

with relevant local, state, and federal regulations. This is a *less-than-significant* (Class II) impact.

Impact 4.3-5 Development under the General Plan Update could conflict with local policies and ordinances protecting biological resources, including oak trees and existing SEAs; however, these impacts would be reduced to less-than-significant levels through the implementation of the General Plan Update goals and policies and compliance with relevant local, state and federal regulations. This is a *less-than-significant* (Class II) impact.

PROPOSED PROJECT

As indicated above, all biological impacts were found to be less than significant through implementation of the goals and policies of the General Plan, particularly those in Chapter 4 Natural Resources. The proposed Subarea 5 Project would be consistent with these goals and policies, particularly those listed below which are applicable to the project, and would not alter any of the goals and policies of the General Plan.

Goal NR-4: Natural Areas. Protection and enhancement of open space resources, other natural areas, and significant wildlife and vegetation in the City as an integral component of a sustainable environment.

Policy NR-4.2. Continue to enforce the ordinances for new and existing development in the City's hillside areas, such that development maintains an appropriate distance from ridgelines, creek and natural drainage beds and banks, oak trees, and other environmental resources, to prevent erosion, preserve viewsheds, and protect the natural contours and resources of the land.

Policy NR-4.10. Continue to sustain the City's oak trees, which are an integral part of the character of the City, and continue to plant and maintain these trees in a manner that will allow them to mature and thrive.

(Implementation Measure NR-6: The City shall continue to implement the City's Oak Tree Preservation Guidelines in the Zoning Code).

Most of Subarea 5 is currently developed with urban uses, although there are three vacant infill parcels, two of which previously contained structures that have since been demolished. Subarea 5 is surrounded by urban development on the north (including U.S. Highway 101), east and west sides, and by Agoura Road on the south, beyond which is currently vacant land consisting of the foothills of Ladyface Mountain in the Santa Monica Mountains, proposed for development under the Agoura Village Specific Plan. Drainage from Subarea 5 is conveyed to its outlet at Lindero Canyon Creek via an underground concrete channel, and vegetation in the project area is limited to mostly ornamental trees and shrubs, but also some invasive non-native plant species, as well as native oak trees, especially on the remaining vacant parcels.

There is no known riparian and/or wetland habitat, nor sensitive plant communities or special species habitat, in the project area. No known sensitive wildlife or vegetative species are known in the area, and, given the lack of native habitat, are not expected to occur. With the primarily urban development of Subarea 5, and the location of the freeway that serves as a physical barrier, the area is not considered one for the movement of native resident and migratory wildlife species. The nearest wildlife corridor, as identified in the General Plan, is located about two miles east of the project area near Liberty Canyon Road and U.S. Highway 101, and there are no wildlife nursery sites in or adjacent to the City of Agoura Hills. Given the urban setting of the project area, many of the goals and policies related to wildlife and natural habitat are not applicable to Subarea 5, with the exception of those related to preservation of oak trees.

The Subarea 5 Project creates the regulatory framework for a planned commercial/light industrial and mixed-use development district in an already primarily developed and underutilized land use area, which has been identified in the General Plan for urban mixed-use development. The Subarea 5 Project and is not a specific development proposal. As each future development proposal in Subarea 5 is submitted to the City, separate from the currently proposed project, the City would review the project per CEQA, and, for those vacant parcels, require site-specific evaluation of the development's impacts to potential biological resources, including oak trees, as necessary. Depending on the particular development proposal, an oak tree report and permit, pursuant to the City's Oak Tree Preservation Ordinance, may be required, with protective measures and/or compensation for oak tree loss required as part of individual project approval according to the City's Oak Tree Preservation Ordinance.

Therefore, the proposed Subarea 5 Project would not result in new or more severe impacts to biological resources beyond what was addressed in the FEIR, and there would be no change to the conclusions of the FEIR with regard to biological resources.

3.4 CULTURAL RESOURCES

PREVIOUSLY IDENTIFIED IMPACTS IN THE GENERAL PLAN FEIR

The following less than significant impacts were identified for cultural resources:

- Impact 4.4-1 Construction activities associated with implementation of the General Plan Update could cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the CEQA Guidelines. However, with implementation of the General Plan Update goals and policies, as well as compliance with relevant local, state and federal regulations, these changes would result in a *less-than-significant* (Class II) impact.

Impact 4.4-2 Construction activities associated with implementation of the General Plan Update could disturb any human remains, including those interred outside of formal cemeteries. However, with implementation of the General Plan Update goals and policies, as well as compliance with local, state and federal regulations, these activities would result in a *less-than-significant* (Class II) impact.

The following significant and unavoidable impact was identified for cultural resources:

Impact 4.4-3 Implementation of the General Plan Update could cause a substantial adverse change in the significance of a historical resource. This is a *significant and unavoidable* (Class I) impact.

PROPOSED PROJECT

The project site is not known to contain any significant archaeological or historical resources. However, there are at least three recorded archaeological sites in the general vicinity of Subarea 5, which are located south of Agoura Road. Agoura Road forms the southern border of Subarea 5.

The Subarea 5 Project does not propose to change any General Plan goals and policies established to protect cultural resources, and would be consistent with all relevant listed goals and policies, particularly the following which are briefly summarized below.

Goal HR-3: City that Recognizes Its Prehistoric Resources. The protection of significant archaeological and paleontological resources in Agoura Hills.

Policy HR-3.1. Require that the potential for the presence of significant archaeological and paleontological resources be considered prior to the development of a property.

Policy HR-3.2. Require that significant archaeological and paleontological resources be preserved in-situ, as feasible. When avoidance of impacts is not possible, require data recovery mitigation for all significant resources. Require that data excavation of deposits of Native American origin be coordinated with and monitored by recognized Chumash representatives.

Policy HR-3.3 Require that if human remains or funerary objects are discovered and unearthed during any soil disturbing activity, the discoveries shall be treated in compliance with applicable state and federal laws, including notifying the California Native Heritage Commission, as appropriate, and following relevant procedures.

Subarea 5 has been identified in the General Plan for urban mixed-use development. The project does not involve a particular development proposal or entitlement, but is a regulatory change, consisting of a ZOA, ZC and GPA, as well as an AD SG Amendment, as opposed to the PD

district, to carry out the General Plan goals and policies for Subarea 5. As a result, the project would not directly affect cultural resources. As each future development proposal in Subarea 5 is submitted to the City, separate from the currently proposed project, site-specific evaluation of the potential for cultural resources would occur as part of the application and CEQA review process, as appropriate.

While much of the project area is built out, there still remains the potential for cultural resources to be uncovered as vacant parcels are developed and other parcels are redeveloped. The Subarea 5 Project does not propose any actions that would create any new impacts not addressed in the FEIR, as the project area has already been identified in the General Plan for urban mixed-use development, nor would it worsen impacts identified in the FEIR. There would be no change to the conclusions of the FEIR with regard to cultural resources.

3.5 GEOLOGY AND SOILS

PREVIOUSLY IDENTIFIED IMPACTS IN THE GENERAL PLAN FEIR

The following less than significant impacts were identified for geology and soils:

- Impact 4.5-1** Future development under the General Plan Update would not expose people and/or structures to potentially substantial adverse effects, including the risk of loss, injury, or death, involving fault rupture, strong seismic ground shaking and/or seismic-related ground failure, including liquefaction. Although seismic ground shaking would occur during major earthquakes, typical of the region, compliance with applicable state and City regulations, and the General Plan Update goals and policies would reduce the potential impacts of vibration and associated ground failures to *less-than-significant* levels in the City (Class II).
- Impact 4.5-2** Implementation of the General Plan Update would not result in substantial soil erosion and the loss of topsoil, as future development in the City would comply with applicable state and City regulations and General Plan Update goals and policies. This is a *less-than-significant* impact (Class II).
- Impact 4.5-3** Implementation of the General Plan Update could be located on a geologic unit or soil that is unstable or would become unstable and potentially result in on- or off-site landslides, lateral spreading, subsidence, or collapse. However, adherence to the General Plan Update goals and policies and City, state, and federal regulations would result in a *less-than-significant* impact (Class II).
- Impact 4.5-4** Implementation of the General Plan Update could be located on expansive soils, as defined in Table 18-1-B. However, adherence to General Plan goals and

policies, and City, state, and federal regulations would result in a *less-than-significant* impact (Class II).

PROPOSED PROJECT

The Subarea 5 Project does not propose to change any General Plan goals and policies established to protect against geologic hazards, and would be consistent with all relevant listed goals and policies, particularly the following which are briefly summarized below.

Goal S-2: Protection from Geologic Hazards. Minimized adverse effects to residents, public, and private property, and essential services caused by seismic and geologic hazards.

Policy S-2.2. Require geotechnical investigations to determine the potential for ground rupture, ground shaking, and liquefaction due to seismic events, as well as expansive soils and subsidence problems on sites, including steep slopes, where these hazards are potentially present.

Subarea 5 has been identified in the General Plan for urban mixed-use development. While much of the project area is built out, there still remains the potential to encounter geologic hazards as vacant parcels are developed and other parcels are redeveloped.

The project does not involve a particular development proposal or entitlement, but is a regulatory change, consisting of a ZOA, ZC and GPA, as well as an AD SG Amendment, as opposed to the PD district, to carry out the General Plan goals and policies for Subarea 5. As a result, the project would not directly affect geology and soils. As each future development proposal in Subarea 5 is submitted to the City, separate from the currently proposed project, site-specific evaluation of the potential for geologic hazards would occur as part of the application and CEQA review process, as appropriate.

The Subarea 5 Project does not propose any actions that would create any new impacts not addressed in the FEIR, as the project area has already been identified in the General Plan for urban mixed-use development, nor would it worsen impacts identified in the FEIR. There would be no change to the conclusions of the FEIR with regard to geology and soils.

3.6 HAZARDS AND HAZARDOUS MATERIALS

PREVIOUSLY IDENTIFIED IMPACTS IN THE GENERAL PLAN FEIR

The following less than significant impacts were identified for hazards and hazardous materials:

- Impact 4.6-1** Implementation of the General Plan Update could result in an increase in the overall routine transport, use, storage, and disposal of hazardous materials within the City. However, with the implementation of the General Plan Update goals and policies, and compliance with local, state, and federal regulations, hazards related to the routine transport, use, storage, or disposal of hazardous materials would be a *less-than-significant* impact (Class II).
- Impact 4.6-2** Implementation of the General Plan Update could result in a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials to the environment. However, the implementation of the General Plan Update goals and policies, and compliance with local, state, and federal regulations, hazards related to the accidental release of hazardous material into the environment would be a *less-than-significant* impact (Class II).
- Impact 4.6-3** Implementation of the General Plan Update has the potential to emit hazardous emissions or result in the handling of hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school. However, adherence to local, state, and federal regulations, as well as the General Plan Update goals and policies would result in a *less-than-significant* impact (Class II).
- Impact 4.6-4** Implementation of the General Plan Update could place uses on a site that is included in a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; however, it would not result in a significant hazard to the public or the environment, since projects would need to adhere to General Plan Update goals and policies, as well as local, state and federal requirements for remediation and cleanup. This is a *less-than-significant* impact (Class II).
- Impact 4.6-5** Implementation of the General Plan Update could expose people or structures to the risk of loss, injury, or death involving wildland fires; however, with the implementation of the fire hazard policies in the Community Safety Chapter of the General Plan Update, this impact would be *less-than-significant* (Class II).

The Subarea 5 Project does not propose to change any General Plan goals and policies established to protect against hazards and hazardous materials, and would be consistent with all relevant listed goals and policies, particularly the following which are briefly summarized below.

Goal S-2: Protection from Geologic Hazards. Minimized adverse effects to residents, public, and private property, and essential services caused by seismic and geologic hazards.

Policy S-2.2. Require geotechnical investigations to determine the potential for ground rupture, ground shaking, and liquefaction due to seismic events, as well as expansive soils and subsidence problems on sites, including steep slopes, where these hazards are potentially present.

PROPOSED PROJECT

Subarea 5 has been identified in the General Plan for urban mixed-use development. While much of the project area is built out, there still remains the potential to encounter hazardous materials and other hazards as vacant parcels are developed and other parcels are redeveloped. Current and future businesses could use hazardous materials/substances, or contain hazardous waste. Additionally, Subarea 5, like the entire City of Agoura Hills is located in a Very High Fire Hazard Severity Zone per the County of Los Angeles Fire Department.

The project does not involve a particular development proposal or entitlement, but is a regulatory change, consisting of a ZOA, ZC and GPA, as well as an AD SG Amendment, as opposed to the PD district, to carry out the General Plan goals and policies for Subarea 5. As a result, the project would not directly affect hazards and hazardous materials. As each future development proposal in Subarea 5 is submitted to the City, separate from the currently proposed project, site-specific evaluation of the potential for hazards and hazardous materials would occur as part of the application and CEQA review process, as appropriate.

The Subarea 5 Project does not propose any actions that would worsen impacts identified in the FEIR or create any new impacts not addressed in the FEIR, as the project area has already been identified in the General Plan for urban mixed-use development, which could involve the use of hazardous materials/substances, generate hazardous waste or present other hazards. The proposed ZOA, ZC and GPA, as well as the AD SG Amendment, would not change this potential. Therefore, there would be no change to the conclusions of the FEIR with regard to hazards and hazardous materials.

3.7 HYDROLOGY AND WATER QUALITY

PREVIOUSLY IDENTIFIED IMPACTS IN THE GENERAL PLAN FEIR

The following less than significant impacts were identified for hydrology and water quality:

Impact 4.7-1 Development under the General Plan Update could result in an increase in pollutants in stormwater and wastewater. However, with compliance with General Plan Update policies and local, state, and federal regulations, water quality standards and waste discharge requirements would not be violated. Impacts would be considered *less than significant* (Class II).

- Impact 4.7-2** Development of the General Plan Update could create additional impervious surfaces, which could interfere with groundwater recharge. However, development would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge, given the anticipated minimal effects from construction and development on the groundwater basin and adherence to General Plan Update policies. Therefore, impacts would be *less than significant* (Class II).
- Impact 4.7-3** Development under the General Plan Update would not alter the course of a stream or river, but could alter the existing drainage pattern of portions of the City and potentially result in erosion and siltation. However, adherence to General Plan Update policies and local, state, and federal regulations would reduce impacts to *less than significant* (Class II) levels.
- Impact 4.7-4** Development under the General Plan Update could alter the existing drainage pattern of the City and potentially result in increased downstream flooding through the addition of impervious surfaces, exceeding the capacity of existing or planned stormwater drainage systems, or providing substantial additional sources of polluted runoff. However, adherence to General Plan Update policies, and local, state and federal regulations would reduce impacts to *less than significant* (Class II) levels.
- Impact 4.7-5** Increases in stormwater runoff could require expansion of existing or construction of new storm drain facilities, the construction of which could result in significant environmental effects. However, compliance with General Plan Update policies and local, state, and federal regulations would reduce impacts to a *less than significant* (Class II) level.
- Impact 4.7-6** Development under the General Plan Update could place housing within a 100-year flood zone. However, adherence to General Plan Update policies and local, state and federal regulations would reduce impacts to *less than significant* (Class II) levels.
- Impact 4.7-7** Development under the General Plan Update could place structures within a 100-year flood zone, but not in a manner that would substantially impede or redirect flows. Adherence to General Plan Update policies and local, state, and federal regulations would reduce impacts to *less than significant* (Class II) levels.
- Impact 4.7-8** Development under the General Plan Update could expose people and structures to flood risks. However, adherence to General Plan Update policies

and local, state, and federal regulations would reduce impacts to *less than significant* (Class II) levels.

PROPOSED PROJECT

The Subarea 5 Project does not propose to change any General Plan goals and policies established to protect water quality and drainage courses, and to protect against flood hazards and impacts from expansion of new storm drain facilities. The project would be consistent with all relevant listed goals and policies, particularly the following which are briefly summarized below.

Goal S-1: Protection from Flood Hazards. Residents, workers, and visitors that are protected from flood hazards.

Policy S-1.2. Require new development to upgrade storm drains to handle the increased runoff generated from the development sites.

Policy S-1.7. Require that new development incorporates sufficient measures to mitigate flood hazards, including the design of on-site drainage systems linking with the citywide storm drainage, grading of the site so that runoff does not impact adjacent properties or structures on the site, and elevation of any structures above any flooding elevation.

Goal U-3: Stormdrain System. Stormwater drainage facilities and services that are environmentally sensitive, accommodate growth, and protect residents, businesses, and property.

Policy U-3.3. Require developers to prepare watershed drainage plans and studies for proposed developments that define needed drainage improvements per City standards.

Policy U-3.5. Require new development to protect the quality of water bodies and natural drainage systems through site design, stormwater treatment, and best management practices (BMPs) consistent with the City's NPDES permit.

Policy U-3.6. Encourage the construction of bioswales in new development to minimize storm water run-off.

Goal NR-6: Water Quality. Protection of the water quality of local watersheds and groundwater resources.

Policy NR-6.2. Design trails, landscaped areas, and other open space areas in development projects to capture stormwater runoff and percolate into the groundwater basin, to the extent feasible.

Policy NR-6.3. Encourage maximizing permeable surfaces for new or substantially renovated public, institutional, residential, and commercial projects.

Policy NR-6.7. The City shall control sources of pollutants and improve and maintain urban runoff water quality through stormwater protection measures consistent with the City's National Pollution Discharge Elimination System (NPDES) Permit.

Policy NR-6.8. The City shall require new development to protect the quality of waterbodies and natural drainage systems through site design, stormwater treatment, and best management practices (BMPs) consistent with the City's NPDES Permit.

PROPOSED PROJECT

Subarea 5 has been identified in the General Plan for urban mixed-use development. Much of the project area is built out, and the remaining parcels are infill. There is an underground concrete stormwater channel maintained by the County of Los Angeles that serves Subarea 5. New development would connect with this existing system. There are no natural drainage courses within Subarea 5, and so there would be no potential to adversely alter drainage courses. Subarea 5 is located within Zone "X" which is outside of the 0.2 percent annual chance of flood (FIRM, Map No. 06037C1244F, FEMA 9/08), and so impacts with regard to flooding are not a significant concern.

In any case, the project does not involve a particular development proposal or entitlement, but is a regulatory change, consisting of a ZOA, ZC and GPA, as well as an ADSG Amendment. As a result, the project would not directly affect hydrology and water quality. As each future development proposal in Subarea 5 is submitted to the City, separate from the currently proposed project, site-specific evaluation of the potential for hydrology and water quality impacts would occur as part of the application and CEQA review process, as appropriate. For example, development could increase storm water runoff that could in turn cause additional pollution concerns, if not addressed through application of the General Plan goals and policies. All development projects in the City are required to comply with the City's National Pollution Discharge Elimination System (NPDES) permit, which may include preparation of a Stormwater Pollution Prevention Plan (SWPPP) for the construction period, and/or a Standard Urban Stormwater Mitigation Plan (SUSMP) for the life of the project. Additionally, development projects would be required to comply with all relevant General Plan policies and goals related to hydrology and water quality, as listed above.

The Subarea 5 Project does not propose any actions that would worsen impacts identified in the FEIR or create any new impacts not addressed in the FEIR related to hydrology and water quality, as the project area has already been identified in the General Plan for urban mixed-use development. Therefore, there would be no change to the conclusions of the FEIR with regard to hydrology and water quality by implementing the Subarea 5 Project.

3.8 LAND USE AND PLANNING

PREVIOUSLY IDENTIFIED IMPACTS IN THE GENERAL PLAN FEIR

The following less than significant impact was identified for land use and planning:

Impact 4.8-1 Implementation of the General Plan Update would not physically divide an established community as the General Plan Update provides for strategic growth to preserve existing neighborhoods and focus new development in areas that are currently vacant or underutilized. This is a *less than significant* (Class II) impact.

PROPOSED PROJECT

The Subarea 5 Project implements the General Plan, and therefore is consistent with the following goals and policies related to land use and planning:

Goal LU-24: Mixed Use Center. Cohesive and integrated redevelopment of the properties as a center of community commerce and living with a distinct community identity that transitions from and complements the uses and development character of Agoura Village.

Policy LU-24.1. Allow for a mix of uses and development densities that provide economic value, inducing the re-use and transformation of the existing fragmented uses and buildings into a well-planned and designed center.

Policy LU-24.2. Allow for the development of a diversity of uses including retail, office, commercial recreation, entertainment, and residential. Housing units shall be permitted on inclusion in and adoption of a special planning document, as stipulated by Policy LU-24.6.

Policy LU-24.3. Consider the development of an internal street and sidewalk network that breaks up the block into a smaller street grid, promoting pedestrian activity.

Policy LU-24.4. Promote the development of shared parking facilities and a network of attractively landscaped internal walkways with public amenities, to the extent feasible, in consideration of parcel configuration and the street network.

Policy LU-24.5. Require that new buildings, pedestrian walkways, and open spaces be located and designed to promote connectivity internally and with adjoining land uses, including Agoura Village.

Policy LU-24.6. Require the preparation of a specific plan, master plan, design guidelines, or other regulatory document that provides for the cohesive development of the properties, addressing land uses to be permitted, density, street and sidewalk network, building heights and setbacks, architectural design principles, parking facilities, streetscape and landscape guidelines and standards, implementation actions and responsibilities, and other pertinent

elements. In the interim, allow the development of uses consistent with the Business Park – Manufacturing designation.

The Subarea 5 Project specifically carries out the following General Plan implementation measure (LU-19):

The City shall prepare and implement a specific plan, master plan, design guidelines or other regulatory document for the Planned Development District west of Kanan Road and north of Agoura Road (Community Subarea 5 on Figure LU-3) to create a cohesive and integrated redevelopment of the properties with a mix of uses and development densities to provide economic value. The document shall address permitted land uses; density; streets and sidewalks to promote pedestrian activity internally and connecting to adjacent uses, such as Agoura Village; building heights and setbacks; architectural design principles; parking, including possibility of shared parking; streetscape and landscape guidelines and standards and amenities; implementation actions and responsibilities and other necessary elements. Prior to adoption of such a document, the development of uses in this subarea shall be consistent with the Business Park – Manufacturing designation and the Zoning Ordinance.

The Subarea 5 Project does not propose any actions that would worsen impacts identified in the FEIR or create any new impacts not addressed in the FEIR related to land use and planning, as the project area has already been identified in the General Plan for urban mixed-use development, and the project directly implements the land use and planning goals and policies identified in the General Plan for Subarea 5. The project would serve to unify and create cohesiveness among the various properties in Subarea 5, and so would not create physical division. Therefore, there would be no change to the conclusions of the FEIR with regard to land use and planning by implementing the Subarea 5 Project.

3.9 NOISE

PREVIOUSLY IDENTIFIED IMPACTS IN THE GENERAL PLAN FEIR

The following less than significant impacts were identified for noise:

Impact 4.9-1 Construction activities associated with the General Plan Update would generate noise levels that exceed the noise standards established by the City of Agoura Hills Noise Standards. However, this impact would be temporary and subject to the requirements of the City Municipal Code. This is a *less-than-significant* (Class II) impact.

- Impact 4.9-2 Operation of the General Plan Update would generate and expose sensitive receptors on- or off-site to excessive groundborne vibration or groundborne noise levels. This is a *less-than-significant* (Class II) impact.
- Impact 4.9-3 Operation of the proposed project would generate increased local traffic volumes that would cause a permanent increase in ambient noise levels in the project vicinity. However, the proposed project will result in a *less-than-significant* (Class II) impact.
- Impact 4.9-4 Construction activities associated with the proposed project would result in a temporary or periodic increase in ambient noise levels. This is a *less-than-significant* (Class II) impact.
- Impact 4.9-5 Operation of the General Plan Update would result in temporary or periodic increases in ambient noise levels. This is a *less-than-significant* (Class II) impact.

The following significant and unavoidable impacts were identified for air quality:

- Impact 4.9-6 Implementation of the General Plan Update would generate noise levels that exceed the noise standards established by the City of Agoura Hills Noise Regulations. This is a *significant and unavoidable* (Class I) impact.
- Impact 4.9-7 Construction activities associated with the General Plan Update could generate or expose persons or structures to excessive Groundborne vibration. This is a *significant and unavoidable* (Class I) impact.

PROPOSED PROJECT

The Subarea 5 Project implements the General Plan, and the same proposed land uses were analyzed in the General Plan FEIR for potential noise impacts. Therefore, the Subarea 5 Project would cause no impacts regarding noise that haven't been addressed in the FEIR. The project is not a specific development proposal; however, future development would be subject to the following General Plan goals and policies related to noise, and the Subarea 5 Project would be consistent with these as well:

Goal N-1: Land Use Conflicts. Minimized land use conflicts between various noise sources and other human activities.

Policy N-1.1. Require noise mitigation for all development where the projected noise levels exceed those shown in Table N-2 (Interior and Exterior Noise Standards), to the extent feasible.

Policy N-1.2. Require buildings and sites to be designed such that surrounding noise sensitive uses are adequately buffered from noise generating uses.

Policy N-1.3. Require, whenever physically possible, new mixed-use developments to locate noise sources away from the residential portion of the development, and apply physical construction standards to reduce noise between uses.

Policy N-1.4. Ensure that all new development provides adequate sound insulation or other protection from existing and anticipated noise sources.

Goal N-2: Minimized motor vehicle traffic noise impacts on sensitive noise receptors.

Policy N-2.3. Require sound-attenuating devices, such as walls and berms, in the design of residential and other noise-sensitive land uses that are adjacent to the Ventura Freeway and major arterials.

Policy N-2.4. New development along the freeway corridor and major thoroughfares will be required to prepare noise studies, as deemed necessary by the Planning Department.

Goal N-3: Minimized non-transportation related noise impacts on sensitive receptors.

Policy N-3.1. Continue to enforce interior and exterior noise standards to ensure that sensitive noise receptors are not exposed to excessive noise levels from stationary noise sources, such as machinery, equipment, fans, and air conditioning equipment.

Policy N-3.2. Continue to regulate the use of sound-amplifying equipment.

Policy N-3.3. Continue to enforce restrictions on hours of construction activities so as to minimize the impacts of noise and vibration from the use of trucks, heavy drilling equipment, and other heavy machinery, including property maintenance equipment, to adjacent uses, particularly in residential areas.

The proposed zoning regulations for the MXD Mixed Use Overlay District include a requirement for residential and non-residential uses to be compatible (Section 9585.D.) and that “residential mixed-use buildings shall be designed to assure compatibility among uses, which shall include at least privacy for residential entrances, separate access, fire suppression barriers, separate resident parking, and noise insulation” (Section 9586.D.).

In conclusion, the Subarea 5 Project does not propose any actions that would worsen impacts identified in the FEIR or create any new impacts not addressed in the FEIR regarding noise. Therefore, there would be no change to the conclusions of the FEIR with regard to noise by implementing the Subarea 5 Project.

3.10 POPULATION, HOUSING AND EMPLOYMENT

PREVIOUSLY IDENTIFIED IMPACTS IN THE GENERAL PLAN FEIR

The following less than significant impact was identified for population, housing and employment:

Impact 4.10-1 Implementation of the General Plan Update would induce growth in the City, both directly and indirectly. However, the extent of this growth is not considered to be substantial in light of the existing infrastructure and the proposed plan for growth under the General Plan Update. Therefore, the proposed project will result in a *less-than-significant* (Class II) impact.

PROPOSED PROJECT

The Subarea 5 Project implements the General Plan, and the same proposed land uses were analyzed in the General Plan FEIR for potential impacts to population, housing and employment. The additional growth attributed to Subarea 5 regarding population, housing and employment has already been considered in the FEIR, is within the limits assumed in the General Plan and FEIR, and the Subarea 5 Project does not change these assumptions for maximum buildout of the land within Subarea 5. Therefore, the Subarea 5 Project would cause no impacts regarding population, housing and employment that haven't been addressed in the FEIR, and the project would not change the conclusions of the FEIR. The project is consistent with the following applicable goals and policies:

Goal LU-1: Sustainable growth and change through orderly and well-planned development that provides for the needs of existing and future residents and businesses, ensures the effective and equitable provision of public services, and makes efficient use of land and infrastructure.

Policy LU-1.1. Regulate the levels of building intensity and population density according to the standards and land use designations specified by the General Plan and Agoura Hills Municipal Code. Within these designations, cumulative development shall not exceed 8,139 housing units, 1,850,907 square feet of retail services, 3,431,448 square feet of business park/office uses, and 1,118,126 square feet of business park manufacturing uses.

Goal LU-2: Mix of land uses that meets the diverse needs of Agoura Hills' residents, offers a variety of employment opportunities, and allows for the capture of regional population and employment growth.

Policy LU-2.1. Provide opportunities for a full range of housing types, locations, and densities to address the community's fair share of regional housing needs, and provide market support to economically sustain commercial land uses in Agoura Hills. The mix, density, size, and location shall be determined based on the projected needs specified in the Housing Element.

Policy LU-2.3. Provide for a variety of commercial uses that offer job opportunities for Agoura Hills' residents, including retail, office, light industrial, and research and development.

3.11 PUBLIC SERVICES

PREVIOUSLY IDENTIFIED IMPACTS IN THE GENERAL PLAN FEIR

No less than significant or significant and avoidable impacts were identified for public services.

PROPOSED PROJECT

While the project does not propose development at this time, future development in Subarea 5 would be required to comply with all City and other agency requirements related to fire, police, school and libraries. In particular, the following policies would apply to the project, and the project would be consistent with such policies.

Policy S-3.3. Continue to ensure that all new development incorporates current state, county, and City, fire safety building code requirements, as appropriate.

Policy S-4.4. Use defensible space concepts (site and building lighting, visual observation of open spaces, secured areas, etc.) in the design of all new development.

Policy S-4.5. Provide for law enforcement review of applicable projects as part of the review process.

The Subarea 5 Project implements the General Plan, and the same proposed land uses and buildout density were analyzed in the General Plan FEIR for potential impacts to public services. As with the General Plan buildout as a whole, development of Subarea 5 would not result in the provision of or need for new or physically altered public services, the construction of which could cause significant environmental impacts. In conclusion, the Subarea 5 Project does not propose any actions that would worsen impacts identified in the FEIR or create any new impacts not addressed in the FEIR regarding public services. Therefore, there would be no change to the conclusions of the FEIR with regard to public services by implementing the Subarea 5 Project.

3.12 RECREATION

PREVIOUSLY IDENTIFIED IMPACTS IN THE GENERAL PLAN FEIR

The following less than significant impacts to recreation were determined:

Impact 4.12-1 Implementation of the General Plan Update could result in increased use of existing parks or recreational facilities that could accelerate physical deterioration of those facilities. However, this impact would be *less than significant* (Class II).

Impact 4.12-1 Implementation of the General Plan Update could lead to development of new parks and recreational facilities to maintain acceptable service ratios. The proposed project could result in adverse physical impacts associated with the provision of these facilities. However, with implementation of goals and policies of the General Plan Update, this impact would be *less than significant* (Class II).

No significant and unavoidable impacts were identified for recreation.

PROPOSED PROJECT

While the project does not propose development at this time, future development in Subarea 5 would be required to comply with all City requirements related to providing recreational facilities for any potential future residential development. In terms of bicycle recreation, the zoning standards of the POM district require back racks or other public bike storage in convenient locations onsite, integrated within the overall architecture and site design (Section 9389.7.C.). In particular, the following goals and policies would apply to future development projects, and the Subarea 5 Project would support and/or be consistent with such goals and policies.

Goal M-8: Enhanced bicycle facilities throughout Agoura Hills for short trips and recreational uses.

Policy M-8.7. Developments shall provide for bicycle parking facilities.

Goal CS-4: A comprehensive park and recreation system that is well funded.

Policy CS-4.1. Implement funding mechanisms, such as Quimby Fees, user or service fees, or in-lieu fees to acquire, obtain improvements to, and maintain park facilities.

As with the General Plan buildout as a whole, development of Subarea 5 would not result in the provision of or need for new or physically altered recreation services, the construction of which could cause significant environmental impacts. Like the General Plan buildout as a whole, the project could increase demand upon existing parks and recreation facilities. However, the Subarea 5 Project does not propose any actions that would worsen impacts identified in the FEIR or create any new impacts not addressed in the FEIR regarding recreation. Therefore, there would be no change to the conclusions of the FEIR with regard to recreation by implementing the Subarea 5 Project.

3.13 TRANSPORTATION/TRAFFIC

PREVIOUSLY IDENTIFIED IMPACTS IN THE GENERAL PLAN FEIR

The following less than significant impacts to transportation/traffic were determined:

- Impact 4.13-1 Implementation of the proposed General Plan Update could result in the potential intensification of existing uses that could result in increased hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses. However, implementation of the General Plan Update policies and compliance with existing regulations would ensure that this impact remains *less than significant* (Class II).
- Impact 4.13-2 Implementation of the General Plan Update has the potential to result in an impact that would cause inadequate emergency access. However, compliance with the General Plan Update goals and policies, and local and state regulations, would result in a *less than significant* (Class II) impact.
- Impact 4.13-3 Implementation of the General Plan Update has the potential to result in an impact that would cause inadequate parking capacity. However, compliance with General Plan Update goals and policies, and state and local regulations, would result in a *less than significant* (Class II) impact.
- Impact 4.13-4 Implementation of the General Plan Update would increase the amount of traffic on CMP highways. However, it would not exceed, either individually or cumulatively, a level of service standard established by the County CMP Agency for designated roadways and/or highways, and therefore would result in a *less than significant* (Class II) impact.

The following significant and unavoidable impacts were identified.

- Impact 4.13-5 Implementation of the General Plan Update would result in an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system with respect to the number of vehicle trips or congestion along roadways. This is a potentially significant impact. As there is no feasible mitigation available to reduce this impact to a less than significant level, this impact is considered a *significant and unavoidable* (Class I) impact.

PROPOSED PROJECT

The Subarea 5 Project implements the General Plan, and the same proposed land uses and densities were analyzed in the General Plan FEIR for potential impacts to transportation/traffic. The additional growth attributed to Subarea 5 and its effects on circulation have already been considered in the FEIR, the growth is within the limits assumed in the General Plan and FEIR, and the Subarea 5 Project does not change these assumptions for maximum buildout of the land within Subarea 5. Therefore, the Subarea 5 Project would cause no impacts regarding transportation/traffic that haven't been addressed in the FEIR, and the project would not

change the conclusions of the FEIR. While the project does not propose development at this time, future development in Subarea 5 would be required to comply with all City requirements related to providing adequate transportation facilities.

The Subarea 5 Project, in both the zoning standards for the POM and MXD districts, and in the *Architectural Design Standards and Guidelines*, encourages pedestrian circulation and bicycle circulation through improved pathways and amenities, and advocates for an internal driveway network system that would likely reduce the number of traffic trips needing to use nearby arterials and collectors for local trips within Subarea 5, thereby relieving traffic on nearby Roadside Drive and Agoura Road. As such, implementation of the Subarea 5 Project may slightly reduce the level of transportation/traffic impacts identified as a whole for the General Plan in the FEIR in this part of the City.

One of the planned capital improvements identified in the General Plan and FEIR is the widening of Agoura Road bordering Subarea 5 from two to four lanes, and improved bicycle and pedestrian access along this roadway. This project is anticipated to begin construction by the end of 2014 or early 2015. With construction of those improvements and full buildout of Subarea 5, as well as buildout of the General Plan as a whole, the FEIR anticipates a segment LOS of C or better for Agoura Road during both the AM and PM peak hours in General Plan buildout year 2035, which is considered acceptable by the City of Agoura Hills.

The Subarea 5 Project is a policy and programmatic project. As a particular development project is proposed in the future in Subarea 5, the project would be evaluated for specific traffic and circulation impacts, and a Traffic Impact Analysis report may be required. As determined necessary, a development project may need to implement traffic measures and improvements to reduce adverse impacts to the street system. At that time, additional CEQA review on a project-specific and site-specific basis would be required.

The project is consistent with the following applicable General Plan goals and policies relating to transportation/traffic:

Goal M-1: A safe and efficient roadway system in Agoura Hills that facilitates the movement of goods and people while utilizing advanced technologies to minimize travel delays.

Policy M-1.4. Promote effective, innovative, and safe solutions for roadway improvements and consider other solutions that would facilitate reduced reliance on physical roadway improvements, where appropriate.

Policy M-1.8. Ensure that the identified mobility system is provided in a timely manner to meet the needs of the community.

Goal M-2: A transportation system that serves all modes of travel and meets the needs of all users, as specified in the Complete Streets Act of 2007.

Policy M-2.2. Provide a transportation network that meets the needs of a wide range of users, including adults, children, seniors and the disabled.

Policy M-2.3. Encourage desired land use patterns, such as mixed-use walkable developments, through transportation planning and design.

Policy M-2.4. Develop an interconnected mobility system that allows travel on alternative routes and multiple modes.

Policy M-2.5. Develop and maintain a safe, integrated, and comprehensive bicycle and pedestrian system that serves all ages and abilities in Agoura Hills.

Goal M-4: A transportation system that meets the existing and future demands by balancing the need to move traffic with the needs of residents.

Policy M-4.2. Encourage the development of sustainable land use patterns that offer compatibility between future development and roadways in consideration of existing neighborhoods.

Goal M-6: Reduced reliance on single-occupancy vehicle travel through the provision of alternative travel modes and enhanced design systems.

Policy M-6.2. Expand the choices of available travel modes to increase the freedom of movement for residents and reduce reliance on the automobile. Ensure that existing and future infrastructure will be adequate for future transportation nodes.

Policy M-6.3. New roadways and future street improvement projects shall be bicycle- and pedestrian-friendly in design.

Goal M-7: Transportation improvements and development enhancements that promote and support walking within the community.

Policy M-7.1. Create a pedestrian environment accessible to all that is safe, attractive, and encourages walking. Maintain and promote the walkability within the City by identifying and completing deficient links within the sidewalk system.

Policy M-7.2. Preserve and enhance pedestrian connectivity in existing neighborhoods and require a well-connected pedestrian network linking new and existing developments to adjacent land uses, including commercial uses, schools, and parks.

Policy M-7.3. Promote walking and improve the pedestrian experience with streetscape enhancements and by orienting future development toward the street, where appropriate.

Policy M-7.4. Encourage mixed-use development so that it is possible for a greater number of short trips to be made by walking.

Goal M-8: Enhanced bicycle facilities throughout Agoura Hills for short trips and recreational uses.

Policy M-8.7. Developments shall provide for bicycle parking facilities.

Goal M-11: Parking that is convenient and efficient for the use of residents, workers, and visitors.

Policy M-11.1. Ensure that off-street parking and on-street parking requirements are adequate and that parking is designed to be sensitive to both context and

environment. Include safety considerations (i.e., lighting and landscape design) in the parking standards and design.

Policy M-11.3. Strive to provide an appropriate balance between providing adequate amounts of parking and reducing the amount of land devoted to parking through measures such as parking structures, underground parking, and shared parking.

The following set of goal and policies pertain specifically to Subarea 5.

Goal LU-24: Cohesive and integrated redevelopment of the properties as a center of community commerce and living with a distinct community identity that transitions from and complements the uses and development character of Agoura Village.

Policy LU-24.2. Allow for the development of a diversity of uses including retail, office, commercial recreation, entertainment, and residential. Housing units shall be permitted on inclusion in and adoption of a special planning document, as stipulated by Policy LU-24.6.

Policy LU-24.3. Consider the development of an internal street and sidewalk network that breaks up the block into a smaller street grid, promoting pedestrian activity.

Policy LU-24.4. Promote the development of shared parking facilities and a network of attractively landscaped internal walkways with public amenities, to the extent feasible, in consideration of parcel configuration and the street network.

Policy LU-24.5. Require that new buildings, pedestrian walkways, and open spaces be located and designed to promote connectivity internally and with adjoining land uses, including Agoura Village.

Policy LU-24.6. Require the preparation of a specific plan, master plan, design guidelines, or other regulatory document that provides for the cohesive development of the properties, addressing land uses to be permitted, density, street and sidewalk network, building heights and setbacks, architectural design principles, parking facilities, streetscape and landscape guidelines and standards, implementation actions and responsibilities, and other pertinent elements.

3.14 UTILITIES AND SERVICE SYSTEMS

PREVIOUSLY IDENTIFIED IMPACTS IN THE GENERAL PLAN FEIR

The following less than significant impact to utilities and service systems was determined:

Impact 4.14-1 Implementation of the General Plan Update would increase the amount of energy used, but would not require or result in the construction of new energy production or transmission facilities, or expansion of existing facilities, the construction of which could cause a significant environmental impact. This is a *less than significant* (Class II) impact.

No significant and unavoidable impacts were identified.

PROPOSED PROJECT

The Subarea 5 Project implements the General Plan, and the same proposed land uses and densities were analyzed in the General Plan FEIR for potential impacts to utilities and service systems. The additional growth attributed to Subarea 5 and its effects on energy use have already been considered in the FEIR. Therefore, the Subarea 5 Project would cause no impacts regarding utilities and service systems that haven't been addressed in the FEIR, and would not cause an increased impact to utilities and service systems. The project would not change the conclusions of the FEIR.

As a particular development project is proposed in the future, a more specific determination regarding needed utilities and service systems would be assessed, and the development project would be required to provide such needed services. Based on the FEIR, it is not anticipated that the provision of such services would result in a significant environmental impact that would require further CEQA analysis.

3.15 CLIMATE CHANGE

PREVIOUSLY IDENTIFIED IMPACTS IN THE GENERAL PLAN FEIR

The following less than significant impact to climate change was determined:

Impact 4.15-1 Implementation of the General Plan Update would not substantially contribute to GHG emissions in the State of California and would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs. This is a *less than significant* (Class II) impact.

No significant and unavoidable impacts were identified.

PROPOSED PROJECT

The Subarea 5 Project is consistent with the land uses and densities assessed in the FEIR, and so eventual buildout of the area under the project would be consistent with the estimates of greenhouse gases provided in the FEIR. The project would not change the impacts or conclusions of the FEIR.

The project is consistent with the following applicable General Plan goals and policies relating to climate change, in particular, as it would encourage mixed-use development and pedestrian travel, and is considered infill development or redevelopment:

Goal LU-1: Sustainable growth and change through orderly and well-planned development that provides for the needs of existing and future residents and businesses, ensures the effective and equitable provision of public services, and makes efficient use of land and infrastructure.

Policy LU-1.2. Prioritize future growth as infill of the existing developed areas re-using and, where appropriate, increasing the intensity of development on vacant and underutilized properties, in lieu of expanded development outward into natural areas and open spaces. Allow for growth on the immediate periphery of existing development in limited designated areas, where this is guided by standards to assure seamless integration and connectivity with adjoining areas and open spaces.

Goal LU-7: Neighborhoods that provide a variety of housing types, densities, and design, and a mix of uses and services that support the needs of their residents.

Policy LU-7.5. Maintain sidewalks, parkways, street tree canopies, and landscaping throughout the residential neighborhoods to promote walking as an enjoyable and healthy activity, and alternative to automobile use.

Goal LU-13: Retail centers and corridors that are well-designed and attractive, providing a positive experience for visitors and community residents, and fostering business activity.

Policy LU-13.6. Encourage developers of commercial retail centers to incorporate facilities that promote customer and employee access by bicycles, such as secured storage, showers and lockers.

Goal M-7: Transportation improvements and development enhancements that promote and support walking within the community.

Policy M-7.1. Create a pedestrian environment accessible to all that is safe, attractive, and encourages walking. Maintain and promote the walkability within the City by identifying and completing deficient links within the sidewalk system.

Policy M-7.3. Promote walking and improve the pedestrian experience with streetscape enhancements and by orienting future development toward the street, where appropriate.

Policy M-7.4. Encourage mixed-use development so that it is possible for a greater number of short trips to be made by walking.

Goal M-8: Enhanced bicycle facilities throughout Agoura Hills for short trips and recreational uses.

Policy M-8.7. Developments shall provide for bicycle parking facilities.

Goal M-11: Parking that is convenient and efficient for the use of residents, workers, and visitors.

Policy M-11.3. Strive to provide an appropriate balance between providing adequate amounts of parking and reducing the amount of land devoted to parking through measures such as parking structures, underground parking, and shared parking.

As specific development projects are proposed, the City would determine if a specific greenhouse gas analysis is warranted. Based on the FEIR, it is not anticipated that the greenhouse gases generated would result in a significant environmental impact that would require further CEQA analysis.

* * * * *

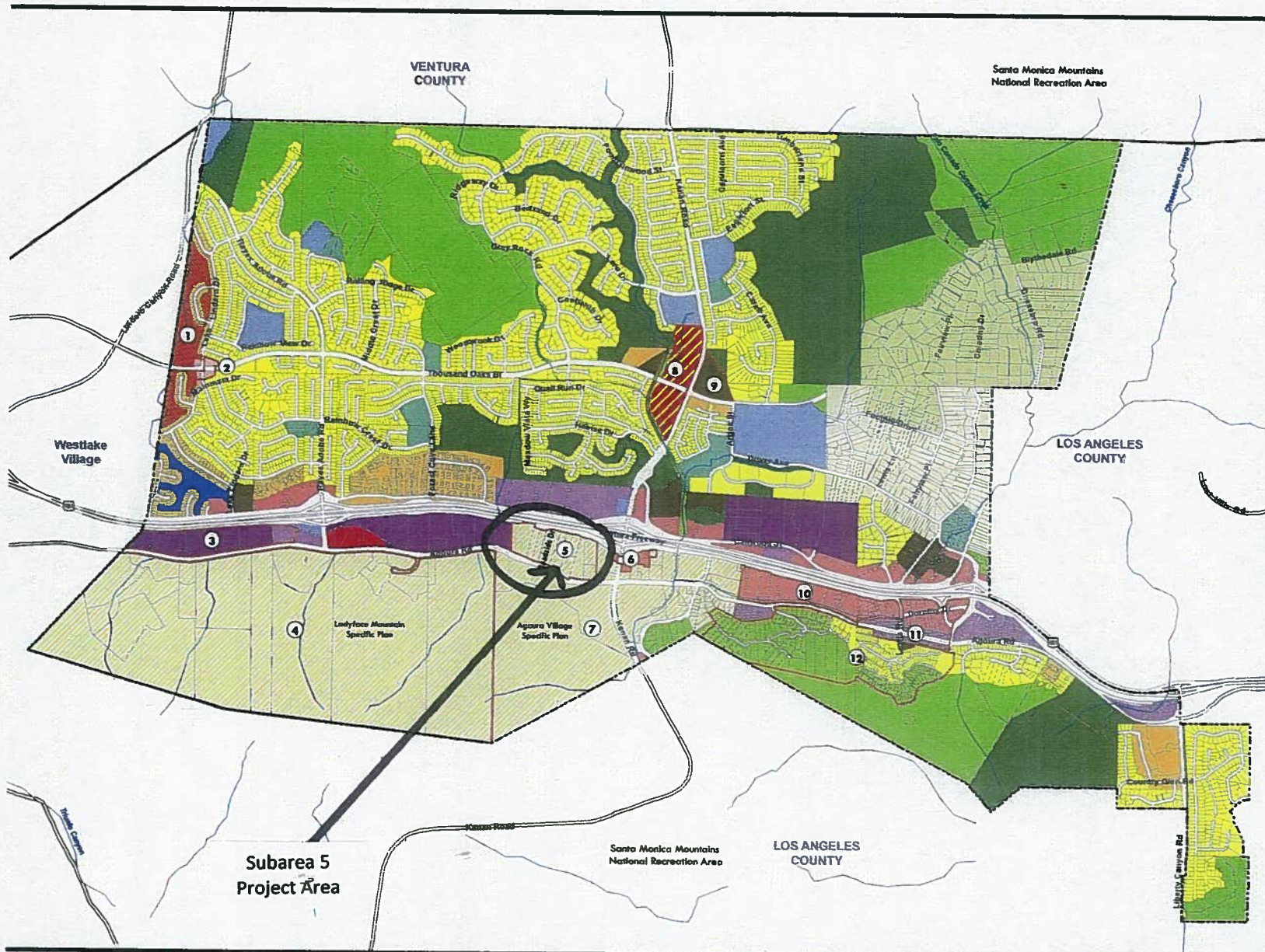
FIGURE 1

**CITY of AGOURA HILLS
General Plan Update**

**COMMUNITY DISTRICTS
AND SUBAREAS**

Legend

- 6 District/Subarea
- Residential Very Low Density (0.2-1.0 du/ac) (RV)
- Residential Low Density (1-2 du/ac) (RL)
- Residential Single Family (2-6 du/ac) (RS)
- Residential Medium Density (6-15 du/ac) (RM)
- Residential High Density (15-20 du/ac) (RHD)
- Commercial Neighborhood Center (CN)
- Commercial Shopping Center (CS)
- Commercial Shopping Center/Mixed Use (CS-MU)
- Commercial Retail Service (CRS)
- Commercial Recreation (CR)
- Business Park - Office Retail (BP-OR)
- Business Park-Manufacturing (BP-M)
- Planned Development District (PD)
- Public Facility (PF)
- Local Park (P)
- Open Space - Restricted (OS-R)
- Open Space - Deed Restricted (OS-DR)
- City Limits
- County Boundary
- Streams
- Open Water



**Subarea 5
Project Area**



Source: City of Agoura Hills, January 2007
D21377_Agoura_Hills\Comm_Districts_Subareas.mxd



Figure LU-3

APPENDIX A

ORDINANCE NO. 14-____

AN ORDINANCE OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING ARTICLE IX (ZONING) OF THE AGOURA HILLS MUNICIPAL CODE TO INCORPORATE THE PLANNED OFFICE AND MANUFACTURING (POM) DISTRICT AND THE MIXED USE OVERLAY (MXD) DISTRICT, MAKING CONFORMING AMENDMENTS TO ARTICLE IX OF THE AGOURA HILLS MUNICIPAL CODE, AND ADOPTING AN ADDENDUM TO THE CERTIFIED FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE CITY OF AGOURA HILLS GENERAL PLAN 2035

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

SECTION 1. Recitals.

A. The purpose of this Ordinance is to amend the City's Municipal Code to provide for two new zoning districts, Planned Office and Manufacturing (POM) and Mixed Use Overlay (MXD), to implement goals and policies of the City of Agoura Hills General Plan 2035 related to allowing for a mix of uses and improved pedestrian and vehicle access, and cohesive and integrated development and redevelopment of land.

B. On June 19, 2014, the Planning Commission of the City of Agoura Hills held a duly noticed public hearing to consider Ordinance 14 - _____, and received testimony from City staff and all interested parties regarding the proposed amendments. Following the close of the public hearing, the Planning Commission adopted Resolution No. _____, recommending adoption of an Addendum to the City of Agoura Hills General Plan 2035 certified Program Final Environmental Impact Report prepared for the Ordinance pursuant to the California Environmental Quality Act, and recommending approval of a General Plan Amendment, Ordinance 14-_____, a Zone Change, and amendments to the City's Architectural Design Standards and Guidelines.

C. On _____, 2014, the City Council of the City of Agoura Hills conducted and concluded a duly noticed public hearing concerning the zoning code amendments contained herein as required by law, and received testimony from City staff and all interested parties regarding the proposed amendments.

D. All legal prerequisites to the adoption of the Ordinance have occurred.

SECTION 2. The facts set forth in the Section 1 of this Ordinance are true and correct.

SECTION 3. Environmental Review.

A. Pursuant to the California Environmental Quality Act ("CEQA"), as amended, the CEQA Guidelines promulgated there under, and the City's local CEQA Guidelines, City staff

assessed the potential environmental effects of this proposed Ordinance and the Municipal Code amendments contained herein (the "project"). City staff for the City of Agoura Hills, acting as Lead Agency, determined, pursuant to Guidelines for CEQA Section 15164, that an Addendum to the City of Agoura Hills General Plan 2035 certified Final Program Environmental Impact Report (Addendum) was the appropriate CEQA document for the project, and prepared such Addendum.

B. The City Council has independently reviewed the Addendum (attached hereto as Exhibit "A" and incorporated by this reference) and certified Final Program Environmental Impact Report for the City of Agoura Hills General Plan 2035, and based upon the whole record before it, finds that the Addendum has been prepared in compliance with CEQA, the CEQA Guidelines and the City's local CEQA Guidelines. The City Council also finds that City staff has correctly concluded that there are no new significant environmental effects or any substantial increase in the severity of previously identified significant effects. In addition, the City Council finds that the findings contained in the Addendum and in this Ordinance represent the independent judgment and analysis of the City Council. Furthermore, the City Council has made the following findings: (1) the Addendum to the certified Final Program EIR has been prepared, as some changes and additions are necessary, but none of the conditions described in CEQA Guidelines Section 15162 calling for preparation of a subsequent EIR have occurred; and (2) the decision not to prepare a subsequent EIR and the reasons for such decision, along with substantial evidence, have been included in the Addendum. Based on these findings, the City Council hereby approves and adopts the Addendum for this project.

C. The custodian of records for the Addendum and all materials that constitute the record of proceedings upon which the City Council's decision was based is the City Clerk of the City of Agoura Hills. Those documents are available for public review in the Office of the City Clerk located at 30001 Ladyface Court, Agoura Hills, California 91301.

SECTION 4. The following definitions are hereby added to Section 9120.13 of Part 3 of Chapter 1 of Article IX of the Agoura Hills Municipal Code, and the definitions in Section 9120.13 shall be reorganized in alphabetical order:

Mixed use. "Mixed use" means a development consisting of a combination of the following: commercial, manufacturing and/or residential uses. Residential mixed use is where there is a residential combined with non-residential use(s), and where the residential component is located either above (vertical mixed use) or directly adjacent (horizontal mixed use) to the non-residential component.

Multi-family residential unit. "Multi-family residential unit" means an apartment, townhome or condominium development.

SECTION 5. Section 9302 of Part 1 of Chapter 3 of Article IX of the Agoura Hills Municipal Code is hereby amended as follows:

COMMERCIAL DISTRICTS

Part

1. Purpose and Design Standards, §§ 9301-9310
2. Commercial Use Tables, §§ 9311-9320
3. CS Commercial Shopping Center District, §§ 9321-9330
4. CRS Commercial Retail/Service District, §§ 9331-9340
5. CS-MU Commercial Shopping Center-Mixed Use District, §§ 9341-9350
6. CR Commercial Recreation Land Use District, §§ 9351-9360
7. Business Park District, §§ 9361-9370
8. BP-OR Business Park-Office Retail District, §§ 9371-9380
9. BP-M Business Park-Manufacturing, §§ 9381-9383
10. CN Commercial Neighborhood Center District, §§ 9384-9390~~9386~~
- ~~10.~~11. POM Planned Office Manufacturing District, §§ 9387-9389
- ~~11.~~12. Special Commercial Use Standards, §§ 9391-9395.1
- ~~12.~~13. Standards for Specific Uses, § 9396
- ~~13.~~14. Standards for Periodic Outdoor Display, §§ 9397, 9397.1

9302. Commercial districts.

The following commercial districts are hereby established:

- A. CS Commercial shopping center district;
- B. CRS Commercial retail/service district;
- C. CS-MU Commercial shopping center-mixed use district;
- D. CR Commercial recreation district;
- E. BP-OR Business park-office retail district;
- F. BP-M Business park manufacturing district;
- G. CN Commercial neighborhood center district; and
- H. POM Planned office and manufacturing district.”

SECTION 6. Table 1 in Section 9312.2 of Part 2 of Chapter 3 of Article IX of the Agoura Hills Municipal Code is hereby amended to add a column identifying the allowable commercial uses in the new POM zoning district to read as follows:

TABLE 1. PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS

	USE, SERVICE OR FACILITY	COMMERCIAL						BUSINESS PARK	
		CS	CRS	CR	CN	CS-MU	POM	BP-OR	BP-M
	<i>Unless otherwise indicated, listings denote retail sales operations</i>								
	vending machines								
13.	Community center/citizens improvement center	.	.	.	.	.	.	.	.
14.	Cold storage food locker		.				.		.
15.	Computer programming/software and system design	.	.		.	.	.	.	.
16.	Computer sales, rental, lease, and service, and training	.	.		.	.	.	.	.
17.	Condominium, commercial	.	.		.	.	.	.	.
18.	Convenience store/neighborhood market	.	.		.	.	K		K
19.	Costume shop, sale and rent	.	.		.	.
20.	Curio/novelty shop	.	.		.	.	G	G, U	G
(Ord. No. 173, § 1, 8-22-90; Ord. No. 07-343, § 2, 2-28-2007; Ord. No. 09-362, § 2, 7-9-09 Ord. No. 11-388 § 14, 12-14-2011)									
D.									
1.	Dance hall, ballroom	K	K	K	K	K	G	G, U	G
2.	Dancing as an incidental use in a bar or restaurant	K	K	K	K	K	.	U	.
3.	Data processing service						.		.
4.	Delicatessen	.	.		.	.	.	U	.
5.	Delivery service						.	.	.
6.	Disinfecting/fumigating service						.		.
7.	Daytime dog care, including overnight care		GG				DD		DD
8.	Drafting service, including incidental printing and copying	.	.		.	.	.	.	.
9.	Dressmaker	.	.		.	.	G	G, U	G
10.	Drive-in restaurant	.	.		.	.	K		
11.	Drive-in dairy, excluding creamery	.	.		.	.
12.	Drive-in food market	.	.		.	.
13.	Driving school	J	J		J	J	J	J, U	J
14.	Drugstore	.	.		.	.	J	E, U	J
(Ord. No. 09-361, § 2, 5-26-09; Ord. No. 11-388, § 14, 12-14-2011)									
E.									
1.	Electronic equipment store	.	.		.	.	.		.
2.	Electronic, mechanical, video games	.	.	G	.	.	.		.
3.	Equipment rental agency		J				J		J
4.	Emergency shelters	K	EE		K	K			
5.	Eye glasses and frames, and contact lens sales and service	.	.		.	.	E, U	E, U	
(Ord. No. 240, § 12, 9-8-93; Ord. No. 11-388, § 14, 12-14-2011)									
F.									
1.	Film studio, motion picture						.		.
2.	Floor covering, drapery or upholstery store	.	.		.	.	.		.
3.	Florist	.	.		.	.	E, G	E, G, U	E, G
4.	Food market ancillary to auto service station	K	K		K	K		K	K
5.	Fortune telling	H	H		H	H			

TABLE 1. PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS

	USE, SERVICE OR FACILITY	COMMERCIAL						BUSINESS PARK	
		CS	CRS	CR	CN	CS-MU	POM	BP-OR	BP-M
	<i>Unless otherwise indicated, listings denote retail sales operations</i>								
6.	Funeral establishment								.
7.	Furniture store	.	.		.	.	.		.
8.	Furniture cleaning, refinishing or reupholstery shop		.				.		.
9.	Furniture rental agency	.	.		.	.	.		.
(Ord. No. 07-343, § 12, 2-28-2007; Ord. No. 11-388 § 14, 12-14-2011)									
G.									
1.	Garden equipment and tool sales	.	.		.	.	.		.
2.	Gardening/landscaping service yard and work-shop		J						J
3.	Gardening/landscaping supply store	J	J		J	J	.		J
4.	Gift/card shop	.	.		.	.	.	E, G, U	.
5.	Golf, full range			.			G	G, U	G
6.	Grinding/sharpening service		.				.		.
7.	Grooming service, such as dog grooming	.	.		.	.	.		.
8.	Gun shop/gunsmith		.						
(Ord. No. 229, § 1, 5-26-93; Ord. No. 11-388, § 14, 12-14-2011)									
H.									
1.	Hardware store	.	.		.	.	.
2.	Hay, seed, and grain store		.				J		J
3.	Hearing aids sales and service	.	.		.	.	.	U	.
4.	Hospital						K	U	K
5.	Hotel		K	.			K	U	K
6.	Hotel, restaurant equipment sales		.				.		.
7.	Hotel, single room occupancy							K, U	
(Ord. No. 11-388, § 14, 12-14-2011)									
I.									
1.	Interior decorator's office	.	.		.	.	.	.	.
2.	Interior decorator's service yard and workshop		J				J		J
3.	Internet cafe	.	.		.	.	.	U	
(Ord. No. 04-325, § 1, 8-25-2004; Ord. No. 11-388, § 14, 12-14-2011)									
J.									
1.	Janitor service		.				.	.	.
2.	Jewelry store, sales, repair	.	.		.	.	G	G, U	G
(Ord. No. 11-388, § 14, 12-14-2011)									
L.									
1.	Labor union center		.				.		.
2.	Laboratory, medical, dental or optical		.				.	E, U	.
3.	Laboratory, research, analysis						.		.
4.	Laboratory, materials testing						.		.
5.	Lapidary shop	.	.		.	.
6.	Laundromat, self-service	.	.		.	.
7.	Laundry or cleaning agency, retail (on-site cleaning permitted)	.	.		.	.	G	G, U	G
8.	Laundry or cleaning pickup station	.	.		.	.	.		.

TABLE 1. PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS

	USE, SERVICE OR FACILITY	COMMERCIAL						BUSINESS PARK	
		CS	CRS	CR	CN	CS-MU	POM	BP-OR	BP-M
	<i>Unless otherwise indicated, listings denote retail sales operations</i>								
9.	Laundry or cleaning plant, wholesale facility						.		.
10.	Lawn mower engine and garden power tool repair	D	.		D	D	D		D
11.	Library	S	S		S	S	S	S	S
12.	Liquor store	W	W		W	W	W	W	W
13.	Live entertainment	T	T	K	T	T	T	T, U	T
14.	Live entertainment, adult	Q	Q		Q	Q	Q	Q, U	Q
15.	Live theater	K	K		K	K	K	Y, U	
16.	Live theater, adult	Q	Q		Q	Q	Q	Q, U	Q
17.	Locksmith/key and lock	.	.		.	.	.	U	.
18.	Lodge/fraternal hall	M	M		M	M	M		M
19.	Lumber and building material sales	A	J		A	A	J		J
(Ord. No. 09-362, § 2, 7-8-09; Ord. No. 11-388, § 14, 12-14-2011)									
M.									
1.	Machine shop		J				.		.
2.	Mail order business, retail outlet	.	.		.	.	.		.
3.	Massage establishment	L	L		L	L	L	L	L
4.	Messenger service	.	.		.	.	.	.	.
5.	Military surplus store	.	.		.	.	.		.
6.	Motion picture theater	K	K		K	K	K	K, U	K
7.	Motion picture theater, adult	Q	Q		Q	Q	Q	Q, U	Q
8.	Motel		K				K	K, U	K
9.	Motion picture filming, temporary	H	H	H	H	H	H	H	H
10.	Motorcycle, sports cycles, trail bikes, jet skis, snowmobile and moped sales and rent, service, repair and dismantling	D	D		D	D	D		D
11.	Moving and storage service						.		.
12.	Museum	.	.	.	.	.	.	.	.
13.	Music store, including music sales and instrument sales and repair	.	.		.	.	.
(Ord. No. 11-388, § 14, 12-14-2011; Ord. No. 11-392, § 6, 1-11-2012)									
N.									
1.	Newspaper, magazine, book printing plant						.		.
2.	Newspaper/magazine stand	.	.		.	.	E, G	E, G	E, G
3.	Nursery, plants	J	J		J	J	J		J
(Ord. No. 11-388, § 14, 12-14-2011)									
O.									
1.	Office, business or professional	.	.		.	.	.	.	.
2.	Office, collection, counseling, personnel	.	.		.	.	.	.	.
3.	Office, insurance	.	.		.	.	.	.	.
4.	Office, medical or dental	.	.		.	.	.	.	.
5.	Office, public relations or advertising	.	.		.	.	.	.	.
6.	Office, real estate	.	.		.	.	.	.	.
7.	Office accountants, bookkeepers	.	.		.	.	.	.	.
8.	Office machines and equipment sales	.	.		.	.	.	.	.
9.	Ornamental rock sales and related storage		J						
(Ord. No. 130, § 5, 7-29-1987, Ord. No. 207, § 2, 4-8-1992, Ord. No. 11-388, § 14, 12-14-2011)									

TABLE 1. PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS

	USE, SERVICE OR FACILITY	COMMERCIAL						BUSINESS PARK	
		CS	CRS	CR	CN	CS-MU	POM	BP-OR	BP-M
	<i>Unless otherwise indicated, listings denote retail sales operations</i>								
P.									
1.	Paint and wallpaper store	.	.		.	.	.		.
2.	Pest control service				.		I		I
3.	Pet store, no kennel	.	.		.	.
4.	Photocopy service	.	.		.	.	.	E	.
5.	Photographic supply/camera store	.	.		.	.	.		.
6.	Photographic processing plant, wholesale facility						.		.
7.	Photographic studio, including incidental processing	.	.		.	.	.	.	.
8.	Physical fitness club	.	.	.	.	.	.	K	.
9.	Picture framing shop	.	.		.	.	.		.
10.	Pool table sale and repair service	.	.		.	.	.		.
11.	Portable swimming pool supply sales	J	J		J	J	J		J
12.	Power tool sales, repair	C	.		C	C	.		.
13.	Prescription pharmacy	.	.		.	.		E, U	
14.	Printing plant						.		.
15.	Print shop	.	.		.	.	.		.
16.	Psychiatric facility, outpatient	K			K		K	K, U	K
17.	Public and government uses within privately owned buildings, facilities, grounds	S	S		S	S	S	S	S
18.	Public utility and public service	K	K	K	K	K	K	K, BB	K
(Ord. No. 252, §1, 6-28-95; Ord. No. 07-343, § 2, 2-28-2007; Ord. No. 11-387, § 5, 8-24-2011; Ord. No. 11-388, § 14, 12-14-2011)									
R.									
1.	Recreation facility, indoor	.	.	K	.	.		K, U	K
2.	Recreation facility, outdoor			AA				G, U	G
a.	Miniature golf								
	Incidental and compatible outdoor recreational uses, such as batting cages, boats and miniature cars, may be permitted, along with the miniature golf use is such uses are part of an integrated entertainment center								
b.	Batting cage facility, primary use		AA, CC						
3.	Recreation vehicle storage		V						
4.	Recycling center	J, K	J, K		J, K	J, K	J, K		J, K
5.	Remote teller, for pedestrian use	B	B		B	B	B	B	B
6.	Research and development						.	E	.
7.	Residence of a caretaker, proprietor or owner of a permitted use		M				FF		FF
8.	Resorts			.			.	K, U	.
9.	Restaurant/ cafe	.	.	.	.	.	.	, U	.
10.	Retail store	.	.		.	.

TABLE 1. PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS

	USE, SERVICE OR FACILITY	COMMERCIAL						BUSINESS PARK	
		CS	CRS	CR	CN	CS-MU	POM	BP-OR	BP-M
	<i>Unless otherwise indicated, listings denote retail sales operations</i>								
11.	Residential care facility of the elderly		K					K	
(Ord. No. 203, § 2, 9-25-91; Ord. No. 229, §1, 5-26-93; Ord. No. 97-269, § 1, 3-5-97; Ord. No. 97-274U, § 4, 4-16-97; Ord. No. 98-271, § 1, 4-22-98; Ord. No. 00-305, §1, 1-10-2001; Ord. No. 99-299, § 2, 11-17-99; Ord. No. 00-305, § 1, 1-10-2001; Ord. No. 11-388, § 14, 12-14-2011)									
S.									
1.	Saddlery shop	.	.		.	.
2.	Salon: hair, nails	.	.		.	.		E, U	.
3.	School, business	.	.		.	.	.	U	.
4.	School, modeling, acting	.	.		.	.	.	U	.
5.	School, college and university	K	K		K	K	K	K, U	K
6.	School, private K-6							K	
7.	School, private high school						K		K
8.	School, trade	.	.		.	.	.	U	.
9.	School, vocational	.	.	.	.	.	.	U	.
10.	Shoe repair shop	.	.		.	.	.	E, U	.
11.	Shoe shine establishment	.	.		.	.	E, G	E, G, U	E, G
12.	Shoe store	.	.		.	.
13.	Snack shops: ice cream, frozen yogurt, coffee, juice	.	.	.	.	.	.	E, U	
14.	Sporting goods and athletic equipment store	.	.	.	.	.	.
15.	Stamp/coin store	.	.		.	.
16.	Stationery store	.	.		.	.	.	E, U	.
17.	Storage building, mini		V				V		V
18.	Storage and warehouse uses:								
a.	Wholesaling and warehousing						V		V
b.	Automobile and recreational vehicle storage						V		V
c.	Storage building, mini		V				V		V
d.	Moving and storage service						J		J
19.	Studio: voice, music	.	.	.	.	.	.
20.	Studio: dance, yoga	.	.	.	.	.	.	K	K
21.	Studio: martial arts, gymnastics	.	.	.	.	.	.	U	.
22.	Studio: radio, television, recording	.	.		.	.	.	.	.
23.	Supermarket/food store	.			.	.			
24.	Swimming pool, spa – sales and service	D	J		D	D	J		
(Ord. No. 174, 8-22-90; Ord. No. 11-388, § 14, 12-14-2011)									
T.									
1.	Tailor	.	.		.	.	G	G, U	G
2.	Taxicab service and storage facility		J						
3.	Taxidermist		.				K		K
4.	Telephone answering service	.	.		.	.	.	.	.
5.	Television and radio sales	.	.		.	.	.
6.	Television and radio repair shop	A	.		A	A	.		.
7.	Temporary uses	R	R	R	R	R	R	R, U	R
8.	Ticket agency	.	.		.	.	G	E, G, U	G

TABLE 1. PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS

	USE, SERVICE OR FACILITY	COMMERCIAL						BUSINESS PARK	
		CS	CRS	CR	CN	CS-MU	POM	BP-OR	BP-M
	<i>Unless otherwise indicated, listings denote retail sales operations</i>								
9.	Tobacco shop	•	•		•	•	G	E, G, U	G
10.	Tool reconditioning		J				J		J
11.	Towing service, office only		•				K	K	K
12.	Toy store	•	•		•	•			
13.	Travel trailer/mobile-home, motor home, camper sales, rent, storage		V						
14.	Travel trailer, mobile home, camper, motor home, repair or service		V						
15.	Travel agency	•	•		•	•	•	U	•
16.	Tree service		J						
17.	Trophy/emblem store	•	•		•	•			
18.	Truck sale or rent		J						
(Ord. No. 11-388, § 14, 12-14-2011)									
U.									
1.	Utility trailer rental, service, sales	J				J			
2.	Utility trailer or truck, rent or storage as ancillary to service stations							J, U	J
(Ord. No. 11-388, § 14, 12-14-2011)									
V.									
1.	Veterinarian/animal hospital		K				•		•
(Ord. No. 11-388, § 14, 12-14-2011)									
W.									
1.	Welding shop						J		J
2.	Watches, sale, repair	•	•		•	•	G	E, G, U	G
3.	Wholesale distributor's service						J		J
4.	Wholesale store		•				•		•
5.	Wig sales and service	•	•		•	•			
6.	Winery and beer sales facility/tasting room	W	W		W	W	W		W
7.	Wireless telecommunications collocation facility	BB	BB	BB	BB	BB	BB	BB	BB
8.	Wireless telecommunications facility	BB	BB	BB	BB	BB	BB	BB	BB
(Ord. No. 170, § 1, 5-9-90; Ord. No. 227, § 1, 3-24-93; Ord. No. 09-362, § 2, 7-8-09; Ord. No. 11-387, § 4, 8-24-2011; Ord. No. 11-388, § 14, 12-14-2011)									
• Permitted Use									

SECTION 7. A new Part 11 is hereby added to Chapter 3 of Article IX of the Agoura Hills Municipal Code to read as follows:

“PART 11. POM PLANNED OFFICE AND MANUFACTURING DISTRICT

9387. Purpose.

The purpose of the planned office and manufacturing district (POM) is to provide for a mix of uses consisting primarily of office, light manufacturing, and restaurant, and to a lesser extent,

certain retail uses, in which the various uses are compatible and integrated, creating a distinct district identity. Access among parcels shall be integrated via pedestrian pathways and street and driveway networks, and development shall interface with adjacent properties in terms of site amenities, access and circulation to create cohesiveness among properties.

9388. Uses established.

Uses and structures in the POM district shall be subject to the limitations set forth in the following provisions of this section.

9388.1. Permitted uses.

Subject to the provisions of section 9301 et seq. and chapter 6, buildings and structures may be erected, structurally altered or enlarged, and may be used within this district for offices, light manufacturing facilities, and retail and restaurant establishments as provided in the commercial use table I (section 9311 et seq. of this chapter). The entire business operation, excluding outdoor dining areas, shall be conducted within a completely enclosed building or within the buildable area of the lot.

9388.2. Prohibited uses.

Any use or structure not specified in section 9388.1 shall be prohibited in the POM district.

9389. Development standards.

Developments, renovations, and additions in the POM district shall exhibit a high level of architectural and site design quality; provide for enhanced pedestrian and vehicle access within the site and among adjacent parcels to promote district-wide cohesiveness and ease of circulation; provide for pedestrian connections between this and adjoining land use districts; and incorporate such features as plazas, courtyards, and expanded sidewalks to encourage pedestrian activity.

Subject to the provisions of sections 9301 through 9306, section 9391, and chapter 6, the following development standards shall also apply in the POM land use district.

9389.1. Lot specifications.

All lots hereafter created shall contain the following:

- A. Minimum lot area of twenty thousand (20,000) square feet.
- B. Minimum lot width of one hundred (100) feet.
- C. Minimum lot depth of one hundred twenty-five (125) feet.

9389.2. Building coverage.

The maximum building coverage shall be sixty (60) percent.

9389.3. Building height.

The maximum building height shall be thirty-five (35) feet.

9389.4. Setbacks.

The minimum yard requirements shall be as follows:

- A. Minimum front yard: Twenty (20) feet.
- B. Minimum side yard: Ten (10) feet.
- C. Minimum rear yard: Twenty (20) feet.

9389.5. Walls and Fences

Walls and fences shall be subject to the provisions of section 9606.2.

9389.6. Required landscaping.

Landscaping shall be provided consistent with the provisions of section 9658 et seq. A minimum of fifteen (15) percent of the total lot shall be landscaped unless otherwise specified during a discretionary review. In addition, landscaping shall be provided within all required yards adjacent to the public right-of-way. Said landscaping shall be provided and maintained in perpetuity subject to the following:

- A. One (1) native oak tree, twenty-four-inch (24") box in size, per fifteen thousand (15,000) square feet of building area shall be provided on site or at alternative locations as approved by the city;
- B. Landscaping shall minimize the visual dominance and break the visual continuity of the surface parking areas, shall complement on-site pedestrian circulation and amenities, and serve to modulate pavement temperature; and
- C. No other use or storage shall be permitted within any required landscaping.

9389.7. Required amenities.

Development in the POM district shall include all of the following:

- A. Development exhibiting a high level of urban design, particularly of outdoor spaces near buildings, vehicle parking areas, and site entrances.
- B. Outdoor seating and gathering areas near the buildings, including expanded sidewalks, patios or plazas, designed as an integral part of the overall architecture, landscape and site design.

- C. Bike racks or other public bike storage in convenient locations on the site, integrated within the overall architecture and site design.

9389.8. Access.

Readily visible site access and entrance drives shall be provided. The primary entry drive shall be designed with decorative paving, landscaping and architectural features. Easily identifiable pedestrian access shall be provided from the street and/or sidewalk to key areas within the site.

9389.9. Circulation.

To promote connectivity, defined pedestrian pathways linking parking and other outdoor areas to buildings onsite, and pathways linking to adjoining parcels within the district, and adjacent neighborhoods and districts, shall be provided.

9389.10. Parking.

In addition to the parking provisions in section 9654 et seq., the following shall apply:

- A. Shared parking between adjacent developments is encouraged, and any reduction in parking spaces from the requirements in section 9654 is subject to a shared parking study prepared by a parking professional according to city standards and accepted by the city. Shared parking shall not apply to residential parking.
- B. Long rows in parking areas shall be broken up with landscaping islands, other landscaping and pedestrian amenities, and buildings where feasible.
- C. Convenient, clearly distinguished pedestrian pathways connecting parking lots or other parking facilities with on-site buildings are required. The pathways shall provide a safe separation of pedestrians from cars and parking, and shall include amenities such as decorative pavement treatments, landscaping, covered or partially covered walkways, benches, and other design elements.
- D. Parking lot landscaping shall be provided as set forth in section 9654.5.

9389.11. Relationship among properties.

Continuity among properties within the district shall be provided, with driveways, pedestrian pathways, and site entrances connected. In particular, development on a property shall be sited to complement that on adjacent properties regarding the placement of structures on a lot, building entrances, loading/unloading areas and site amenities.”

SECTION 8. Chapter 3 of Article IX of the Agoura Hills Municipal Code is hereby amended to renumber existing Parts 11, 12, and 13 as follows:

| **“PART 1112. SPECIAL COMMERCIAL USE STANDARDS**

PART ~~12~~13. STANDARDS FOR SPECIFIC USES

PART ~~13~~14. STANDARDS FOR PERIODIC OUTDOOR DISPLAY”

SECTION 9. Sections 9497 and 9497.1 of Part 11 of Chapter 4 of Article IX of the Agoura Hills Municipal Code are hereby amended to read as follows:

“9497. Permitted uses.

All property in the PD zone shall be used only for the purposes permitted by the general plan and the specific plan or other similar regulatory document adopted for such property.

9497.1. Conditional uses.

Conditional uses are permitted in the PD zoning district as allowed per the specific plan or other regulatory document adopted for such property.”

SECTION 10. Part 9 of Chapter 5 of Article IX of the Agoura Hills Municipal Code is hereby replaced in its entirety to read as follows:

“PART 9. MXD MIXED USE OVERLAY DISTRICT

9580. Purpose.

The purpose of the MXD overlay district is to provide for a limited number of multi-family dwellings allowed conditionally to support the other land uses as part of a mixed-use project.

9581. Permitted uses.

All uses permitted in the underlying district shall be permitted in this district, except as otherwise provided by the following provisions of this section.

9582. Conditionally permitted uses.

Multi-family residential dwellings may be permitted subject to a conditional use permit. Such residential uses shall be part of a residential mixed-use development with commercial uses. Residential uses shall be permitted provided that resident-serving recreation and other amenities are incorporated into the development; the residential and surrounding non-residential uses are compatible; and the residential and non-residential portions of the development are integrated by architectural design, pedestrian walkways, and landscaping.

9583. Development standards.

The development standards of the underlying district shall apply. In addition, the following standards shall apply to residential mixed-use developments:

- A. At least fifty (50) percent of the first floor linear frontage on a roadway shall consist of non-residential uses.
- B. The minimum interior depth of the non-residential spaces in a residential mixed-use development shall be thirty (30) feet.

9584. Residential density.

Residential units shall be multi-family with a density of between fifteen and twenty-five dwelling units per acre (15-25 du/acre).

9585. Required findings for a residential mixed-use development conditional use permit.

No conditional use permit for a new residential mixed-use development shall be approved unless the findings in section 9673.2 and all of the following findings are made:

- A. Residential uses are part of a balanced, well-unified mixed-use development, with the residential and non-residential uses integrated with each other and the remainder of the site through architectural and design elements.
- B. Resident-serving recreation and other amenities are incorporated into the development.
- C. Residential and non-residential uses are compatible.
- D. Residential and non-residential portions of the development are integrated by architectural design, pedestrian walkways, and landscaping.
- E. All other provisions of this zoning district can be satisfied.

9586. Residential design requirements.

Multi-family housing shall be part of a residential mixed-use development on the same lot, or the residential and non-residential components may be proposed on separate but adjacent lots as part of a unified project. Residential and non-residential uses in a mixed-use project shall be implemented in the same phase. Multi-family housing shall comply with the regulatory provisions of chapter 6, and include the following minimum design requirements:

- A. All parking and loading shall comply with the provisions of section 9654 et seq., and include on-site designated residential parking, which shall be separate from the on-site non-residential use parking;
- B. Recreational and other residential-serving amenities provided, including useable outdoor developed open space for the residents pursuant to section 9273.7;
- C. Residential mixed-use buildings shall be designed to assure compatibility among uses, which shall include separate access, fire suppression barriers, separate resident parking, and noise insulation; and

D. Utilities and signs shall be in compliance with chapter 6.”

SECTION 12. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 13. Effective Date. This ordinance shall go into effect on the 31st day after its passage.

SECTION 14. Certification. The City Clerk of the City of Agoura Hills shall certify to the passage and adoption of this ordinance and shall cause the same or a summary thereof to be published and posted in the manner required by law.

PASSED, APPROVED AND ADOPTED this ____th day of _____, 2014, by the following vote to wit:

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

William D. Koehler
Mayor

ATTEST:

Kimberly M. Rodrigues, MMC
City Clerk

APPROVED AS TO FORM:

Candice K. Lee
City Attorney

APPENDIX B

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ADDENDUM TO THE CERTIFIED FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE CITY OF AGOURA HILLS GENERAL PLAN 2035; ADD THE PLANNED OFFICE AND MANUFACTURING (POM) DISTRICT AND MIXED USE OVERLAY (MXD) DISTRICT AS NEW ZONING DISTRICTS TO ARTICLE IX OF THE AGOURA HILLS MUNICIPAL CODE; AMEND THE CITY'S ARCHITECTURAL DESIGN STANDARDS AND GUIDELINES; AND ADOPT A GENERAL PLAN AMENDMENT AND ZONE CHANGE FOR THE SUBAREA 5 PLANNING AREA LOCATED NORTH OF AGOURA ROAD TO ALLOW FOR MIXED-USE DEVELOPMENT (CASE # 14-ZOA-002; 14-ZC-001; AND 14-GPA-001)

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

WHEREAS, on March 24, 2010, the City Council adopted the City of Agoura Hills General Plan 2035 (General Plan);

WHEREAS, the General Plan contains goals, policies and implementation measures specific to Subarea 5 of the General Plan;

WHEREAS, applications for a Zoning Ordinance Amendment (14-ZOA-002), General Plan Amendment (14-GPA-001), and Zone Change (14-ZC-001) were duly filed by the City of Agoura Hills (City) to establish the new land use designations and zoning districts of Planned Office and Manufacturing (POM) and Mixed Use Overlay (MXD) in Subarea 5 of the General Plan;

WHEREAS, the Planning Commission has considered: (1) a General Plan Amendment to incorporate a new land use designation of POM in the text of Chapter 2 Community Conservation and Development of the General Plan, on Figure LU-2 Land Use Diagram and Figure LU-3 Community Districts and Subareas, and in Table III-2 of the General Plan Housing Element; (2) Ordinance No. 14-__, which establishes the POM and MXD zoning districts and related development standards and regulations; (3) a Zone Change to revise the zoning map to identify the new POM and MXD zoning districts; and (4) an amendment to the City's Architectural Design Standards and Guidelines to provide recommendations on the design of project sites and buildings specifically in the POM zoning district, with the aforementioned items constituting the "project";

WHEREAS, a duly noticed public hearing was held on June 19, 2014 at 6:30 p.m. in the City Hall Council Chambers, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid hearing was duly given;

WHEREAS, evidence, both written and oral, was duly presented to and considered by the Planning Commission of the City of Agoura Hills at the aforesaid public hearing;

WHEREAS, after close of the public hearing, the Planning Commission considered all public comments received both before and during the public hearing, the presentation by City staff, the staff report, the recommendations, and all other pertinent documents and associated actions regarding the proposed General Plan Amendment, Zoning Ordinance Amendment, Zone Change, and Amendment to the City's Architectural Design Standards and Guidelines;

WHEREAS, it is the intent of the City to provide a cohesive and integrated redevelopment of the General Plan Subarea 5 properties as a center of community commerce and living with a distinct community identity, including a mix of land uses, an internal street network, and connectivity among land uses and buildings; and

WHEREAS, the proposed General Plan Amendment, Ordinance No. 14-____, the Zone Change, and the Amendment to the City's Architectural Design Standards and Guidelines would provide land use and development standards, regulations, and design recommendations that are consistent with General Plan Goal LU-24 (Mixed use center) and the following General Plan Policies: LU-24.1 (Provide development with economic value to create a well-planned and designed center), LU-24.2 (Mix of uses), LU-24.3 (Internal street and sidewalk network to promote pedestrian activity), LU-24.4 (Promote shared parking and landscaped internal walkways with public amenities), LU-24.5 (Connect buildings, walkways and open space internally and with adjoining land uses), and LU-24.6 (Prepare a regulatory document to provide for cohesive development of properties to address development and design standards);

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the State CEQA Guidelines promulgated thereunder, and the City's local CEQA Guidelines, the City Council certified the Final Program Environmental Impact Report for the City of Agoura Hills General Plan 2035 on March 24, 2010 (EIR);

WHEREAS, pursuant to Section 15164 of the CEQA Guidelines, the City as lead agency may prepare an addendum to a previously certified EIR if some changes or additions to the EIR are necessary but none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR have occurred. Pursuant to CEQA Guidelines Section 15162, no subsequent EIR shall be prepared for the project unless, on the basis of substantial evidence in the light of the whole record, one or more of the following is determined:

- (1) Substantial changes are proposed in the project that will require major revisions of the previous EIR due to the involvement of new, significant environmental effects or a substantial increase in the severity of previously identified significant effects;

- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance identifies one or more significant effects not discussed in the previous EIR, significant effects previously examined will be substantially more severe than shown in the previous EIR, mitigation measures or alternatives previously found not to be feasible or not analyzed in the EIR would be feasible and would substantially reduce one or more significant effects but the project proponents decline to adopt of the measure or alternative;

WHEREAS, the above criteria have been assessed with respect to the project in accordance with the CEQA Guidelines, and staff has prepared an Addendum to review the potential environmental effects of the project;

WHEREAS, the Planning Commission has independently reviewed the Addendum and certified Final Environmental Impact Report (EIR) for the City of Agoura Hills General Plan 2035 (both of which are attached hereto as Exhibit "A" and incorporated by this reference) and all comments received, both written and oral, regarding the Addendum, and based upon the whole record before it, finds that: (1) those documents were prepared in compliance with CEQA, the CEQA Guidelines and the City's local CEQA Guidelines; (2) City staff has correctly concluded that the Addendum to the EIR for the City of Agoura Hills General Plan 2035 is the appropriate and adequate environmental document because the project will not result in any new or substantially increased environmental effects, and (3) the findings contained therein represent the independent judgment and analysis of the Planning Commission;

WHEREAS, the Planning Commission has considered the contents of the Addendum and certified EIR for the City of Agoura Hills General Plan 2035 in its decision-making processes in making its recommendation on the proposed General Plan Amendment, Ordinance No. 14-___, the Zone Change, and the amendment to the City's Architectural Design Standards and Guidelines; and

WHEREAS, the custodian of records for the Addendum and all materials that constitute the record of proceedings upon which the Planning Commission's decision is based is the City Clerk of the City of Agoura Hills, and those documents are available for public review in the Office of the City Clerk located at 30001 Ladyface Court, Agoura Hills, California 91301.

NOW, THEREFORE, BE IT RESOLVED, based upon the findings and conclusions set forth above, the Planning Commission of the City of Agoura Hills recommends that the City Council adopt the Addendum to the City of Agoura Hills General Plan 2035 certified EIR prepared for the project; adopt the General Plan