

## REPORT TO CITY COUNCIL

**DATE:** AUGUST 13, 2014  
**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL  
**FROM:** GREG RAMIREZ, CITY MANAGER *GR*  
**BY:** MIKE KAMINO, DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT *MK*  
**SUBJECT:** ADOPTION OF SUBAREA 5 ORDINANCE NO. 14-409

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At the July 9, 2014 City Council meeting, the Council introduced, read by title only, and waived further reading of the Subarea 5 Ordinance amending Article IX of the Agoura Hills Municipal Code to incorporate the Planned Office and Manufacturing (POM) district and the Mixed Use Overlay district; making conforming amendments to Article IX of the Municipal Code; and adopting a zone change in Subarea 5 (Ordinance No. 14-409). The City Council approved the introduction of Ordinance No. 14-409 on a 4-1 vote, with the provision that the "drive-in restaurant" be removed from the list of allowed uses in the POM district as shown in the Commercial Land Use Table (Table 1 in Section 9312.2).

The Ordinance implements the General Plan 2035 goals and policies for this particular area of the City, which are to provide a mix of land uses in a well-designed and planned center.

### RECOMMENDATION

Staff recommends the City Council adopt Ordinance No. 14-409 for Subarea 5.

Attachment: Ordinance No. 14-409

**ORDINANCE NO. 14-409**

**AN ORDINANCE OF THE CITY COUNCIL 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 A ZONE CHANGE IN SUBAREA 5**

**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 in the location referred to as Subarea 5 of the General Plan.

B. On June 19, 2014, the Planning Commission of the City of Agoura Hills held a duly noticed public hearing to consider the Ordinance, 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. 14-1107, recommending adoption of the Ordinance, including the zoning code amendments and a Zone Change.

C. On July 9, 2014, the City Council of the City of Agoura Hills conducted and concluded a duly noticed public hearing concerning the zoning code amendments and Zone Change 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 thereunder, 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 independently reviewed the Addendum and certified Final Program Environmental Impact Report for the City of Agoura Hills General Plan 2035, and based upon the whole record before it, found that the Addendum was prepared in compliance with CEQA, the CEQA Guidelines and the City's local CEQA Guidelines. The City Council also found that City staff 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 found 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 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 those findings, the City Council adopted 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.** The Zoning Maps is hereby amended as shown in Exhibit A.

**SECTION 6.** Section 9302 of Part 1 of Chapter 3 of Article IX of the Agoura Hills Municipal Code is hereby amended as follows:

"Chapter 3

**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
11. POM Planned Office Manufacturing District, §§ 9387-9389
12. Special Commercial Use Standards, §§ 9391-9395.1
13. Standards for Specific Uses, § 9396
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 7.** 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>								
A.									
1.	Addressing and mailing service	B	B		B	B	•	•	•
2.	Advertising business office						•	•	•
3.	Alarm and warning systems sales and services	•	•		•	•			
4.	Alcoholic beverage establishments, off-sale	W	W	W	W	W	W	W	W
5.	Alcoholic beverage establishments, on-sale	W	W	W	W	W	W	W	W
6.	Ambulance service		K						K
7.	Antique store	•	•		•	•			
8.	Appliance store	•	•		•	•	•		
9.	Appliance repair shop	•	•		•	•	•		•
10.	Arcade, electronic, mechanical, video games, or internet arcade	K	K	K	K	K			
11.	Armored car service	•	•		•	•	•		•
12.	Art gallery	•	•		•	•			
13.	Art studio	•	•		•	•	•		•
14.	Assembly, light manufacturing						•		•
15.	Athletic equipment and sporting goods store	•	•		•	•	•		
16.	Auto sales; new and used		J				K		K
17.	Auto rental or lease agency	J	J		J	J	J	U	J,
18.	Auto wholesaler, office only (no on-site storage of vehicles)		•				•	•	
19.	Auto service station, primary	•	•		•	•		K, U	•
20.	Auto, minor service, repair, replacement								
	a. Automatic transmission	C	•		C	C			•
	b. Auto tire sales, service	C	•		C	C			•
	c. Auto seat covers, reupholstery shop	C	•		C	C			•
	d. Auto battery and ignition	C	•		C	C			•
	e. Auto radio, stereo, CB	•	•		•	•			•
	f. Auto radiator replacement, service		•						•
	g. Auto muffler, replacement, service		•						•
	h. Auto electric (starter-generator) replacement, service	C	•		C	C			•
	i. Auto brake replacement, service	C	•		C	C			C
	j. Auto minor repair, services, adjustment	C	•		C	C			C
	k. Auto trailer hitch installation	C	•		C	C			C
	l. Auto diagnosis and tune-up	C	•		C	C			•

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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>									
m	Auto detailing (servicing and cleaning for resale)	C	•		C	C			•
n	Auto glass installation and sales	C	•		C	C			•
21.	Auto, major								
a.	Auto, major repair								C
b.	Auto, transmission rebuild								C
c.	Auto, radiators rebuild								C
d.	Auto, starter-generator rebuild								C
e.	Auto, body repair								C
f.	Auto, paint shop								C
g.	Auto, machine shop								C
22.	Auto storage, antique		J						•
23.	Auto parts and accessory store	•	•		•	•			•
24.	Auto wash, self-service or automatic		•						•
(Ord. No. 207 § 1, 4-8-92; Ord. No. 229, § 1, 5-26-93; Ord. No. 04-325, § 1, 8-25-2004; Ord. No. 09-362, § 2, 7-8-09; Ord. No. 11-388 § 14, 12-14-2011)									
<b>B.</b>									
1.	Bakery/pastry shop	•	•		•	•			
2.	Bakery, wholesale						•		•
3.	Banks and financial institutions	•	•		•	•	•	•	•
4.	Bar/tavern	W	W		W	W	W	U	W
5.	Bath house/sauna, steam			G			G	G, U	G
6.	Barbershop	•	•		•	•	•	E, U	•
7.	Beverage bottling works						•		•
8.	Bicycle sale, rent, service		I				•		
9.	Blueprinting service	•	•		•	•	•	•	•
10.	Boat sale, rent, service		I						
11.	Boat parts and accessory store	D	D		D	D	D		D
12.	Bookstore	•	•		•	•	•	U	•
13.	Bookstore, adult	Q	Q		Q	Q	Q	Q, U	Q
14.	Building trades contractors office		•				•	•	•
15.	Building trades service yard		I				I		I
16.	Building material and lumber sales	C	I, J		I, J	C	I, J		I, J
17.	Butcher and meat market	•	•		•	•			
18.	Butcher, wholesale, excluding slaughterhouse								•
(Ord. No. 09-362, § 2, 7-8-09; Ord. No. 11-388, § 14, 12-14-2011)									
<b>C.</b>									
1.	Cabinet shop		J				J		J
2.	Candy store	•	•		•	•	•	U	•
3.	Cemeteries, crematories and columbarium and related facilities			K					
4.	Certified farmer's market	K	K		K	K			
5.	Child care center	Y	Y		Y	Y	•	U	•
6.	Church/temple	K	K	K	K	K	K	K, U	K
7.	Clinic, child, family guidance	•	•		•	•	•	•	•
8.	Clinic, physical therapy	•	•		•	•	•	•	•

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		CS	CRS	CR	CN	CS-MU	POM	BP-OR	BP-M
	<i>Unless otherwise indicated, listings denote retail sales operations</i>								
9.	Clothing and apparel store	•	•		•	•	G	G, U	G
10.	Coffee shop	•	•		•	•	•	U	•
11.	Coin operated amusement machine, incidental to a permitted use	•	•	•	•	•	•	•	•
12.	Coin operated dispense, collection of 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	•	•		•	•			
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.									

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	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>								
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			
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.									



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	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>								
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	•	•		•	•	•		•
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)									

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		CS	CRS	CR	CN	CS-MU	POM	BP-OR	BP-M
	<i>Unless otherwise indicated, listings denote retail sales operations</i>								
<b>O.</b>									
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)									
<b>P.</b>									
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 )									
<b>R.</b>									
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							

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		CS	CRS	CR	CN	CS-MU	POM	BP-OR	BP-M
	<i>Unless otherwise indicated, listings denote retail sales operations</i>								
	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	•	•		•	•			
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	•	•		•	•	•	•	•

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>								
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 )									
<b>T.</b>									
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
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 )									
<b>U.</b>									
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 )									
<b>V.</b>									
1.	Veterinarian/animal hospital		K				.		.
(Ord. No. 11-388, § 14, 12-14-2011 )									
<b>W.</b>									
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

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>								
(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 8.** 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 9.** 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 12. SPECIAL COMMERCIAL USE STANDARDS**

**PART 13. STANDARDS FOR SPECIFIC USES**

**PART 14. STANDARDS FOR PERIODIC OUTDOOR DISPLAY”**

**SECTION 10.** 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 11.** 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 \_\_\_\_ day of \_\_\_\_\_, 2014, by the following vote to wit:

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

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William D. Koehler  
Mayor

ATTEST:

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Kimberly M. Rodrigues, MMC  
City Clerk

APPROVED AS TO FORM:

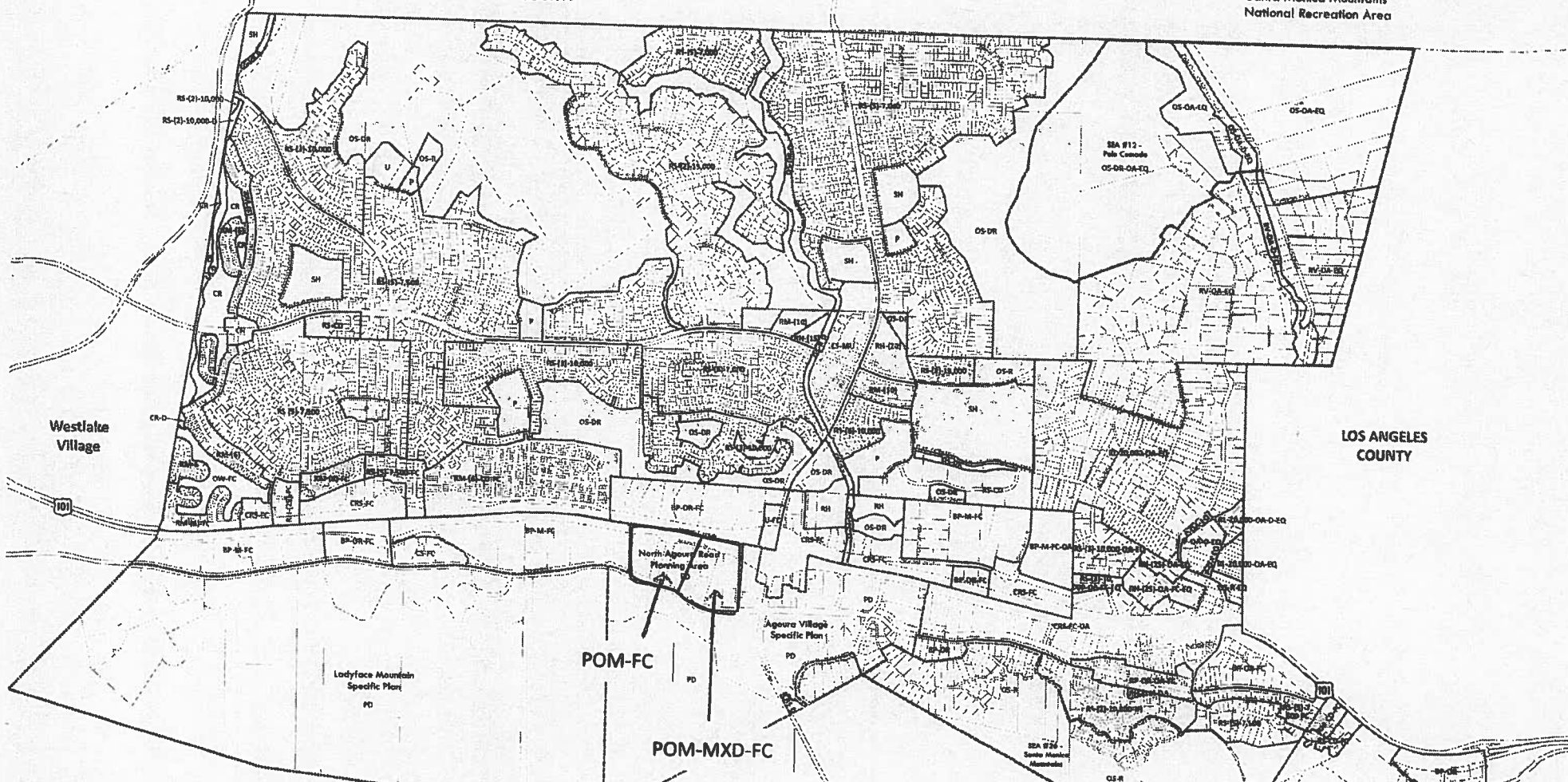
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Candice K. Lee  
City Attorney

**EXHIBIT A**

VENTURA  
COUNTY

Santa Monica Mountains  
National Recreation Area



**CITY OF AGOURA HILLS ZONING MAP**

- Description of Basic Districts**
- RV - Very Low Density Residential
  - RL - Low Density Residential
  - RS - Single Family Residential
  - RM - Medium Density Residential
  - RH - High Density Residential
  - CN - Commercial Neighborhood
  - CS - Commercial Shopping Center
  - CSS - Commercial Retail Service
  - CS-MJ - Commercial Shopping Center-Mixed Use
  - CR - Commercial Recreation
  - BP-OL - Business Park-Office Retail
  - BP-M - Business Park-Manufacturing
- Description of Special Districts**
- F - Local Park
  - PD - Planned Development
  - SH - School
  - U - Utility
  - OW - Open Water
  - OS-R - Open Space - Restricted
  - OS-DR - Open Space-Deed Restricted
- Description of Overlay Districts**
- D - Drainage Way, Floodplain, Watercourse
  - FC - Freeway Corridor
  - CA - Old Agoura Design
  - HD - Indian Hill Design
  - CD - Cluster Development
  - EQ - Equestrian
- Other Additive Symbols**
- SEA (Significant Ecological Area) #12 - Pale Cascade
  - SEA (Significant Ecological Area) #26 - Santa Monica Mountains
  - Old Agoura Commercial Center
- Map Notes:**
- The numerical suffix after the basic residential district (RL, RS, RM, and RH) indicates the minimum lot size permitted, i.e. RS-10,000 means Single Family Residential 10,000 sq ft minimum lot size.
  - The numerical suffix in brackets when affixed to the RL, RS, RM, and RH districts indicates the density per acre, i.e. RS-10,000 (4) means 4 units per acre, four units per gross acre.
- Map based from 2011

**Zoning Map Amendment – Zoning Map with Overlay Districts**

