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**DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT**

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**ACTION DATE:** October 16, 2014

**TO:** Planning Commission

**APPLICANT:** Tracie Sorrentini  
5003 Medina Road  
Woodland Hills, CA 91364

**CASE NO.:** 14-ZOA-004

**LOCATION:** Citywide

**REQUEST:** Request for the Planning Commission to conduct a public hearing and provide a recommendation to the City Council to allow daytime pet care and overnight boarding as a conditionally permitted use in the Commercial Retail Service (CRS) zoning district and in the Old Agoura Design Overlay District, by amending Zoning Ordinance Sections 9312.2, 9312.3, and 9552.1.

**ENVIRONMENTAL DETERMINATION:** Exempt from the California Environmental Quality Act (CEQA) per Section 15061(b)(3) of the CEQA Guidelines

**RECOMMENDATION:** Staff recommends that the Planning Commission adopt a motion to approve the Draft Resolution, recommending that the City Council adopt the Draft Ordinance.

**I. BACKGROUND**

Ms. Tracie Sorrentini is requesting a Zoning Ordinance Amendment to allow commercial daytime pet care and overnight boarding facilities in the Commercial Retail Service (CRS) zoning district. The applicant is interested in opening a business in an existing, vacant, retail building located at 30601 Canwood Street, at the northwest corner of Lake Lindero Drive and Canwood Street, and within the Commercial Retail Service (CRS) zoning district. The applicant's project description, which includes daycare and overnight pet boarding for dogs and

cats, as well as an indoor recreation area and ancillary retail component, is attached for reference. Staff notes, however, that the applicant's particular project is not under consideration at this time. Rather, the request before the Planning Commission, and subsequently the City Council, is to amend the Zoning Ordinance to allow the "daytime care and overnight boarding" use in the entire CRS zoning district, in addition to the Old Agoura Design Overlay District, subject to the issuance of a Conditional Use Permit (CUP) from the Planning Commission.

In 2009, the City Council approved a Zoning Ordinance Amendment to allow dog day-care with overnight boarding in the portion of the Business Park Manufacturing (BP-M) zoning district located south of the 101 freeway. In 2014, the same use was allowed in the portion of the Commercial Retail Service (CRS) zoning district located in the Old Agoura Commercial Center Area, just south of the 101 freeway. In both of those instances, the Planning Commission's approval of a CUP was required before a dog daycare/boarding establishment could open.

If approved, this application would authorize: (1) daycare and boarding for not only dogs, but also for other small animals, and (2) the pet daycare and boarding use subject to a CUP, in all CRS zoned parcels in the City, including the applicant's property of interest as well as parcels located in the Old Agoura Design Overlay District.

**II. STAFF ANALYSIS**

The Zoning Ordinance currently regulates dog daycare/boarding, grooming services, pet stores, and veterinarians/animal hospitals. The table below summarizes all pet care related uses regulated in the City, and the zones in which they are permitted. To date, the City has licensed three veterinary offices, two stand alone dog grooming facilities, two dog boarding facilities with miscellaneous retail services, and one pet store. Also, the County of Los Angeles operates the animal shelter on Agoura Road, within the City boundaries.

	USE, SERVICE OR FACILITY	COMMERCIAL						BUSINESS PARK	
		CS	CRS	CR	CN	CS-MU	POM-MXD	BP-OR	BP-M
	Unless otherwise indicated, listings denote retail sales operations								
D.7	Daytime dog care, including overnight care		GG				DD		DD
G.7	Grooming service, such as dog grooming	●	●		●	●	●	●	●
P.3	Pet store, no kennel	●	●		●	●			--
V.1	Veterinarian/animal hospital		K				●		●

DD A permitted use in the BP-M zone for parcels located south of the 101 Freeway, subject to the issuance of a conditional use permit by the planning commission.

- GG A permitted use in the commercial retail service (CRS) district of the Old Agoura Commercial Center as defined in Section 9552, subject to the issuance of a conditional use permit by the planning commission.
- K Permitted subject to the issuance of a conditional use permit by the planning commission.
- Permitted use

As shown in Exhibit B, the CRS zoning district is generally located north of the freeway, west of Reyes Adobe Road; and north and south of the freeway, between Kanan Road and Chesebro Road. The purpose of the CRS zoning district is to provide for a diversity of general commercial, retail and services uses, and provide for the needs of the residents of the City and the surrounding area. Staff finds the proposed use meets these purposes.

All parcels within the CRS zoning district are within the Freeway Corridor Overlay district. As noted in the Zoning Ordinance, the purpose of the Freeway Corridor Overlay district is “to recognize the importance of the land use, architectural design and appearance of development within the freeway corridor to the City’s image.” It is further noted that “areas within the freeway corridor overlay district are “gateways;” they are seen first by visitors and residents as they pass through the City, and as they exit the freeway to enter the City. These areas are of crucial importance in establishing the City’s identity and character in the minds of visitors and residents.”

Beginning with City incorporation, steps have been taken to improve the image of the City’s freeway corridor, including the prohibition of outdoor storage, the amortization of outdoor commercial uses, and adoption of architectural design standards and guidelines for future development. In order to maintain the preferred appearance of the freeway corridor, and the fact that some CRS zoned parcels are adjacent to or near residential zoning districts, staff recommends pet daycare boarding, if allowed in the CRS zoning district be subject to a CUP. A Conditional Use Permit is already a requirement for dog day car and overnight boarding facilities in the two other aforementioned areas of the City. The Conditional Use Permit requirement in the remaining CRS zoned areas provides the Planning Commission an opportunity to review proposals on a case-by-case basis and to place conditions on the development and operational aspects of the use, such as aesthetics, outdoor use and outdoor play areas, noise, and hours of operation.

Staff is proposing to reclassify “Daytime dog care, including overnight care” to the broader use category of “Daytime pet care and overnight boarding.” This change will allow for the boarding of dogs, as well as cats and possibly other pet animals, as proposed by the applicant, and staff does not expect any additional impacts as a result of this change. Proposed changes to the Commercial Use Table, as shown below, include allowing the proposed daytime pet care and overnight boarding use in the CRS district, including within the Old Agoura Commercial Center Area. A CUP would still be required.

Daytime pet care and overnight boarding with the special condition designation of “DD” (“a permitted use in the BP-M zone for parcels located south of the 101 Freeway, subject to the issuance of a conditional use permit by the planning commission”) would continue to be applied

to the BP-M district of the Commercial Use Table with no change. Staff would note, though, that when the POM-MXD (Planned Office and Manufacturing – Mixed Use Overlay) zoning district (Sub-Area 5 of the General Plan) was recently adopted, the designation of “DD” was applied for dog day care. Since the “DD” special condition is defined by referring specifically to the BP-M district, and not the POM-MXD district, staff finds it appropriate to make a clean-up change in the Commercial Use Table to change the pet boarding designation in the POM-MXD district from “DD” to “K.” There is no practical effect of this clean-up change since Planning Commission approval of a CUP will still be required for a daytime pet care and overnight boarding facility to be approved in the POM-MXD district. This change would not impact the existing Camp Bow Wow dog boarding facility on Roadside Drive. Also, since the proposed change to allow daytime pet care with overnight boarding, subject to a CUP, would apply to all CRS zoned property, staff is recommending the deletion of Zoning Ordinance Section 9312.3 (GG), which applied specifically to the use within the boundaries of the Old Agoura Commercial Center Area. This change would not impact the existing Dioji dog care and boarding facility on Chesebro Road.

The proposed changes to Section Nos. 9312.2 and 9312.3 are shown below (new text underlined):

	USE, SERVICE OR FACILITY	COMMERCIAL						BUSINESS PARK	
		<i>CS</i>	<i>CRS</i>	<i>CR</i>	<i>CN</i>	<i>CS-MU</i>	<i>POM-MXD</i>	<i>BP-OR</i>	<i>BP-M</i>
	Unless otherwise indicated, listings denote retail sales operations								
D.									
7.	<del>Daytime dog care, including overnight care</del> Daytime pet care and overnight boarding		<del>GG</del> <u>K</u>				<del>DD</del> <u>K</u>		<del>DD</del>

DD. A permitted use in the BP-M zone for parcels located south of the 101 Freeway, subject to the issuance of a conditional use permit by the planning commission.

K. Permitted subject to a conditional use permit from the planning commission.

~~GG: A permitted use in the commercial retail service (CRS) district of the Old Agoura Commercial Center as defined in Section 9552, subject to the issuance of a conditional use permit by the planning commission~~

Section 9552.1 of the Zoning Ordinance includes a list of permitted commercial uses within the Old Agoura Commercial Center Area, including daytime dog care with overnight boarding. For consistency with the proposed changes to the Commercial Use Table, staff is proposing to change the use designation to refer to “pets” instead of referring to “dogs” only. This proposed amendment is shown as follows:

“30.1 ~~Daytime dog care, including overnight care;~~ Daytime pet care and overnight boarding;”

Staff finds that the request would be compatible with the General Plan Goal No. LU-2, which calls for “a mix of land uses which meets the diverse needs of the Agoura Hills residents, offers a variety of employment opportunities, and allows for capture of regional population and employment growth.” Staff also finds daytime pet care and overnight boarding to be compatible with the intent of the CRS zoning district, as well as with the general mix of existing and allowable uses within the zoning district. A Conditional Use Permit would allow the Planning Commission to review the requests on a case-by-case basis to ensure compatibility with neighboring uses and to impose reasonable conditions regarding the number of pets allowed for each boarding facility, the type of pets allowed, the operating hours, and other specific operational standards.

Staff has reviewed the draft Ordinance and determined that it has no likelihood of causing a significant effect on the environment, and further determined that the proposed Ordinance is exempt from the application of the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3) of the State CEQA Guidelines, which state as follows: “Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.” This finding is premised on the fact that the adoption of the Ordinance will maintain the current environmental conditions arising from the current land use regulatory structure as adopted by the City without change or alteration.

The Planning Commission is asked to make a recommendation of approval to the City Council on the draft Ordinance. Final action on the Ordinance will be taken by the City Council at a public hearing. If the Ordinance is approved by the City Council, the applicant may then apply for a Conditional Use Permit for his proposed use which would be considered by the Planning Commission at a public hearing.

### **III. RECOMMENDATION**

Based on the foregoing review and analysis, it is recommended that the Planning Commission adopt the attached Draft Resolution, recommending the City Council approve Zoning Ordinance Amendment Case No.14-ZOA-004.

### **IV. ATTACHMENTS**

- Draft Resolution
- Draft Ordinance
- Exhibit A: Applicant’s Description of the Business
- Exhibit B: Map of Parcels currently zoned CRS where daytime pet care and overnight boarding would be allowed
- Exhibit C: Notice of Exemption

**Case Planner:** Valerie Darbouze, Associate Planner

**DRAFT RESOLUTION NO. \_\_\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING SECTIONS 9312.2, 9312.3 AND 9552.1 OF THE ZONING ORDINANCE (ARTICLE IX OF THE AGOURA HILLS MUNICIPAL CODE) TO ALLOW DAYTIME PET CARE AND OVERNIGHT BOARDING AS A CONDITIONALLY PERMITTED USE IN THE COMMERCIAL RETAIL SERVICE (CRS) ZONING DISTRICT (CASE NO. 14-ZOA-004)**

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS DOES HEREBY RESOLVE, FIND, DETERMINE, AND ORDER AS FOLLOWS:

WHEREAS, the Planning Commission has considered an application from Tracie Sorrentini to amend, Sections 9312.2, 9312.3 and 9552.1 of the Agoura Hills Municipal Code to allow daytime pet care with overnight boarding as a conditionally permitted use in the Commercial Retail Service (CRS) zoning district (Case No. 14-ZOA-004); and

WHEREAS, a public hearing was duly held on October 16, 2014, at 6:30 p.m. in the Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid public hearing was duly given and published as required by state law; and

WHEREAS, evidence, both written and oral, including the staff report and supporting documentation, was presented to and considered by the Planning Commission at the aforesaid public hearing; and

WHEREAS, after the 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 reports, the recommendations and all other pertinent documents and associated actions regarding the proposed ordinance amendments; and

WHEREAS, the request complies with the General Plan and Goal LU-2 because it contributes to the 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; and

WHEREAS, City staff has determined that the adoption of the Ordinance is exempt from the application of the California Environmental Quality Act ("CEQA"), as amended, pursuant to Section 15061(b)(3) of the State CEQA Guidelines (Title 14 Cal. Code. Regs.-§ 15061(b)(3)). The adoption of this Ordinance will maintain the current environmental conditions arising from the current land use regulatory structure as adopted by the City without change or alteration.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Agoura Hills recommends that the City Council adopt the attached draft Ordinance amending Municipal Code Sections 9312.2, 9312.3 and 9552.1 to allow daytime pet care and overnight boarding in the Commercial Retail Service (CRS) zone as a conditionally permitted use.

Draft Resolution No. \_\_\_\_

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PASSED, APPROVED, and ADOPTED this 16th day of October, 2014 by the following vote to wit:

AYES: (0)

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

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Michael Justice, Chairperson

ATTEST:

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Mike Kamino, Secretary

**DRAFT ORDINANCE NO. 14-\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING MUNICIPAL CODE SECTIONS 9312.2; 9312.3; AND 9552.1 TO ALLOW DAYTIME PET CARE AND ONVERNIGHT BOARDING IN THE COMMERCIAL RETAIL SERVICE (CRS) ZONE AS A CONDITIONALLY PERMITTED USE (CASE NO. 14-ZOA-004)**

THE CITY COUNCIL OF THE CITY OF AGOURA HILLS DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Pursuant to the California Environmental Quality Act (“CEQA”), as amended, the CEQA Guidelines, and the City’s local CEQA Guidelines, City staff for the City of Agoura Hills determined that the proposed Zoning Ordinance Amendment (“Project”) to allow daytime pet care and overnight boarding in the Commercial Retail Service (CRS) zone as a conditionally permitted use will not have any possible effect on the environment. Staff concluded that the proposed Ordinance is exempt from the application of CEQA pursuant to CEQA Guidelines Section 15061(b)(3), which states that “[w]here it can be seen with certainty that there is no possibility that the activity in question may have a significant impact on the environment, the activity is not subject to CEQA”. Staff’s finding is premised on the fact that the adoption of the Ordinance will maintain the current environmental conditions arising from the current land use regulatory structure as adopted by the City without changes or alterations. The City Council concurs with City staff’s determination and therefore directs staff to prepare and file a Notice of Exemption with the County Clerk pursuant to CEQA Guidelines Section 15062 within five days of the date of this action.

Section 2. Item “D.7” in Commercial Use Table 1 in Section 9312.2 of Part 2 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended as follows (underlined text represents new text and strike-out text represents removed text), with all other portions of Commercial Use Table 1 to remain unchanged:

	USE, SERVICE OR FACILITY	COMMERCIAL						BUSINESS PARK	
		CS	CRS	CR	CN	CS-MU	POM	BP-OR	BP-M
	Unless otherwise indicated, listings denote retail sales operations.								
D.									
7.	<del>Daytime dog care, including overnight care</del> <u>Daytime pet care and overnight boarding</u>		<del>GG</del> <u>K</u>				<del>DD</del> <u>K</u>		DD



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

~~“GG: A permitted use in the commercial retail service (CRS) district of the Old Agoura Commercial Center as defined in Section 9552, subject to the issuance of a conditional use permit by the planning commission.”~~

Section 4. Section 9552.1 of Part 6 of Chapter 5 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended as follows:

~~“30.1 Daytime dog care, including overnight care; Daytime pet care and overnight boarding;”~~

Section 5. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional by any court or competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or applications, and to this end the provisions of this ordinance are declared to be severable. The City Council declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof even if one or more sections, subsections, sentences, clauses, phrases, parts or portions thereof is declared invalid or unconstitutional.

Section 6. Certification and Posting. 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 a manner required by law. This Ordinance shall go into effect on the 31<sup>st</sup> day after its adoption.

PASSED, APPROVED, and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by the following vote to wit:

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

\_\_\_\_\_  
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

## Paw Hills Summary

### **Who We Are**

Dogs are playing a larger role in our lives, and are considered "Man's Best Friend!" Dogs are now seen as members of the family and working people are choosing to provide them with a good life. Loving families with active dogs and an active conscience are in search of better lives for their dogs and peace of mind for themselves, causing busy dog lovers to flock to an ever-growing number of dog day care facilities across the nation.

Tracie Sorrentini, the owner, has worked in a high-paced, customer-service-oriented profession in several different industries for 15 years. Tracie's background includes training Dressage horses and then becoming a tennis pro at 16 years old and at 21 started and ran a successful tennis academy for children in Puerto Rico. She has earned the respect of her colleagues through hard work and dedication.

Paw Hills is a thriving, holistic, home-based animal care center that began as a part-time business about 3 years ago in Woodland Hills, CA. Owner, Tracie, loves animals so much that, several years ago, in her spare time after work in the evenings, she offered to walk a few of her busy neighbors' dogs. Tracie's neighbors discovered that their pets were always happier after they had been with Tracie, and they told their friends about Tracie's magic touch. Word of mouth spread like wildfire, so Tracie formed a sole proprietorship and within a year she had hired staff, expanded her operation to include dog boarding and offered services to other kinds of pets, including cats, rabbits and guinea pigs. Tracie already has over 300 clients in her existing client base.

Now, Paw Hills must expand again: the business has outgrown its home base and needs dedicated animal care facilities in order to continue providing its unique, outstanding services. During Christmas 2013, she set an all time high record of 55 dogs due to such high demand for pet care and all the local commercial facilities being full. From business colleagues to friends surveyed, Tracie has what it takes to make this animal care facility extremely successful. She will count on her reputation to exceed expectations while continuing to grow an already established and active client base.

# Paw Hills Summary

## **Project Summary**

**Location:** 30601 Canwood St. Agoura Hills, CA

**Size:** 16,950 SQF

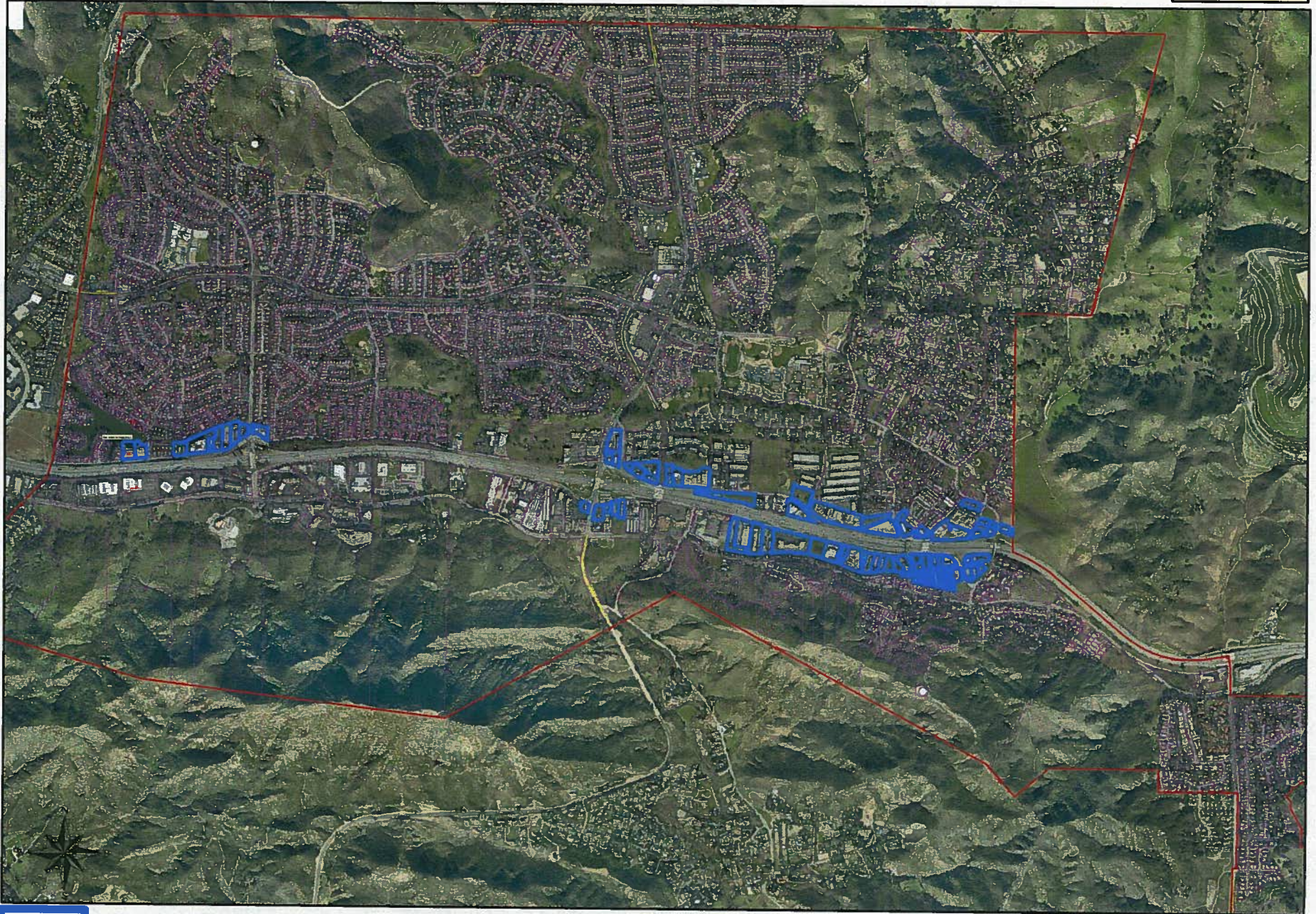
**Parcel Size:** 52,531 SQF

The majority of the facility will be devoted to doggie day care guests with separate indoor play areas divided by young puppies, small dogs, big dogs, couch potatoes, high energy and a special center for senior/special needs. There will be an area dedicated to a dog training gymnasium and classes for Dog/Cat CPR classes. We will include cage free boarding arrangements from economy cabins up to luxury suites with real human beds/mattresses and even a separate nursing home wing for much older or disabled dogs needing a slower paced environment and special care. We will include dog walks for potty breaks around the exterior of the building while staying on the property. This facility will also offer kitty condos and a bird room with an aviary so not only to spoil your pooch but your cat and bird can camp out here as well. There will be a grooming salon and retail sold in the boutique. We will have small rooms dedicated to our dog and cat adoptions complete with housing for them and a lounge for clients to bond with their new potential family member.

# City of Agoura Hills

ZONING ORDINANCE AMENDMENT CASE NO. 14-ZOA-004

Zoning Map



 Commercial Retail Service (CRS) Zoned Parcels

## Notice of Exemption

To:        Office of Planning and Research  
                                  1400 Tenth Street, Room 121  
                                  Sacramento, Ca 95814

From:   City of Agoura Hills  
          30001 Ladyface Court  
          Agoura Hills, California 91301

   County Clerk  
          County of Los Angeles  
          Los Angeles County Clerk  
          12400 E. Imperial Hwy.  
          Norwalk, CA 905690

**Project Title:** Zoning Ordinance Amendment to allow commercial daytime pet care including overnight boarding in the Commercial Retail Service zone (CRS), subject to the issuance of a Conditional Use Permit. (Case No. 14-ZOA-004)

**Project Location-Specific:** Commercial Retail Service Zoned Parcels Citywide

**Project Location-City:** City of Agoura Hills

**Project Location-County:** Los Angeles

**Description of Nature, Purpose, and Beneficiaries of Project:** The Zoning Ordinance Amendment merely adds a use to the Zoning Ordinance Commercial Land Use Table. There is a request to provide a daytime pet care including overnight boarding in the City of Agoura Hills, a use that is currently allowed in portions of the Business Manufacturing (BP-M) and Old Agoura Commercial Center Area (OA). The request is to also allow the use in all Commercial Retail Service (CRS) zoned parcels. The private party requesting the amendment is looking to occupy an existing building with a vacant commercial building. It is anticipated that the operation will not require any particular utility services but only minor interior improvements. The business would be opened not only to the community residents but to the community at large. This notice of exemption is submitted for the purpose of the legislative action not the entitlement required to review the use.

**Name of Public Agency Approving Project:** City of Agoura Hills

**Name of Person or Agency Carrying Out Project:** City of Agoura Hills  
  30001 Ladyface Court  
  Agoura Hills, California 91301

**Exempt Status:** (Check One)

- Statutory Exemption (14 Cal. Code of Regs. Sections 15260 et seq.);
- No Possibility of physical impact. (14 Cal Code of Regs. Section 15061 (b)(3));
- Ministerial (14 Cal Code of Regs. Sec. 15268);
- Declared Emergency (14 Cal Code of Regs. Sec. 15269(a);
- Emergency Project (14 Cal Code of Regs Sec. 15269(b),(c), (d) and (e));
- Categorical Exemption (14 Cal Code of Regs. Sections 15300 et seq.) State of California CEQA Guidelines Section 15301 (e) (2)

Notice of Exemption

14-ZOA-004

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**Reasons why project is exempt:** It is determined that the Zoning Ordinance Amendment has no likelihood of causing a significant effect on the environment. The use is considered to cause no significant impact as well as this request to amend the Code. The project is exempt from the application of the California Environmental Quality Act (CEQA), pursuant to Section 15061(b) (3) of the State CEQA Guidelines, which state as follows: "Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." This finding is premised on the fact that the adoption of the Ordinance will maintain the current environmental conditions arising from the current land use regulatory structure as adopted by the City without change or alteration.

**Lead Agency Contact Person:** Valerie Darbouze, Associate Planner

**Area Code/Telephone/Extension:** (818) 597-7328

*Signature:* \_\_\_\_\_

*Date:* \_\_\_\_\_

*Title:* \_\_\_\_\_