



**DEPARTMENT OF PLANNING AND  
COMMUNITY DEVELOPMENT**

**TO: PLANNING COMMISSION**

**FROM: MIKE KAMINO, DIRECTOR OF PLANNING AND COMMUNITY  
DEVELOPMENT**

**DATE: APRIL 20, 2006**

**SUBJECT: AGOURA VILLAGE SPECIFIC PLAN AND FINAL ENVIRONMENTAL  
IMPACT REPORT**

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**I. BACKGROUND**

The Agoura Village Specific Plan (AVSP) is the result of a long range planning effort launched about nine years ago by the City of Agoura Hills that aims to revitalize and beautify the Agoura Road corridor generally between Kanan and Cornell Roads. The AVSP is a comprehensive document that identifies the vision for Agoura Village and provides regulations and guidelines for new development and redevelopment.

In 1997, the City hired Envicom Corporation to conduct a charette and workshop to help develop the vision for Agoura Village. In 2001, the City hired RRM Design Group to further refine the vision through the preparation of the Agoura Village Strategic Plan and Agoura Village Specific Plan. RRM worked with the Agoura Village Task Force and staff in developing the Plan. Plan development occurred with the benefit of input at several public joint City Council/Planning Commission meetings and workshops, stakeholder interviews, and a public open house held in 2002, where over 60 people were in attendance. The Draft Specific Plan was completed by August 2005, and an informational open house attended by over 70 people was held in October 2005 to describe the Plan and get feedback from the public.

Early in 2005, Rincon Consultants was hired to assist the City in preparing the Program Environmental Impact Report (EIR) for the AVSP, pursuant to the California Environmental Quality Act (CEQA). The Draft EIR was completed in November 2005, and a public hearing on the DEIR was conducted on December 1, 2005. Approximately 185 individuals, entities and agencies are on the AVSP and EIR mailing list, and have been kept informed of public meetings regarding the project. This is separate from the additional property owners in a 750-foot radius from the AVSP boundary that are required to be noticed for this hearing. On February 16, 2006, City staff presented an update to the Planning Commission on the status of the AVSP EIR for informational purposes. The Final EIR was completed and made available to the public in March 2006.

The AVSP and Draft EIR documents were previously provided to some members of the Planning Commission in September 2005 and November 2005, respectively, and to the others in January

2006. The Final EIR (Volumes I and II) was recently provided to all Commissioners on March 30, 2006.

This report focuses on the two components of the project: the Agoura Village Specific Plan, followed by the Program Environmental Impact Report. The last section of the report outlines the various actions that the Planning Commission is being requested to take regarding this project.

## **II. AGOURA VILLAGE SPECIFIC PLAN**

The purpose of the AVSP is to establish a framework for development within the area by providing design guidelines, development standards, a logical system of circulation and parking, improvements to the streetscape, and a cohesive set of public improvements, all of which would lead to the creation of a pedestrian-friendly sense of place in Agoura Hills. A Specific Plan is a regulatory tool that local governments use to implement their General Plans, and to guide development in a localized area. While the General Plan is the primary guide for growth and development in an entire City, the Specific Plan is able to focus on the unique characteristics of a particular area of the City by customizing the vision, land uses, and development standards for that area. The AVSP has been prepared in compliance with State requirements for Specific Plans (Government Code Section 65450 et seq.).

The vision for Agoura Village (Village) is to create a welcoming, pedestrian-friendly atmosphere that captures the character of Agoura Hills. The Village area would be shaped into an identifiable and inviting place with an intimate streetscape lined with unique storefronts and would become a comfortable place to gather shop and stroll. To achieve this vision, the Village would begin a transition from its current state toward a unique balance of land uses over time, consisting of retail, office, entertainment, restaurant and residential. The residential units are secondary to the commercial uses, but are critical to providing support for the retail, office and other commercial development. In summary, the key components of the Agoura Village would include: traffic calming devices such as landscaped medians and diagonal parking along the main streets; a roundabout at Kanan and Agoura Roads as a traffic measure as well as a focal point and gateway into the Village; a focus on pedestrian orientation through connected walkways both within individual developments and throughout the greater Village area, with a de-emphasis on the automobile as the primary mode of travel within the Village area; a mix of land uses, including residential, to provide mutual support to the various developments, as well as encouraging a varied and vibrant urban environment; development that is more human in scale, with smaller tenant spaces and varied and unique storefronts; and preservation of open space and natural resources.

The components of the Agoura Village Specific Plan (AVSP) include: (1) an assessment of existing physical, circulation and market conditions; (2) mobility, including traffic calming measures, parking strategies, street improvements, and pedestrian and bicycle circulation; (3) land use and development standards, including allowed uses, physical and site layout standards, site grading, natural resource protection, and open space requirements; (4) design guidelines for landscaping, parking lots, pedestrian and vehicular connections, lighting, building design principles, and building signage; (5) street beautification and public improvements that consist of gateways and signage into the Village area, street furnishings, and landscape palettes; (6) provision of infrastructure and public

services; (7) implementation including necessary capital projects, potential funding sources, and potential business recruitment strategies; and (8) administration, which consists of the relationship of the AVSP to other planning and policy documents and various administrative procedures to implement the Specific Plan.

In an effort to assist the Planning Commission in its review of the AVSP, staff has summarized below the content of each chapter in the Specific Plan. During the EIR review process (see Section III. below); staff determined that some revisions should be made to the AVSP to ensure that the Specific Plan is consistent with the conclusions and mitigation measures in the EIR, and to further clarify issues that were raised by the public. These changes are shown on the attached Errata Sheet (Attachment 1). After the public hearings are concluded, these changes, in addition to any recommended by the Planning Commission and approved by the City Council, will be incorporated into the AVSP before the final document is printed for distribution.

***Chapter 1 – Introduction:*** This chapter provides background information on the creation of the AVSP, including the public involvement and workshops that provided the vision for the AVSP. The chapter also describes the vision and planning principles that are implemented in the following chapters. The vision for AVSP is to create a pedestrian-oriented village with retail shops, restaurants, and entertainment uses. Office and residential uses are envisioned as secondary uses that will support and enhance the Village.

***Chapter 2 – Existing Conditions:*** The existing physical, circulation and traffic, natural resources and economic market conditions are described in Chapter 2. This chapter summarized the information that was developed in a comprehensive Opportunities and Constraints Report that was prepared as part of the creation of the AVSP.

***Chapter 3 – Mobility:*** In addition to discussing the roundabout planned for the Kanan Road and Agoura Road intersection, this chapter provides street sections for each of the streets in the AVSP. The chapter also provides parking, traffic calming, pedestrian, bicycle and trail recommendations.

Roundabouts and angled street parking are two new elements in the City that are introduced in the AVSP. Roundabouts are becoming more popular as people realize the benefits of roundabouts over conventional intersections. These benefits include:

- Intersection Efficiency – Roundabouts permit a continual stream of traffic to flow through the intersection and are usually more efficient in keeping traffic in motion, thus reducing traffic congestion. Roundabouts are also capable of handling a higher volume of vehicles and provide the ability to make a U-turn.
- Enhanced Safety – Roundabouts significantly reduce the number of vehicle conflict points in the intersection because drivers have fewer opportunities to cross paths with other cars. In addition, since vehicles travel more slowly when approaching and driving through a roundabout, drivers have more time to prepare for and react to the traffic. Lower speeds mean that even when a collision occurs,

damages and injuries are often less severe than in high-speed collisions.

- Aesthetics - Although the primary function of roundabouts is intersection control, the secondary role as a traffic calming element is beneficial for creating a gateway into Agoura Village. The roundabout provides an opportunity for landscaping and/or public art, and most people find them more attractive than traffic signals.
- Fiscal – Roundabouts are frequently less expensive to build than signalized intersections.
- Environmental – By reducing the amount of rapid acceleration and deceleration associated with other types of intersection controls, as well as idling, roundabouts typically cause vehicles to consume less fuel and correspondingly lead to lower vehicle emissions.

Good design is the key to creating a successful roundabout. To ensure that a roundabout could successfully be utilized at the Kanan and Agoura Road intersection, the City hired Ourston Roundabout Engineering, an expert in the design and engineering of roundabouts, to provide a preliminary design for the Kanan/Agoura intersection. The design engineer believes that a roundabout could be built at the intersection in the current City right-of-way and would improve traffic circulation in the area. In preparing the final design for the roundabout, many factors such as overall size, overall shape, entry angles, entry widths, flare lengths, speed constraints, truck movements, pedestrian and bike accommodation, and signing and striping issues will be considered to achieve a good design.

Angled or diagonal parking will be allowed on Agoura Road east of Kanan Road and on the east side of Cornell Road both south and north of Agoura Road. Allowing angled parking in front of the stores on Agoura and Cornell Roads, as opposed to parallel or straight-in parking, will create a safe environment that is more conducive to pedestrian use. Allowing this on-street parking in front of retail and restaurant tenants will also encourage the use of the area as a place to stroll and experience outdoor dining. Angled parking also adds convenient parking in front of the storefronts and will slow traffic through the Village.

Questions have been raised about the safety of vehicles backing out onto Agoura Road as other vehicles pass through the Village. Parking could easily be designed to address this concern. For example, 18 feet would be striped for the parking of vehicles, with an additional six feet (for a total of 24 feet) striped behind the parking space to provide an area for a vehicle to back out of the parking space and have a view of vehicles and bicycles on Agoura Road before pulling into the 12 foot wide travel lane. With this design, bicyclists would utilize the area behind the angled parking as their path of travel.

As shown on Figure 3.2 in the AVSP, in addition to parking and travel lanes, the Agoura Road street section will include a ten-foot wide center landscape median and a nine-foot wide sidewalk/furnishing zone for street lights and landscaping. Buildings will need to be set back 10 feet from the property line to provide a wider sidewalk and an area for outdoor cafes and other activities. A similar situation exists on Cornell Road, where buildings are required to be set back 12 feet from the right-of-way to provide adequate sidewalk width.

The vision for the Village is to create a pedestrian friendly environment to encourage a “park once” scenario, where people park their vehicle once and then walk through the Village to patronize the various businesses. Strategies to reduce the need for on-site vehicle parking include allowing shared parking and possibly utilizing the Los Angeles County Flood Control maintenance yard along Agoura Road as a public and/or employee parking lot. As part of the implementation phase, studies will be conducted to determine if additional public parking lots are needed in the future.

***Chapter 4 – Land Use and Development Standards:*** Chapter 4 is a very important chapter because it provides the regulations and development standards for private development that will influence how the area will develop. The chapter also addresses the maximum buildout allowed in the AVSP.

The properties located in the AVSP are divided into zones with unique allowable uses and development standards. These zones are intended to help shape the Village by regulating where certain uses are allowed and where buildings are placed. For instance, the core zones (Zones A, B and E) allow primarily retail, restaurant, service and entertainment uses, and office uses only above the ground floor. Office uses are considered to be a secondary use, since they typically do not create pedestrian activity along the street frontage. Zones D, C and F allow stand alone office use because they are located on the outer edge of the Village. The types of residential uses allowed are residential units above commercial and stand alone residential uses. Residential units are limited to attached multi-family development, such as apartments and townhouses, and are allowed in Zones A, B and E in order to integrate residential uses into the core zones to support the planned retail. Stand along residential uses also serve as a transition from commercial development to open space.

In addition to establishing unique allowable uses for each zone, Chapter 4 contains zoning plates that summarize the allowable setbacks, height, size, lot coverage, building form and parking location. The plates are intended to be utilized in conjunction with the allowable uses to help create the “village” envisioned in the AVSP.

The zoning plates establish minimum and maximum setbacks to accomplish several goals. For instance, front setbacks that allow a building to be built at the edge of the sidewalk will create a vibrant and walkable village atmosphere, and minimum side yard setbacks will help create a continuous built edge along the street. In addition to the shared parking mentioned earlier in the report, a reduction in parking for vertical mixed-use projects would be allowed. Reducing parking requirements in the AVSP will eliminate the need for large parking lots and/or structures and allow centrally located parking areas that can support multiple businesses. All projects would need to submit a parking study prepared by a licensed traffic engineer demonstrating that sufficient parking would be available.

The building height allowed in the AVSP is two stories with 35 feet maximum except for buildings that include residential units over retail or hotels, and that front Agoura, Kanan and Cornell Roads. These types of buildings are allowed three stories with a 45-foot height maximum. Allowing the additional height for residential units over retail was added as an

incentive to encourage applicants to integrate residential units into the commercial component. The AVSP does provide for additional height beyond the height limits established in the AVSP if certain findings (see Chapter 9) can be made by the Planning Commission as a recommending body and the City Council as a final decision making body. However, three stories are the maximum allowed regardless of the requested increase in building height. One finding that would need to be made to allow additional height is that the additional height will make a positive contribution to the overall character of the area and will be compatible with its surroundings.

The development standards in Chapter 4 include a maximum Floor Area Ratio (FAR – the total lot area divided by the total building square footage) of 0.35 for the net buildable area (see Exhibit B to Attachment 1 - Errata Sheet for net buildable area and maximum allowable square footages). The net buildable area excludes all of the property in Zone G. The City's Zoning Ordinance does not include a FAR requirement, so building size is determined by required setbacks, lot coverage and parking. FAR is used in the AVSP in addition to lot coverage and setbacks to provide for flexibility in building placement and height. The AVSP limits the size of a building to 30,000 square feet to ensure that the mass and scale of the building are consistent with a pedestrian oriented village. With Planning Commission approval, buildings can be increased in size up to a maximum of 60,000 square feet if the building has been designed to incorporate both vertical and horizontal building articulation and complies with the spirit and intent of the Specific Plan.

For the residential uses, the AVSP establishes a maximum number of 235 units by building type. One hundred seventy (170) stand alone town homes and/or apartments would be allowed and 65 residential units over commercial would be allowed. In addition, bonus units, including 17 units over commercial and 41 stand alone are available with the provision of an extraordinary contribution to public spaces or payment of a fee of 10 percent above the required contribution to the City's Traffic Impact Fee (TIF) fund (see Chapter 9 for details). With the bonus units, an absolute maximum of 293 units would be allowed. The additional TIF funds would be used for transportation improvements within the Village. In lieu of paying the TIF funds, an extraordinary contribution involving the construction of, or contribution to, a community center for the Village, one of the public plazas shown in the AVSP, or other significant public amenity would be allowed. If an applicant wishes to get credit for providing a public amenity, the first step would be to determine the level of required financial obligation by determining the amount of a 10 percent increase in the required TIF. These density incentives are patterned after the existing CD (Cluster Development) Overlay elsewhere in the City, and are meant to offset increases in density with additional payment of traffic fees and/or public amenities.

Numerous environmental safeguards are included in the AVSP. Grading will be governed by the City's existing hillside ordinance except for the provisions that establish dwelling density and floor area ratios, as these are addressed elsewhere in the AVSP. Natural resource protection is discussed in Chapter 4, and includes a requirement to comply with the City's existing oak tree protection ordinance. Buildings adjacent to Lindero Canyon and Medea creeks must be set back 50-100 set from the edge of riparian habitat zone, and public

hiking trails are envisioned not only along these creeks, but Chesebro Creek as well.

In order to create a pleasant and inviting environment in the Village, the AVSP requires that all projects provide public spaces equal to 15 percent of their individual net site area. These public spaces would include public plazas and courtyards, areas for outdoor dining, trails and pedestrian paths, and other public spaces.

**Chapter 5 – Design Guidelines:** This chapter provides a set of guidelines and criteria to create the “village” experience that is envisioned for the area and includes site planning and design, building design principles, and building elements and articulation. Under these broad categories, items such as building form, parking lot design, paving treatment, windows and doors, awnings, trash enclosures and signs are addressed. Some flexibility is allowed to encourage creativity and more organic development similar to how downtowns have traditionally developed. Each building or group of buildings would have a specific design unique to the function and location of the building. The goal is to not have the area look like a shopping center. The area should develop as a village with unique site design and architecture. While the design guidelines are intended to be flexible, projects will be reviewed and evaluated on how closely they demonstrate substantial compliance with the intent of the design guidelines. All projects would be subject to staff, Architectural Review Panel and Planning Commission review.

**Chapter 6 – Street Beautification and Public Improvements:** The public realm of streetscape improvements, village monuments, village gateways, street furnishings and landscape recommendations are addressed in Chapter 6. As part of the implementation (Chapter 8) of the Agoura Village Specific Plan, a way finding or signage program will be developed in the future. This will include the development of a logo for Agoura Village, which will be used at the entrances into the Village. The AVSP calls for the development of village monuments that would be placed at the primary entrances and that would be the largest and most detailed signage. These would be located at the north and south entrances on Kanan Road. Smaller village gateway signs that identify secondary entrances into the area will be placed at the west and east entry points along Agoura Road.

The street furnishing section provides details on street and sidewalk lighting, benches, trash receptacles, tree grates, planter pots, bicycle racks, paving materials and bollards planned for the area. Lastly, the landscape section provides recommendations for street trees, accent trees and shrubs and groundcovers. Figures 6.2 and 6.3 of the AVSP provide a visual representation of the types of landscaping, street furnishing and paving that would be used along Agoura Road.

**Chapter 7 – Infrastructure and Public Services:** This chapter provides a discussion of the various public services, such as water, wastewater and utilities that will serve the area, as well public safety (police and fire protection), and educational facilities.

**Chapter 8 – Plan Implementation:** The implementation chapter sets out the actions that would need to be taken to implement the AVSP. These include capital projects, such as

construction of the roundabout, street and streetscape improvements, and trails, as well as the creation of the Village logo and signage program mentioned in the discussion on Chapter 6. Other items that will need future study include a comprehensive parking management and facility program, including analyzing the potential for creating a parking district that would utilize in-lieu fees for the purpose of funding public parking facilities; the creation of a community center and public plaza in the Village; a possible trail connection under the freeway at the existing Medea Creek under crossing; and an equestrian center on Cornell Road.

Chapter 8 also identifies potential sources of funding to implement the various improvements; including funding for annual operations and maintenance costs, and outlines potential business recruitment strategies.

***Chapter 9 – Plan Administration:*** Chapter 9 discuss how projects will be processed in the Village and lists the findings that would have to be made when applicants request modifications to height, parking, building coverage, and building size standards. The chapter also discusses in detail the density bonus program that would allow applicants to request additional housing units up to the maximum allowed in the buildout table (Table 4.2 of the AVSP – see Attachment 1 Errata Sheet, Exhibit B).

All new construction planned in the AVSP area will follow a three step process. The steps include an initial concept review that will focus solely on site planning, including the creation of blocks and streets, placement of buildings, location of parking, proposed building types, design of the public realm and pedestrian and vehicle linkages between other projects existing or planned in the area. The concept review is a new process that is being implemented for the AVSP. Applicants are encouraged to complete the concept review very early in the project planning stages. Once the site planning is finalized, applicants will then go through a pre-application review and finally the submittal of a formal application. While the pre-application review, which will focus of building architecture, is an existing voluntary process offered to applicants in the City, the pre-application review will be mandatory for projects in the Village. The goal is to ensure that the project meets the vision set forth in the Agoura Village prior to the developer spending time and money on a formal application that may not meet the City’s expectations for the area. Once a formal application is submitted, the application will follow the same process that other development applications follow throughout the City.

All projects in the AVSP will need to obtain an Agoura Village Development Permit (AVDP) which will be processed in the same manner as a Conditional Use Permit. Through the AVDP, applicants will be allowed to ask for modifications to height, parking, building coverage and building size, subject to the limitations and findings outlined in Chapter 9. The Planning Commission will be the final approval body for an AVDP for all requests except a request to increase the height of a building. For requests for buildings heights in excess of the heights established in the AVSP, the Planning Commission will act as a recommending body and the City Council will be the final approval body.

Nonconforming uses, such as the existing self storage facilities, are also addressed in Chapter 9. For



the most part, nonconforming uses will be subject to the City's existing nonconforming use provisions which do not allow the expansion or modification of such uses unless they are brought into conformance with current use and development standards. However, properties that front on Agoura Road in Zone A will be allowed to add mixed-use development along Agoura Road, including retail at the ground floor, office and/or residential space above.

### **III. ENVIRONMENTAL IMPACT REPORT**

#### **A. Draft Program Environmental Impact Report and Public Comments**

A Program Environmental Impact Report (EIR) was prepared for the AVSP in accordance with the California Environmental Quality Act (CEQA) Guidelines. The EIR analyzes the potential environmental impacts resulting from implementation of the Specific Plan, and sets out mitigation measures to be employed to reduce or eliminate the potential impacts. The EIR also analyzes a reasonable range of alternatives to the proposed project. The type of EIR prepared for this project is referred to as a Program EIR. A Program EIR is typically prepared when the project involves a series of actions that can be characterized as one large project, and in which the actions are closely related either geographically or temporally. Program EIRs generally analyze broad environmental effects of the project with the acknowledgement that site-specific environmental review may be required for particular aspects or portions of the project at a later date. (The specifics of a Program EIR are discussed further below in more detail in Item B.).

The Draft Program EIR identified a series of project impacts that are divided into four categories: Class I, Class II, Class III, and Class IV. These impacts are briefly listed in the Executive Summary of the EIR (Table ES-1). Class I impacts are unavoidable adverse impacts that cannot be mitigated to a less than significant level. What this means is that after applying all feasible mitigation measures, the level of environmental impact, while lessened, is still considered to be above the level of significance.

In the Draft Program EIR, Class I impacts are identified for short-term construction air quality emissions and ongoing long-term air quality emissions associated with operation of the development projects (i.e., vehicle trips). For projects of this scale, air quality impacts are typically found to be Class I, given the strict South Coast Air Quality Management District standards.

Another Class I impact is the operation of the Agoura Road segment between Kanan and Cornell Roads at a level below the City's normally accepted LOS C standard. The DEIR states that the buildout of the Plan over many years would result in vehicle trips along the Agoura Road segment between Kanan and Cornell Roads to operate with Level of Service (LOS) D characteristics, due to traffic calming measures, such as diagonal street parking and landscaped medians. This level of service condition would probably not occur in the short-term. This impact is considered unmitigable, as circulation improvements would involve widening the road segment, thereby encouraging vehicles to quickly pass through the area. This would be inconsistent with the Specific Plan objectives of utilizing traffic calming measures to create an intimate, pedestrian-oriented village in the AVSP area.

For Class I impacts, a Statement of Overriding Considerations (SOC) per CEQA Guidelines Section 15093 is required. A SOC is a written statement explaining why an agency (City) is willing to accept each significant effect, after weighing the specific benefits and environmental disadvantages associated with the project. Please see Section III.D. below for further discussion of the SOC.

Class II impacts are significant impacts that can be mitigated to less than significant levels with incorporation of certain measures. Class III impacts are less than significant impacts. Both of these types of impacts are identified for almost all of the environmental issue areas analyzed in the DEIR. A Class IV impact is a beneficial impact. The Draft EIR identifies one beneficial aesthetic impact from implementation of the project.

## **B. Public Review of the Draft Program Environmental Impact Report**

The Draft Environmental Impact Report (DEIR) was released for public review on November 15, 2005. The official public review period began on November 15, 2005 and closed on January 3, 2006. A Notice of Availability of the DEIR for public comment was mailed to about 180 individuals/entities. These included property owners and tenants in the Agoura Village Specific Plan area boundary, public interest/non-profit groups, homeowners associations, public agencies at the local, state and federal level, and interested individuals who asked to be placed on the notification list. Notices were posted at City Hall, the Agoura Hills Library and the Los Angeles County Clerk's Office, as well as in the local newspaper. The Draft EIR was made available for review on the City's website, and at the Planning Counter at City Hall and at the Agoura Hills Library. Twenty eight comment letters were received on the DEIR, with some of the commenters providing multiple letters. Of these, thirteen were from public agencies; twelve were from community members/interest groups, the majority of which were from individuals residing outside of the City of Agoura Hills; and three (from the same individual) were written by a representative of a property owner in the AVSP area. Public comments were accepted beyond the January 3, 2006 deadline, at the request of commenters from regulatory agencies, with the last letter submitted on January 24, 2006. The most common topic themes found in the public comment letters were concerns about the following:

- Roundabout safety – driver lack of familiarity and access for emergency vehicles
- Traffic congestion
- Open space and natural resource protection, including sensitive species
- Density of commercial and residential development

**Roundabout:** Some initial comments received on the DEIR have expressed concern regarding the proposed roundabout at the Kanan Road/Agoura Road intersection, mostly from a safety standpoint (i.e., users not being familiar with roundabouts, emergency vehicles accessing the roundabout). The following discussion supplements that provided earlier in Section II. of this report.

A conceptual design of the roundabout is included in the DEIR, and shows that the design can be accommodated within the existing City right-of-way. Pedestrian crosswalks are proposed at all approaches with middle splitter islands. Pedestrian crossing would likely not be allowed to the center of the roundabout. The DEIR indicates that the roundabout would operate at a Level of Service (LOS) “A” upon Plan buildout.

The roundabout is preferable to a traditional signalized intersection at this location for the following reasons: (1) less potential for accidents, especially less serious collisions; (2) continuous flow of vehicles consuming less fuel and emitting fewer pollutants and resulting in less congestion beyond approaches (3) more aesthetically pleasing due to less pavement and ability to add special design features, creating a unique entry to the City and Agoura Village; (4) less right of way needed, resulting in less use of private property and possibly more preservation of existing oak trees. With regard to this last item, it appears that a traditional signalized intersection would require a series of turn lanes as well as through lanes, thereby requiring much more roadway width than is currently available. The issue of driver lack of familiarity will be addressed as part of a public education campaign, similar to what has occurred in other communities that have introduced roundabouts. The final design of the roundabout will ensure adequate design for emergency vehicles, and will require coordination with the County Fire Department.

**Traffic Congestion:** The DEIR states that the buildout of the Plan over many years would result in vehicle trips along the Agoura Road segment between Kanan and Cornell Roads to operate with LOS D characteristics, due to traffic calming measures, such as diagonal street parking and landscaped medians. This item was addressed previously in Item A. in the discussion of the EIR’s Class I impacts. With regard to roadway intersections, the DEIR notes that upon implementation of mitigation measures involving road and intersection improvements, all intersections in Agoura Village will be operating at least a LOS of “C,” which is the City’s standard.

**Open Space, Natural Resource, and Sensitive Species Protection:** Some commenters inquired as to why more specific plant and wildlife species surveys and impact analyses were not conducted as part of the EIR. Some also expressed concern that sensitive habitats be further protected from development. Because this is a Program EIR (see discussion below), biological data was collected from previous surveys, and additional informal field surveys were conducted as part of the EIR to verify the previous studies and assess general conditions, but more detailed parcel surveys will be conducted as individual projects are proposed for development. The Program EIR assesses potential

impacts in a broader sense, which allows comprehensive mitigation measures to be applied for the Agoura Village area as a whole. More specific requirements would likely be created for each particular development as individual project applications are submitted to the City and detailed biological studies required.

The AVSP, as well as the EIR, provides for resource and open space protection. A large portion of the Village acreage would remain as open space, particularly the areas where the most sensitive habitat and species are found. The AVSP and EIR also require creek protection and restoration programs to be developed on various parcels with such resources. The AVSP provides more protection of open space, natural resources and sensitive species through specific programs and measures than would be provided if the area were to be built out as currently allowed in the City's General Plan. The EIR provides even further protection, the details of which are now incorporated into the AVSP document.

***Development Density:*** The Plan allows for more flexibility than what is presently allowed by City zoning regulations, and calls for more unique developments than those anticipated under existing rules and procedures. It establishes appropriate land uses, urban design concepts, architectural design guidelines, and sets into place regulations to implement the vision. As shown in Figures 2-2 and 2-3 of the EIR, Projection of Full Buildout of Project Area Under Current General Plan Land Use Designations, and Maximum Buildout Potential for the AVSP, respectively, buildout of the Agoura Village as anticipated in the AVSP would result in roughly the same overall density of development than that allowed under the current General Plan. The main difference between the type and amount of development anticipated in the AVSP and General Plan is that the AVSP would allow for multi-family residential uses (apartments, townhouses) as a complement to the commercial uses. Under the current General Plan, full buildout of the Agoura Village area would result in a total of 952,970 square feet of non-residential development (an additional 580,928 square feet over what now exists). With the proposed AVSP, the full buildout would be 948,500 square feet of non-residential development (an additional 576,458 square feet beyond what currently exists), and 293 dwelling units. Under both scenarios, density is calculated using an FAR or Floor Area Ratio (total lot area over building square footage) of 0.35. This FAR was identified in the General Plan as a potential buildout scenario, and this FAR is also a reasonable maximum buildout scenario for Agoura Village, considering the types of development that are anticipated. Note, however, that the FAR is a maximum allowed; in actuality, not all of the parcels in the AVSP may be developed at this level of density, and full buildout will occur over a period of time. The primary reason for the minor difference in total square footage in the AVSP and General Plan, even with using the same FAR, is that the western portion of the AVSP area that is currently within the Ladyface Mountain Specific Plan would be allowed a slightly less amount of development under the Agoura Village Specific Plan.

Without the Specific Plan, commercial uses could continue to develop incrementally in this same area at the density allowed by the General Plan, but without the benefit of a framework to guide the development and achieve a more consistent theme and appearance throughout

the Village. With the Specific Plan, the City has a unique opportunity to help guide the pattern of development in this area in a comprehensive, not piece-meal, fashion.

Additionally, a review of the entire scope of the comments indicated a common misunderstanding of the purpose of the AVSP and the type of EIR prepared, a Program EIR. The following discussion addresses these misconceptions. Some of the commenters requested more detailed data (e.g., geotechnical and biological), as well as more detailed mitigation measures, than provided in the DEIR. As previously noted, according to Section 15168 of the California Environmental Quality Act (CEQA) Guidelines, a Program EIR is prepared for an agency program or series of actions that can be characterized as one large project. Typically, such a project involves actions that are closely related either geographically or temporally. Program EIRs generally analyze broad environmental effects of the program with the acknowledgement that site-specific environmental review may be required for particular aspects of portions of the program when those aspects are proposed for implementation. According to Section 15168(b) of the CEQA Guidelines, there are several advantages to using a Program EIR:

- Provision for a more exhaustive consideration of impacts and alternatives than would be practical in an individual EIR.
- Focus on cumulative impacts that might be slighted in a case-by-case analysis.
- Avoidance of continual reconsideration of recurring policy issues.
- Consideration of broad policy alternatives and programmatic mitigation measures at an early stage when the agency has greater flexibility to deal with them.
- Reduction of paperwork by encouraging the reuse of data (through tiering)

As noted earlier, the AVSP is the regulatory framework for future development of the Plan area, and establishes land uses, systems of circulation and parking, streetscape and other public improvements, and design and development standards. Therefore, the AVSP is not a specific development proposal. The AVSP is more detailed than the City's General Plan, which encompasses the entire City limits and so by its nature is wider in scope, but less detailed than individual development proposals are required to be when they are submitted to the Planning and Community Development Department as applications for review and consideration. While the City is preparing the AVSP to guide development in a local area, as allowed by State regulations, the City would not serve as developer of the individual parcels. There are numerous property owners in the AVSP area, and development of the AVSP area would be left to private developers and would proceed incrementally as the market dictates. There are a number of development proposals for specific parcels in the AVSP that City staff has been reviewing on an informal basis. These projects have been waiting for the AVSP process to be completed. If the AVSP is adopted and the EIR certified, the entitlement for individual development proposals would be processed for formal review as described above in the discussion of Chapter 9 in Section II. AGOURA VILLAGE SPECIFIC PLAN, similar to any other development proposal in the City. These proposals would need to be considered by the Planning Commission on a case by case basis, as separate project approvals.

The CEQA Guidelines (Section 15168(c)) state that once a Program EIR has been prepared, subsequent activities within the program (i.e., individual projects) must be evaluated to determine whether an additional CEQA document needs to be prepared. In some cases, the Program EIR may

be sufficient, and in others, an additional EIR or Negative Declaration or Mitigated Negative Declaration may be required. The City would need to evaluate the environmental impacts of each development proposal in the AVSP area as they are submitted to the City, and make such a determination. The Program EIR will be used to evaluate the individual projects. However, it is anticipated that many of the larger projects in the AVSP area would require supplemental geotechnical, biological and traffic studies that are site specific, which along with the Program EIR, will form the basis of the environmental evaluation for the particular individual project. It is at this time, when the specific details of the development proposal (site layout, grading plans, etc.) are known that specific analysis of the project and creation of more detailed project conditions can be made. So, the general mitigation measures in the Program EIR will apply to the individual projects, and more specific mitigation measures and/or project conditions of approval may be added as well. The level of environmental analysis and detail of the mitigation measures provided in the Program EIR is consistent with the CEQA Guidelines, and is the maximum feasible without knowing the precise footprint of buildings, the overall site layout, and the details contained in grading, engineering, and architectural plans. Therefore, the Program EIR is not the last CEQA review that a development proposal in the AVSP area will undergo.

### **C. Final Program Environmental Impact Report**

Upon the close of the public comment period on the Draft EIR, City staff, with the assistance of the City's EIR consultant, reviewed each comment submitted to the City and prepared a written response to each comment. The Final EIR document consists of the Draft EIR, all of the public comment letters on the Draft EIR, and responses to the items raised in these letters (see Volume II, Appendix G), as well as all technical appendices and the Mitigation Monitoring and Reporting Program that ensures proper implementation of the required mitigation measures. Any necessary changes to the EIR based on the public comments have been incorporated into the EIR text (Volume I) to form the Final EIR. Brackets in the margins of the Final EIR identify portions of the text that have changed. Additionally, the responses to the individual comments note where changes to the text have occurred. The revisions made to the EIR and the AVSP as a result of the public comments are minor and do not constitute significant new information added to the documents as defined in the CEQA Guidelines Section 15088.5. Therefore, recirculation of the EIR was not required per CEQA.

The most notable changes to the Draft EIR that are found in the Final EIR include the following:

- *Elimination of Class I impact LU-3 in Section 4.8 Land Use and Planning, relating to inconsistency with General Plan Circulation Element policy to maintain a LOS C or better at intersections.*
- *Elimination of Class I impact T-2 in Section 4.11 Traffic and Circulation, relating to a LOS below C for the Kanan Road/U.S. 101 Southbound Ramps intersection.*
- *Addition to Mitigation Measures BIO-1(a), BIO-2(b) and BIO-2(c) in Section 4.3 Biological Resources to state that avoidance of biologically sensitive areas is the preferred approach, and only if avoidance is infeasible may restoration plans be implemented as compensation.*
- *Correction to Figure 2-4 (and corresponding Figure 4.2 in the AVSP) to move the northerly limits of Zone G on the property at the southwest corner of Kanan and Agoura Roads to the*

*northerly edge of Lindero Canyon Creek to ensure protection of the habitat in this area.*

The first two items are related. The Draft EIR identified a significant unavoidable traffic impact for the Kanan Road/U.S. 101 Southbound Ramps intersection at buildout of the Agoura Village area. The Draft EIR noted that there were no feasible mitigation measures to reduce this impact. However, upon further analysis, additional measures were identified that could feasibly be implemented, which include primarily re-striping of the lanes to accommodate additional lanes at a narrower width. These are detailed in Mitigation Measure T-2(g) on page 4.11-26 of the Final EIR. With these measures, the resulting LOS would be "C." Therefore, the impact is now a Class II, significant and mitigable. Consequently, the Class I land use impact regarding inconsistency with the policy to maintain a LOS C or better at intersections, is no longer an impact since the intersection is now anticipated to operate at LOS C with the mitigation measures, not less than LOS C as previously expected. Therefore, the Class I impact LU-3 is changed to a Class III, less than significant for Land Use Element policies (pertaining to different issues), and there is no impact with regard to Circulation Element policies.

The third bullet indicates that some of the mitigation measures in the Biological Resources section of the EIR have been augmented to *require* the avoidance of sensitive plants, Valley Needlegrass Grassland, and Southern Arroyo Willow Riparian Forest as the first priority. Only if avoidance is shown to be infeasible may the resources be disturbed providing a restoration program is developed to compensate for the loss of the species and/or habitat. The previous text indicated that avoidance is *preferable*. The revisions are more restrictive and further encourage applicants to avoid the resources unless clearly not possible.

In the Draft EIR, the boundary of Zone G (Figure 2.4) was drawn south of Lindero Canyon Creek. While no development was anticipated in the area south of the creek, and the project that is conceptually being proposed in the vicinity includes preserving this area, to further ensure that no development occurs here, the Zone G line has been moved to just north of the creek. Similarly, this same map (Figure 4.2) in the AVSP will be changed to reflect the increase in Zone G in this area. Zone G refers to the open space zone in the AVSP. (Please refer to Attachment 1, Exhibit A for the revised map).

On March 30, 2006, a copy of the full set of comments and the corresponding responses was mailed to each individual, agency or entity that provided comments on the Draft EIR, along with information on how to obtain a full copy of the Final EIR. A copy of the Final EIR is available online on the City's website, as well as available at the Planning Counter at City Hall and at the Agoura Hills Library. Notices of this public hearing and availability of the Final EIR and AVSP were posted at City Hall and the Library and published in the local newspaper. Such notices were also mailed to all property owners and tenants in the Agoura Village Specific Plan area boundary, property owners within a 750-foot radius of the Specific Plan boundary, public interest/non-profit groups, homeowners associations, public agencies at the local, state and federal level, and interested individuals who asked to be placed on the notification list. For informational purposes, the Public Resources Code Section 21092.5(a) requires that the City provide responses to all comments received at least ten days prior to certifying the Final EIR. The responses were provided about three weeks in advance of this hearing.

#### **D. Statement of Overriding Considerations**

As previously noted, a Statement of Overriding Considerations (SOC) will be necessary for the Final EIR, since there are two Class I impacts identified in the Final EIR. These are impacts for which mitigation measures have been incorporated to the extent feasible, but which are still not mitigable to a less than significant level. Per CEQA Section 15093, the City is required to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve a project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.” When the lead agency (City) approves a project that will result in the occurrence of significant effects that are identified in the Final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the Final EIR. As noted below in Section III. ACTIONS NECESSARY TO APPROVE THE AVSP AND CERTIFY THE EIR, Attachment 2 is the Resolution recommending that the City Council adopt a SOC, in addition to other actions related to the EIR and the AVSP. Section 12 of this Resolution outlines a series of benefits of the AVSP that outweigh each unavoidable adverse (Class I) environmental effect of the project. As such, Staff recommends that the Planning Commission recommend that the City Council adopt a SOC for the Final EIR. Moreover, the EIR has determined that none of the project alternatives analyzed in the EIR fully accomplishes the goals and objectives of the project.

#### **IV. ACTIONS NECESSARY TO APPROVE THE AVSP AND CERTIFY THE EIR**

In order to implement the AVSP, the Planning Commission would need to take a series of actions. Since many of the actions are legislative in nature, the Planning Commission would be the recommending body and the City Council would be the final approving body. The City Council will consider the AVSP, EIR and the Planning Commission’s recommendation at a separately noticed public hearing. The following is a list of the Resolutions that the Planning Commission is being asked to consider:

##### **A. Certify the Final EIR, Make Environmental Findings per CEQA Adopt the SOC, Adopt the MMRP; Adopt the AVSP**

Exhibit 2 is the Resolution of the Planning Commission recommending that the City Council certify the Program Environmental Impact Report for the Agoura Village Specific Plan; make environmental findings pursuant to the California Environmental Quality Act; adopt a Statement of overriding Considerations; adopt a Mitigation Monitoring and Reporting Program; and adopt the Agoura Village Specific Plan. The City must certify the Final EIR prepared for the AVSP. According to the CEQA Guidelines, certification consists of three steps. Prior to approving a project, the lead agency must certify that: (1) the Final EIR was completed in compliance with CEQA; (2) the Lead Agency (City) reviewed and considered the Final EIR before approving the project; and (3) the Final EIR reflects the agency’s independent judgment and analysis. (Section 15090(a)).



CEQA Guidelines Section 15091 requires written findings to support an agency's approval of the project. The findings must be supported by substantial evidence in the record. The following two findings are necessary.

- Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environment effect as identified in the Final EIR.
- Specific economic, legal, social, technological or other considerations make infeasible the mitigation measures or project alternatives. (CEQA Guidelines, Section 15091).

The Resolution addresses the first finding by summarizing the impacts identified in the EIR and briefly describing the mitigation measures required to reduce the impacts to a level of less than significant.

The latter finding relates to the Statement of Overriding Considerations (SOC). If there remain significant environmental effects even with the adoption of all feasible mitigation measures or alternatives, the agency (City) must adopt a SOC before it can proceed with the project. The SOC was discussed in detail above, and the actual SOC text is provided in the attached Resolution.

CEQA Guidelines Section 15097 requires an approving agency to adopt a Mitigation Monitoring and Reporting Program (MMRP) for measures needed to avoid or lessen a project's significant effects. The purpose of such a program is to ensure that mitigation measures identified in the EIR are implemented by listing the measures, the timeframe for their implementation, and the entity responsible for ensuring that they are carried out. These measures then become project conditions of approval for each development project proposed in the future in the Agoura Village area.

The last item in this Resolution is to adopt the AVSP. Prior to adoption, the City must find that the Specific Plan is consistent with the City's General Plan. The attached Resolution describes how the AVSP is consistent with various policies in the relevant elements of the General Plan.

## **B. Zone Change**

Attachment 3 is a Resolution that the Planning Commission recommend that the City Council approve a zoning map change in the Agoura Village area from the various existing six designations to one designation of "Specific Plan" (SP).

## **C. Zoning Ordinance Amendment**

Attachment 4 is a Resolution that the Planning Commission recommend that the City Council approve a Zoning Ordinance Amendment to delete Chapter 5, Part 9 of the Zoning Ordinance, Agoura Village Overlay District Sections 9581-9584.6. As noted in this report in Item B. above, the "Agoura Village Overlay District" zone would be removed for this area and replaced with "Specific Plan." Sections 9496-9499 of the Zoning Ordinance currently apply to the "Specific

Plan” zone, and no changes to this section are necessary to accommodate the proposed “Specific Plan” designation for the Agoura Village area.

#### **D. General Plan Amendment**

Attachment 5 is a Resolution that the Planning Commission recommend that the City Council approve a General Plan Amendment to change land use maps in the General Plan to reassign the four current various land use designations in the Agoura Village area to “Agoura Village Specific Plan” (AVSP). The Resolution states that any property currently designated Restricted Open Space (OS-R) is subject to Ordinance No. 99-300, which requires voter approval to change the parcel to non-open space uses. Redesignating these existing open space parcels to AVSP would not change the requirements of the Ordinance. Therefore, these particular parcels would be protected as open space, as they currently are by Ordinance No. 99-300, and the AVSP designation would not change this provision.

In several places in the General Plan, revisions would need to occur to fully reference the AVSP designation in the figures, tables and text as necessary during the General Plan update process, currently underway. Until such process is complete and to ensure that there are no inconsistencies between the General Plan and the Agoura Village Specific Plan, staff would be directed by the City Council to interpret the General Plan in conformance with the Agoura Village Specific Plan.

#### **E. Ladyface Mountain Specific Plan**

The parcel at the southwestern corner of the Agoura Village Specific Plan area (specifically beginning at the southwest corner of Kanan and Agoura Roads and proceeding southerly and westerly) is actually within the Ladyface Mountain Specific Plan area. The Ladyface Mountain Specific Plan, adopted in 1991, is the only other Specific Plan in the City. Adoption of the Ladyface Mountain Specific Plan went through the same adoption process as the AVSP.

Attachment 6 is a Resolution of the Planning Commission recommending that the City Council approve a Specific Plan Amendment to remove the parcel at the southwestern corner of Kanan and Agoura Roads from the Ladyface Mountain Specific Plan and place it within the Agoura Village Specific Plan area boundaries. No other changes to the Ladyface Mountain Specific Plan are necessary. This parcel is one of the four corners of the Kanan and Agoura Roads intersection, which is a gateway into the Agoura Village area; all other corner parcels at this intersection are within the Agoura Village Specific Plan.

## ATTACHMENTS

1. Agoura Village Specific Plan Errata Sheet
2. Resolution Regarding Certifying the Program Environmental Impact Report for the Agoura Village Specific Plan; Making Environmental Findings Pursuant to the California Environmental Quality Act; Adopting a Statement of Overriding Considerations; Adopting a Mitigation Monitoring and Reporting Program; and Adopting the Agoura Village Specific Plan.
3. Resolution Regarding Zone Change
4. Resolution Regarding Zoning Ordinance Amendment
5. Resolution Regarding General Plan Amendment
6. Resolution Regarding Ladyface Mountain Specific Plan Amendment

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