAL | | | | | BUSINESS PARK | |
|-------|--|------------|-----------|----|-----|-------|---------------|-----------|
| | | CS | CRS | CR | CN | CS-MU | BP-OR | BP-M |
| | <i>Unless otherwise indicated, listings denote retail sales operations</i> | | | | | | | |
| A. 19 | Auto service station, primary | ● | ● | | ✕ ● | ✕ ● | K,U | ● |
| C. 4 | Child care center | ¥ ● | ¥ ● | | ¥ ● | ¥ ● | U | ● |
| R. 8 | <u>Residence of a caretaker for “Storage building, mini”</u> | | <u>FF</u> | | | | | <u>FF</u> |

Section 5. Section 9312.3. of Part 2 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

9312.3. Special conditions.

“The following special conditions apply to the uses indicated by the corresponding letter in table I described in section 9312.2:

FF. Permitted only on property with an existing valid nonconforming use permit for mini self-storage, and subject to issuance of a conditional use permit by the zoning administrator.”

Section 6. Section 9371. of Part 8 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

9371. BP-OR Purpose.

“The purpose of the BP-OR district shall be to provide areas for smaller planned developments, renovations, and additions, including offices and incidental retail commercial uses, within a campus environment that are harmonious with the adjacent commercial or residential development. ~~and integrate~~ These developments are characterized by pedestrian walkways and outdoor activity areas, landscaped open spaces, common signage, and seamless connections and transitions with existing buildings in terms of scale, design, and materials, and are designed to promote pedestrian safety, and convenience for pedestrians, and connectivity, as well as connecting to with, and ~~to complementing,~~ the quality and character of existing development ~~while achieving a cohesive project.~~”

Section 7. Section 9381. of Part 9 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

9381. BP-M Purpose.

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

Section 8. Section 9383. of Part 9 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

9383. Development standards.

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

Section 9. Section 9383.2 of Part 9 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

9383.2. Building coverage.

“The maximum building coverage shall be thirty (30) feet percent.”

Section 10. Section 9655.4 of Division 5 of Part 2 of Chapter 6 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

9655.4. Temporary noncommercial signs and banners

“Temporary noncommercial signs and banners shall be permitted only to advertise an upcoming civic, patriotic, nonprofit, charitable, or special event of general public interest taking place within the boundaries of the city. Temporary signs and banners are permitted in all zones subject to the following regulations: on each lot a maximum of two (2) temporary freestanding signs containing only noncommercial messages are permitted. The limitation on the number of signs shall be suspended during the thirty (30) days before and seven (7) days after a local, state or national election. All temporary noncommercial signs or banners shall be removed within three (3) days after the event for which they are intended. Each temporary noncommercial sign or banner shall not exceed six (6) square feet in sign area with a maximum height of six (6) feet. One temporary sign or banner advertising an upcoming charitable or community event occurring within the boundaries of the city may be displayed on each street frontage per lot in all zones for a maximum of thirty (30) days per event, and shall not exceed thirty (30) square feet in size, ten (10) square feet in length., and six (6) feet in height. Such signs are in addition to all other signage allowed in this chapter. Such signs shall not be illuminated or posted on trees, fence posts or public utility poles, or located within any public right-of-way.”

Section 11. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional by any court or competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or applications, and to this end the provisions of this ordinance are declared to be severable. The City Council declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof even if one or more sections, subsections, sentences, clauses, phrases, parts or portions thereof is declared invalid or unconstitutional.

PASSED, APPROVED, and ADOPTED this ____ day of _____, 2013,
by the following vote to wit:

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

Denis Weber, Mayor

Ordinance No. 13-399

ATTEST:

Kimberly M. Rodrigues, MMC, City Clerk

APPROVED AS TO FORM

Candice K. Lee, City Attorney