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**DEPARTMENT OF PLANNING AND  
COMMUNITY DEVELOPMENT**

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**ACTION DATE:** August 20, 2015

**TO:** Planning Commission

**APPLICANT:** Equine Estates/Fortune Realty  
11911 San Vicente Boulevard, Suite 375  
Los Angeles, CA 90808

**LOCATION:** Chesebro Road on the north side of the U.S. 101, east of the City of Agoura Hills, in the County of Los Angeles; APNs 2052-009-270, 2055-010-270. Other areas to be annexed include APN 2055-010-901 and a portion of the Caltrans U.S. Highway 101 right-of-way.

**REQUEST:** Annexation of the project site and adjacent areas to the City of Agoura Hills.

**ENVIRONMENTAL DETERMINATION:** Environmental Impact Report (EIR) per CEQA and CEQA Guidelines.

**RECOMMENDATION:** Recommend that the City Council: (1) adopt a Resolution to certify the Final Environmental Impact Report and approve the Mitigation Monitoring and Reporting Program; (2) adopt a Resolution of Application to annex the project site and adjacent areas and amend the Sphere of Influence; and (3) adopt the Pre-Zoning Ordinance for the Agoura Equestrian Estates Project.

**ZONING:** Los Angeles County zoning: A-1-5 (Light Agricultural, maximum residential density of 1 dwelling unit/5 acres); OS-P (Open Space – Parks).

**LAND USE:** Los Angeles County Santa Monica Mountains North Area Plan: Mountain Lands N5 (5 acres per residential unit) and Open Space.

## **I. BACKGROUND AND PROJECT DESCRIPTION**

### **A. Project Location**

The Agoura Equestrian Estates Project site is located in the unincorporated area of Los Angeles County, just east of the City of Agoura Hills border, along Chesebro Road, and north of Driver Avenue/Palo Comado Canyon Road. The project site is located on land owned by the City of Agoura Hills, which is proposed to be purchased and partially developed by a private company (the applicant). The site consists of two parcels: APN 2052-009-270, which is a nearly 71-acre parcel to the east and south of Chesebro Road; and APN 2055-010-270, which is an approximately 0.25-acre parcel across Chesebro Road from the main parcel (see Attachment 1, Project Location). Assessor Parcel Number 2052-009-270 consists of valley and hillside areas characterized by natural vegetation, including grasses, shrubs and trees, some of which are oak trees. Chesebro Canyon Creek runs along APN 2055-010-270. The site as a whole is bordered on the west by low density residential single-family homes in the Old Agoura community and a gas station, with some commercial services and high density residential development adjacent to the U.S. 101 Highway corridor further west, all of which are located in the City of Agoura Hills. To the north and east, the project site is surrounded by open space owned by the State of California (Mountains Recreation and Conservation Authority – MRCA). The southern portion of the project site is bounded by U.S. Highway 101.

### **B. Development of Phases 1 and 2**

The Agoura Equestrian Estates Project involves annexation of the approximately 71-acre site (APNs 2052-009-270 and 2055-010-270) into the City of Agoura Hills from the County of Los Angeles, and subdivision of the site into 17 lots, including two permanent open space lots (Lot Nos. 16 and 17) and 15 residential single-family lots (Lot Nos. 1-15). Specifically, APN 2055-009-270 would be subdivided into 15 residential lots on about 22 acres, and one 49-acre open space lot to be preserved. APN 2055-010-270 would be preserved in its entirety as open space. The project involves two phases, both of which consist of multiple step processes. The multiple steps are detailed more fully in Section IV. NEXT STEPS of this report.

The item that is the subject of this report is solely the California Environmental Quality Act (CEQA) document prepared for the Agoura Equestrian Estates Project and the initiation of an annexation application and pre-zoning request for the Agoura Equestrian Estates Project and adjacent lands at this time (related ultimately to City Case No. 13-ANX-001, the discretionary action to be considered later). Nonetheless, for background purposes, Phase 1 and 2 of the project, to be considered at a later date, are described below.

Phase 1 of the project includes the following in the 22-acre development area:

- Construction of a private access road through the site, including rolled curb

- Trails, fencing and drainage improvements within the private road right-of-way
- Relocation/construction of an existing multi-use informal trail located partially within and partially outside of the site boundaries to the east
- Earthen and rock drainage swale improvements, debris detention basins, and underground pipes for runoff, terminating in an outlet into Chesebro Creek
- An equestrian trail and fence along the western side of the site, adjacent to existing homes
- Extension of utilities under the proposed private road from existing water and sewer lines south of site under Chesebro Road
- Grading of Lot 1 only to ensure that the grading in Phase 1 can be balanced onsite (no export/import of soil)

Attachment 2 (Subdivision Map with Equestrian Trails) shows the proposed subdivision map with the equestrian trails. A shear key/buttress fill is required to be constructed east of Lot 9 (see Final Environmental Impact Report (EIR) Figure 4.2-3) pursuant to the project's Geotechnical Site Evaluation report (Gorian, 2013) to address a potential landslide (see Section 4.3 Geology and Soils of the FEIR). The buttress, which is an EIR mitigation measure (Mitigation Measure GEO-1(a)), would be constructed as part of Phase 1. It consists of removing and replacing soil in a 30 x 180 foot square area.

Phase 1 includes grading for construction of the infrastructure components, but not for residential pads or residences, with the exception of the pad grading for Lot 1. Lot 1 is within a Federal Emergency Management Agency (FEMA) floodplain, and excess dirt from the project grading would be used to elevate Lot 1 so that there would be no net export or import of soil from the Agoura Equestrian Estates Project site. However, no residence on Lot 1 would be constructed as part of the Phase 1 project. Construction of Phase 1 is proposed to begin within one year of entitlement and to take a total of two years. During project construction, staging and equipment storage areas would be located at Lot 15 of the proposed subdivision, and outside of the protected zones of the existing on- and off-site oak trees. Access to and from the site would be via Chesebro Road, Palo Comado Canyon Road and U.S. Highway 101.

Phase 2 consists of the development of each single-family residence in the future. It is anticipated that 15 residential single-family lots will ultimately be developed with individual homes and associated landscaping. No plans have been submitted for the residential development of the 15 units. As each residence is proposed, the development would require an individual permit process, such as Site Plan Review and possibly an Oak Tree Permit, which would include separate application review.

Total grading for Phase 1 is estimated at 2,506 cubic yards of cut and 2,506 cubic yards of fill, with no net import or export of soil (see Final EIR Figure 2-6 for the grading plan). Phase 2 grading, based on concept grading at this time (see Final EIR Appendix B for a concept grading plan), would also balance the cut and fill onsite. The conceptual estimate for grading of Phase 2



is a total 13,445 cubic yards of cut and 9,715 cubic yards of fill, with a shrinkage of 2,020 cubic yards and a subsidence of 1,710 cubic yards, resulting in a net balance on the site and no import/export of soil. Nonetheless, as each residential lot would be developed in the future, an individual grading plan would be required for review and approval. The individual grading plan would need to be generally consistent with the quantity of grading identified in the FEIR or additional CEQA review would be required. The areas on each lot shown for grading may vary, and the location of the grading and the precise building pad would be determined at the time each residential application is submitted.

**C. Local Agency Formation Commission/Sphere of Influence/Annexation**

The project site is proposed for annexation, as it would provide for orderly development of the ultimately proposed 15 single-family homes along with a private road and associated infrastructure. Access to the site and utilities/infrastructure would be taken via the City of Agoura Hills. The area surrounding the project site on the east is rural and undeveloped, whereas there are existing higher density homes on the west (City of Agoura Hills), limited commercial use on the south (City of Agoura Hills), and open space and similar-density residential uses beyond to the north (the latter of which is in the City of Agoura Hills). Without annexation, the proposed development may be viewed as a subdivision “island” in Los Angeles County, rather than being contiguous with other existing built areas of the adjacent City of Agoura Hills to allow coherent and efficient development. Additionally, the City owns the project site, and desires to allow for development of a limited portion of the site, with the remainder maintained as permanent open space land, consistent with City standards and regulations pursuant to the General Plan and Municipal Code.

Upon initial discussions with the Los Angeles County Local Agency Formation Commission (LAFCO), the entity that reviews and approves annexations, City staff was directed to include two other areas, besides the two project site parcels, in the annexation request: (1) the portion of the Caltrans U.S. Highway 101 right-of-way (ROW) along the south side of the project site; and (2) the State of California (MRCA) open space parcel APN 2055-010-901 (see Attachment 3, Areas Proposed for Annexation, and Attachment 3a Correspondence from LAFCO). Nonetheless, these two areas would remain in their existing state, with no improvements proposed. In summary, the areas proposed for annexation include the following:

<b>APN</b>	<b>Acres</b>	<b>Ownership</b>
2052-009-270	71	City of Agoura Hills
2055-010-270	0.26	City of Agoura Hills
2055-010-901	38	State of California (MRCA)
Caltrans ROW	8	State Department of Transportation (Caltrans)
Total	117	

The above noted areas include the annexation of a portion of Chesebro Road through both the project site and the State of California parcel, ensuring that the City would own and maintain



Chesebro Road in this segment only.

LAFCO requires that a California Environmental Quality Act (CEQA) document be prepared and adopted/certified by the Lead Agency, and submitted to LAFCO as part of a request for an annexation and Sphere of Influence change. A Sphere of Influence (SOI) is a term used to delineate the City's probable future physical boundary and service area. It consists of an area that a City intends to annex in the future, but which is not currently within the City limits. As such, the SOI is often bigger than a City's current jurisdiction. Annexation refers to incorporating a specific unincorporated County territory into the City limits. The area to be annexed must be identified in a City's SOI. Since the date of incorporation of the City of Agoura Hills, the City's boundary has been coterminous with its SOI. In other words, there are no lands in the SOI that have not already been incorporated into the City. Therefore, the proposed application to LAFCO would include a request for an SOI change and annexation at the same time. The City boundary would continue to be coterminous with the SOI. LAFCO also requires that as part of the annexation application submittal, a City "pre-zone" the areas it wishes to annex by way of a Pre-Zoning Ordinance, and prepare a Resolution of Application to LAFCO.

#### **D. Zoning and Land Use Designations**

##### **1. Current Zoning**

The current zoning designations for the two project parcels, as well as the State of California open space parcel and Caltrans ROW, are as follows: County of Los Angeles A-1-5 (Light Agricultural, maximum residential density of one dwelling per 5 acres) for APN 2052-009-270 and O-S (Open Space) for APN 2055-010-270 (total 71 acres); for Caltrans ROW and APN 2055-010-901 (State of California parcel) to be annexed only, it is A-1-5 and O-S respectively.

##### **2. Current Land Use Designations**

The current land use designations are as follows: County of Los Angeles North Area Plan N5 Mountain Lands (maximum residential density of one dwelling per 5 acres) for APN 2052-009-270, and OS-P (Open Space-Parks) for APN 2055-010-270 (total 71 acres); for Caltrans ROW and State of California parcel to be annexed only, it is TC (Transportation Corridor) and OS-P with Significant Ecological Area overlay, respectively.

##### **3. Proposed Zoning and Land Use Designations**

The proposed City zoning and General Plan land use designations for the areas to be annexed are listed below, and shown on Attachment 4 (Pre-Zoning Areas). The zoning districts are those being proposed for the "pre-zoning" as required by LAFCO. The zoning districts and land use designations exist in the Zoning Code and General Plan, and no new districts or designations are to be created. Staff proposes these particular designations and districts, as they most closely fit with the proposed Agoura Equestrian Estates Project and best reflect the site and surrounding area, which is lower density development and protected open space. Note that pursuant to AHMC

Section 9672.9(C), the zoning designations must be shown with a “UA” identification attached to the designation to indicate that upon annexation approval, such designation would apply to the property.

<b>Parcel</b>	<b>General Plan Designation</b>	<b>Zoning</b>
<p><u>Project Site</u></p> <p>Fifteen Residential Lots                      (portion of APN 2052-009-270, proposed Lots 1-15)</p> <p>Remaining Onsite Parcels                      (remainder of APN 2052-009-270, proposed Lot 17;                      and all of APN 2055-010-270, proposed Lot 16)</p>	<p>Residential Very Low Density                      (RV) (1 acre minimum lot)</p> <p>Open Space – Deed Restricted                      (OS-DR)</p>	<p>Very Low Density Residential (RV)                      (1 acre minimum lot)-Old Agoura                      Design Overlay (OA)-Equestrian                      Overlay (EQ)</p> <p>Open Space – Deed Restricted (OS-                      DR)-OA-EQ</p>
<p><u>Other Lands</u></p> <p>APN 2055-010-901</p> <p>Caltrans ROW</p>	<p>OS-DR</p> <p>OS-DR</p>	<p>OS-DR-OA-EQ</p> <p>OS-DR-OA-EQ</p>

The Very Low Residential (RV) zoning is the lowest density residential zone in the City, and is intended for large lot development suitable for equestrian and agricultural-oriented uses. It permits one single-family dwelling unit per lot, with a one-acre minimum lot size. The RV zone is found in the City north of the project site. To the west of the project site, the residential area is zoned at a slightly higher density, Low Density Residential (RL), which includes large lots to provide for equestrian uses in conjunction with residential and related development, with a 20,000 square foot minimum lot size. The RV zone reflects the proposed project’s subdivision into residential lots (Lot Nos. 1-15) of between 1.28 and 1.78 acres, and the desire to accommodate equestrian uses on the lots.

The Open Space – Deed Restricted zone is the most restrictive zone in the City. It is for areas which, because of natural habitat, visual and aesthetic value, or other reason, should be preserved as natural open space by restricting development rights through deed restrictions. In this zone, no use is permitted without a Conditional Use Permit, and the following conditional uses are allowed: parks and trails; wildlife preserves; and public passive recreational uses that bear a reasonable relationship to open spaces. The project proposes to protect the two open space lots noted previously (Lot Nos. 16 and 17) as permanent open space, deed restricted. The particular receiving entity of the two open space lots has yet to be determined. Nonetheless, as part of recordation of the Final Tract Map by the applicant, deed restrictions would be placed on these open space lots indicating allowed uses and other conditions, consistent with the OS-DR zone and the project conditions of approval, including EIR mitigation measures.

Each parcel or land area to be annexed is proposed to be zoned Old Agoura Design Overlay (OA) and Equestrian Overlay (EQ). The reason for this zoning is the location of the lands, upon annexation approval, in the Old Agoura community of the City, and within an area of equestrian use, similar to the adjacent uses in the City. The Old Agoura Design Overlay is to preserve the unique character of Old Agoura through establishing special public improvement standards and design guidelines. The purpose of the EQ overlay is to create, enhance, and protect the equestrian and rural atmosphere of the property. These overlay zones would ensure that the proposed Agoura Equestrian Estates Project site, State of California parcel, and Caltrans ROW would be compatible with the particular area of the City within which the areas would be annexed, and that the proposed equestrian uses on the Agoura Equestrian Estates Project site would be consistent with City standards for equestrian areas.

The proposed zoning of the State of California (MRCA) lot and the Caltrans ROW would enable the current uses to continue and be protected as such. No change in use of either of these lands is proposed or expected.

## **II. REQUESTED PLANNING COMMISSION ACTIONS**

At this time, the Planning Commission is being asked to consider recommending that the City Council take only the following actions:

- Certification of the Final Environmental Impact Report (EIR) and the related Mitigation and Monitoring and Reporting Program (MMRP) per the California Environmental Quality Act (CEQA)
- Approval of Pre-Annexation
- Approval of Pre-Zoning

The actions are described more below. The Planning Commission, along with the City Council, will be considering the applicant-requested Agoura Equestrian Estates Project entitlements, including annexation approval by the City, at a later date, subsequent to any LAFCO approval of annexation.

### **A. Final Environmental Impact Report and Mitigation Monitoring and Reporting Program.**

The Environmental Impact Report (EIR) assesses both the near-term impacts of Phase 1 of the project (subdivision; annexation; grading of Lot 1; and construction of a private road, drainage and basins, trails, and utilities), and the long-term construction of 15 single-family homes on the 15 single-family lots under Phase 2. It is anticipated that the subsequent permitting process for individual residences on the newly subdivided residential lots (e.g., Site Plan Review, Oak Tree Permit) that comply with applicable provisions of the Municipal Code and are consistent with the EIR would not require further environmental analysis.

A Notice of Preparation/Initial Study was prepared and circulated for agency comment in May



2014. The following issues were addressed in that document, and were not necessary to carry forward in the EIR analysis because there would be no impact or impacts would be less than significant: agriculture resources; air quality; cultural resources; greenhouse gases; land use and planning; mineral resources; noise; population and housing; public services; recreation; transportation/traffic; and utilities and service systems.

The Draft EIR analyzed the following environmental issue areas, and identified less than significant impacts, or potentially significant, but mitigable, environmental effects on aesthetics; biological resources; geology and soils; hazards/hazardous materials; and hydrology and water quality. All potentially significant impacts were shown to be lessened to a less than significant level by implementation of outlined mitigation measures.

The Notice of Availability/Notice of Intent to Adopt (NOA/NOI) an EIR was distributed to public agencies at the local, state and federal level, public interest/non-profit groups, and homeowners associations prior to January 15, 2015, and the Draft EIR was circulated for public review from January 15, 2015 to March 2, 2015. The Planning Commission held a public hearing to receive comments on the document on February 5, 2015. Notices were posted at City Hall, the City Recreation Center, the Agoura Hills Library and the Los Angeles County Clerk's Office, as well as in the local newspaper. The Draft EIR was made available for review on the City's website, at the Planning Counter at City Hall and at the Agoura Hills Library.

Thirty six (36) comment letters were received. City staff and the EIR consultant responded to each of the comments in writing. The comment letters and responses are found in Section 8.0 Response to Comments of the Final EIR. The most common topic themes found in the public comment letters were the following:

- Residential units, including possible second units
- Proposed trails
- Traffic impact analysis
- Traffic from secondary units
- Fuel modification and permanent preservation of sensitive communities
- Wildlife movement and connectivity
- Botanical surveys

These comments are addressed in the "global responses" portion of the Responses to Comments.

In response to the comments, portions of the EIR were revised to clarify or provide additional information. These edits are shown in strikeout/underline mode in the Final EIR. In particular, additional botanical surveys were conducted in March, April and June of 2015, with the results of the surveys incorporated in the Final EIR. The reason for additional botanical surveys in 2015 is that the 2014 surveys were conducted after a period of prolonged dry weather, and rains occurred in early 2015, after the DEIR was released for public review. After such rains, it might be expected that more plant species would be present than may have been in the prior year, in particular the round leaf filaree, a California rare plant. The DEIR indicated that the project could

result in the reduction in the number or habitat of rare plant species (Impact BIO-2), including specifically the round leaf filaree, although it was not detected in 2014, but that mitigation to prepare an onsite or offsite restoration plan or offsite preservation for the round leaf filaree and other rare plant species was required in the event the species are found onsite and cannot be avoided (MM BIO-2(b)). In other words, the DEIR anticipated a circumstance in which the round leaf filaree may be found onsite in future surveys. Finding the round leaf filaree on the project site in 2015 did not change the level of impact identified in the DEIR.

In some cases, Draft EIR mitigation measures were amended or added to provide extra protection to resources. However, the revisions to the EIR did not result in identification of new or more severe impacts or change the conclusion of the Draft EIR regarding significance of an impact. The revisions to, or addition of, mitigation measures in the Final EIR were not necessary to reduce potentially significant impacts to a less than significant level, as the Draft EIR already concluded that implementation of the Draft EIR mitigation measures would already accomplish this.

CEQA Guidelines Section 15088.5 indicates that an EIR must be recirculated prior to certification if “significant” new information is disclosed. New information added to an EIR is not “significant” unless the EIR is changed such that it deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the project’s proponents have declined to carry out. “Significant new information” can include, for example, that:

- A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant impacts of the project, but the project’s proponents decline to adopt it.
- The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

None of the conditions listed above have been met in the EIR, and the EIR is not required to be recirculated. The modifications to the Draft EIR for inclusion in the Final EIR do not constitute “significant new information” as defined in Section 15088.5 of the State CEQA Guidelines. The modifications described in Section 8.0 Responses to Comments of the FEIR and shown in ~~strikeout~~/underline mode in the FEIR text do not show: (1) new significant environmental impacts from the project or from new mitigation measures that were not identified in the DEIR; (2) a substantial increase in the severity of environmental impacts described in the DEIR; (3) feasible project alternatives or mitigation measures considerably different from others previously

analyzed that would clearly lessen the significant environmental impacts of the project, but which the project proponent declines to adopt; or (4) that the Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. As such, the decision not to recirculate the EIR would not deprive the public of a meaningful opportunity to comment on substantial adverse effects or feasible mitigation measures or alternatives.

Attachment 5 is the Final EIR, which was previously provided to the Planning Commission under separate cover. It consists of the Draft EIR, the public comment letters and responses to the items raised in these letters, as well as technical appendices and the Mitigation Monitoring and Reporting Program. Any necessary changes to the EIR based on the public comments have been incorporated into the Draft EIR text to form the Final EIR.

On August 6, 2015, a CD copy of the Final EIR with the full set of comments and the corresponding responses was mailed to each individual, agency or entity that provided comments on the Draft EIR. On that same day, a copy of the Final EIR was made available online on the City's website, as well as available at the Planning Department in City Hall. (Please also note that on August 3, 2015, an e-mail with an electronic link to the FEIR - including the comments and responses to comments - was sent to all commenters as a courtesy, in advance of the mailed and posted copies).

Notice of this public hearing and availability of the Final EIR were posted at City Hall, the City Recreation Center, and the Agoura Hills Library, and published in the local newspaper. The notice was also mailed to all property owners within a 300-foot radius of the proposed areas to be annexed; all commenters on the Draft EIR; and all those on the NOA/NOI distribution list identified above. For informational purposes, the Public Resources Code Section 21092.5(a) requires that the City provide responses to all comments received at least ten days prior to certifying the Final EIR. While the City Council would be the decision-making body to consider certifying the Final EIR at a later date, the responses were nonetheless provided to the commenters prior to the Planning Commission hearing consistent with that requirement.

CEQA Guidelines Section 15097 requires an approving agency to adopt a Mitigation Monitoring and Reporting Program (MMRP) for measures needed to avoid or lessen a project's significant effects. The MMRP is included as Appendix I to the Final EIR. The purpose of such a program is to ensure that mitigation measures identified in the EIR are implemented by listing the measures, the timeframe for their implementation, and the entity responsible for ensuring that they are carried out.

Attachment 6 is the Resolution of the Planning Commission recommending that the City Council certify the Final EIR for the Agoura Equestrian Estates Project; make environmental findings pursuant to the California Environmental Quality Act; and adopt a Mitigation Monitoring and Reporting Program. The City must certify the Final EIR prepared for the Agoura Equestrian Estates Project prior to initiating annexation, as well as approving the project. According to the CEQA Guidelines Section 15090(a), certification consists of three steps. Prior to approving a



project, the lead agency must certify that: (1) the Final EIR was completed in compliance with CEQA; (2) the Lead Agency (City) reviewed and considered the Final EIR before approving the project; and (3) the Final EIR reflects the agency's independent judgment and analysis.

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

- Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environment effect as identified in the Final EIR.

The EIR has incorporated required mitigation measures that reduce all potentially significant impacts to a less than significant level. The Resolution addresses the finding by summarizing the impacts identified in the Final EIR and briefly describing the mitigation measures required to reduce the impacts to a level of less than significant.

Section 15092 of the CEQA Guidelines requires that a public agency (the City) must only decide to approve or carry out a project for which an EIR was prepared if:

- The project approved will not have a significant effect on the environment; or
- The agency has either: eliminated or substantially lessened all significant effects on the environment where feasible as shown in the findings under Section 15091; or determined that any remaining significant effects on the environment found to be unavoidable under Section 15091 are acceptable due to overriding concerns.

The Resolution addresses this requirement by summarizing that the Final EIR has demonstrated that all significant effects on the environment have been reduced to a level of less than significant through required mitigation measures. Therefore, no statement of overriding considerations is necessary.

## **B. Annexation**

Attachment 7 is a Resolution of the Planning Commission recommending that the City Council approve a Resolution of Application. The Resolution of Application initiates the LAFCO annexation and Sphere of Influence amendment process. The reasons for this proposed annexation, as listed in the Resolution, are to create a logical extension of City boundaries; to promote the efficient provision of municipal services and access in the affected territory; and, considering that 71 acres of the territory are owned by the City, to allow for limited development and permanent open space uses of the site, consistent with City standards and regulations pursuant to the General Plan and Municipal Code. The Resolution relates to City Case Number 13-AXN-001 for annexation, however, neither the Planning Commission nor the City Council is being asked to consider approval of that permit case at this time (see below under "IV. NEXT STEPS").

### **C. Pre-Zoning**

Attachment 8 is a Resolution of the Planning Commission recommending that the City Council approve a Pre-Zoning Ordinance. The Resolution would designate the proposed annexation territories with City of Agoura Hills zoning designations, consisting of RV-OA-EQ (UA) (Very Low Density Residential-Old Agoura Design Overlay-Equestrian Overlay) at a density of one acre minimum lot for the approximately twenty two (22) acre area (Lot Nos. 1-15) of Assessor Parcel Number 2052-009-270 that would contain single-family homes; OS-DR-OA-EQ (UA) (Open Space-Deed Restricted-Old Agoura Overlay-Equestrian Overlay for Assessor Parcel Number 2055-010-270 (0.25-acre parcel containing Chesebro Canyon Creek, known as Lot 16) and the remainder of Assessor Parcel Number 2052-009-270 (open space Lot 17); and OS-DR-OA-EQ (UA) for Assessor Parcel Number 2055-010-901 (State of California-MRCA) and the U.S. Highway 101 right-of-way. The Resolution states that these zoning designations most closely match with the proposed Agoura Equestrian Estates Project and adjacent areas to be annexed, and best reflect the areas surrounding the annexation territory, which are lower density development and protected open space, and within the Old Agoura Design Overlay and Equestrian Overlay.

The Resolution finds that the proposed Pre-Zoning is consistent with the City of Agoura Hills General Plan 2035, and lists applicable goals of the General Plan. The Resolution states that, prior to final adoption of the annexation and Sphere of Influence amendment by the City Council after LAFCO approval, the City Council would consider a General Plan Amendment to incorporate the new annexation territories into the text and exhibits of the General Plan, reflecting their inclusion in the City boundary. This action would ensure consistency with the General Plan.

### **III. OTHER**

Attachment 9 (Other Comments) contains two other letters from the public regarding the EIR or the project. The letter from George and Kathi Colman received June 8, 2015 is a cover letter forwarding a letter from the National Park Service dated July 10, 2001 regarding another project in a separate location of the City. In the letter, the National Park Service expresses concerns about the Liberty Canyon Wildlife Corridor. The letter from George and Kathi Colman was received almost three months after the Agoura Equestrian Estates Project Draft EIR close of the public comment period, and it does not specifically address the present EIR. The Liberty Canyon Wildlife Corridor is addressed in Section 4.2 Biological Resources of the EIR, and is also discussed in Section 8.0 Response to Comments, Global Response 6.

The letter from the National Wildlife Federation California, also dated June 8, 2015, expresses support for preserving Chesebro Meadow, which is another name for the Agoura Equestrian Estates project site.

#### IV. NEXT STEPS

After the Planning Commission hearing, the City Council would conduct a public hearing at a regularly scheduled meeting to consider adopting a Resolution to certify the Final Environmental Impact Report and the related Mitigation and Monitoring and Reporting Program pursuant to the California Environmental Quality Act (CEQA); a Resolution of Application; and a Pre-Zoning Ordinance. Upon approval by the City Council, the City would then initiate the annexation and Sphere of Influence amendment process with LAFCO. The LAFCO review process could take between 18-24 months. Upon approval of the annexation and Sphere of Influence amendment by LAFCO, the Phase 1 entitlement components of the project, listed below, would return to the Planning Commission for recommendation, followed by City Council action. Phase 2 development of each of the 15 residential lots with single-family homes is expected to occur at a later date as part of an individual permit process, including separate application review and entitlement, for each home.

- Vesting Tentative Tract Map (TR 72316) to:
  - Divide approximately 71 acres (APN 2052-009-270) into sixteen lots: (1) open space to be preserved, (2) fifteen residential lots
  - Retain the one parcel (about 0.26 acre) across Chesebro Road (APN 2055-010-270) as a separate open space lot to be preserved
- Annexation and Sphere of Influence Amendment (13-ANX-001) for the two project parcels plus the state-owned parcel (APN 2055-010-901) and a portion of the Caltrans right-of-way along U.S. Highway 101
- General Plan Amendment (13-GPA-002) to reflect annexation of new areas into the General Plan text and exhibits
- Oak Tree Permit (13-OTP-021) for oaks associated with Phase 1 work along the western side of the project site (encroachment only - oaks to remain)
- Conditional Use Permit (13-CUP-005) for the overall project, given that the approximately 71-acre parcel is hillside, and that trails are proposed in the OS-DR zone of current APN 2052-009-270 on Lot 17
- Zone Change and Zoning Ordinance Amendment (13-ZC-001 and 13-ZOA-001) from County zoning to Residential Very Low (RV)-Old Agoura Overlay (OA)-Equestrian Overlay (EQ) for fifteen residential lots and Open Space – Deed Restricted (OS-DR)-OA-EQ for the two open space lots within the project site (proposed Lots 16 and 17), and the State of California parcel (APN 2055-010-901) and Caltrans U.S. Highway 101 ROW
- Development Agreement (13-DA-001) (see description below)

As part of the project entitlements, the applicant has requested that the City approve a Development Agreement, as authorized by the Development Agreement Act (Cal. Gov't Code Section 65864, *et seq.*). A Development Agreement would provide for the development of the project site in phases and grant the applicant a vested right to develop the project site over time consistent with the terms of the project approvals. To



create certainty over time, a Development Agreement freezes the development standards and laws in effect as of the date the project entitlements are approved. Although a Development Agreement would significantly restrain the City's power to change land use powers applicable to the project, the Development Agreement provides the City with sufficient reserved powers during its term to respond to health and safety-related changes and other specified City-wide situations.

As proposed consideration for the rights granted under a Development Agreement, the applicant offers public benefits to the City by providing permanent dedication of about 49 acres of open space land, annexation of the development into the City of Agoura Hills and City control, an equestrian path and the preservation of an existing informal trail on state land managed by the National Park Service; and a covenant recorded against the property that will prohibit development of the property for any school purposes. In exchange for these and other benefits to the City, the applicant will receive assurances that the project may be developed during the term of the Development Agreement, subject to the terms and conditions of the Development Agreement and any conditions of approval.

The initial term of the Development Agreement is proposed to be ten years, and may be extended by five years as long as the applicant retains ownership of the project site and is proceeding with development of the project site, for a potential total term of no longer than 15 years. The rights granted by a Development Agreement would run with the land, and be transferrable to the subsequent owners of each of the proposed 15 individual residential lots. Approval of a Development Agreement is considered a legislative act, which must be accomplished through the City Council's adoption of an ordinance.

## **V. RECOMMENDATION**

Staff recommends that the Planning Commission conduct a public hearing and adopt the three (3) attached Resolutions in the following order:

1. Resolution recommending that the City Council of the City of Agoura Hills certify the Final Environmental Impact Report for the Agoura Equestrian Estates Project; make environmental findings pursuant to the California Environmental Quality Act; and adopt a Mitigation Monitoring and Reporting Program.
2. Resolution recommending that the City Council of the City of Agoura Hills approve the pre-zoning of approximately 117 acres for the Agoura Equestrian Estates Project and adjacent properties.
3. Resolution recommending that the City Council of the City of Agoura Hills request that the Local Agency Formation Commission of Los Angeles County initiate proceedings to

amend the City's Sphere of Influence and annex certain uninhabited territory to the City of Agoura Hills for the Agoura Equestrian Estates Project and adjacent lands.

**ATTACHMENTS**

1. Project Location Map
2. Subdivision Map with Equestrian Trails
3. Areas Proposed for Annexation
- 3a. Correspondence from LAFCO
4. Pre-Zoning Areas
5. Final Environmental Impact Report (provided previously, under separate cover)
6. Planning Commission Resolution regarding CEQA
7. Planning Commission Resolution regarding annexation application
8. Planning Commission Resolution regarding pre-zoning
9. Other Comments

CASE PLANNER: Allison Cook, AICP, Assistant Planning Director

**Attachment 1**

**Project Location Map**





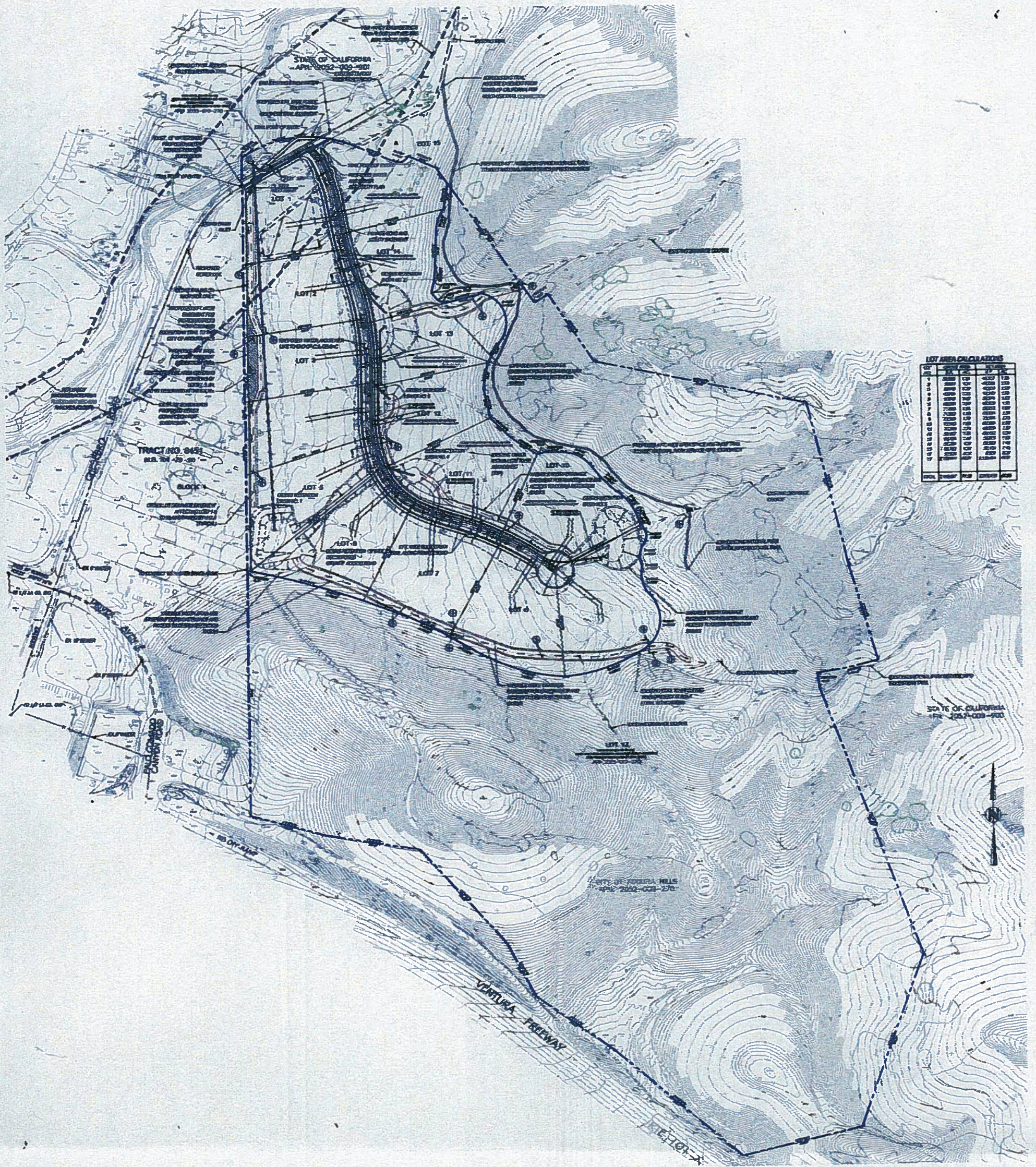
Imagery provided by Google and its licensors © 2014.

Project Location

**Attachment 2**

**Subdivision Map with Equestrian Trails**



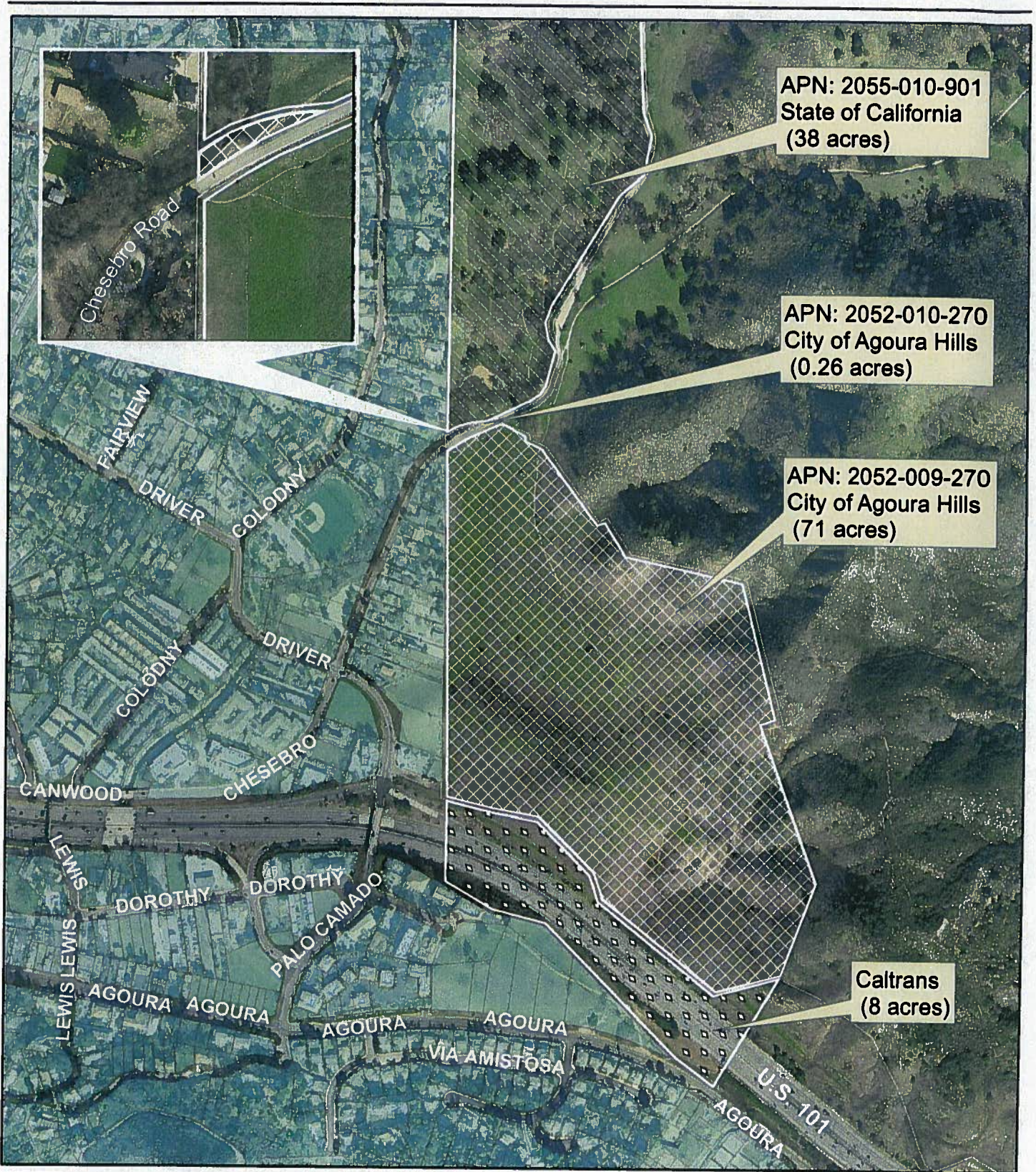




**Attachment 3**

**Areas Proposed for Annexation**








APN: 2055-010-901  
State of California  
(38 acres)

APN: 2052-010-270  
City of Agoura Hills  
(0.26 acres)

APN: 2052-009-270  
City of Agoura Hills  
(71 acres)

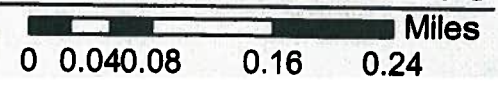
Caltrans  
(8 acres)

-  State of California (MRCA) Annexation Area
-  City of Agoura Hills - Agoura Equestrian Estates Project Annexation Area
-  Caltrans Right of Way Annexation Area



**Attachment 3**

**Areas Proposed for Annexation**





**Attachment 3a**

**Correspondence from LAFCO**

## Allison Cook

---

**From:** Paul Novak [pnovak@lalafco.org]  
**Sent:** Monday, March 09, 2015 7:45 AM  
**To:** Allison Cook  
**Cc:** Doug Dorado  
**Subject:** FW: Agoura Equestrian Estates Project DEIR and Annexation

Allison:

Thank you for the inquiry which Doug forwarded to me.

LAFCO's interest in expanding the "affected territory" (the land proposed to be annexed to the City of Agoura Hills) involves maintenance responsibilities for Chesebro Road. Chesebro is a north-south roadway divided, more or less, into thirds: the southerly third is in the City of Agoura Hills, the middle third is in Los Angeles County unincorporated territory, and the northerly third is in the City of Agoura Hills.

The State of California created LAFCOs in 1963, with a mission that LAFCOs foster "the logical formation and determination of local agency boundaries" by "efficiently extending government services." The split jurisdiction of the Chesbro right-of-way is contrary to these goals. There is no good reason, from LAFCO's perspective, to divide a roadway into thirds, with a "start" and an "end" within the boundaries of an incorporated city, while a "middle" section remains in unincorporated County territory.

The split jurisdiction creates administrative challenges for the County of Los Angeles and for the City of Agoura Hills. In the bigger picture, major roadway improvements require the cooperation of both agencies. On a more routine, day-to-day level, things like litter and graffiti removal, speed enforcement, and traffic accident investigations may encounter delays due to the necessary determination of which agency's portion of the roadway is involved. Traffic enforcement, for example, is handled by the Los Angeles County Sheriff in the Agoura Hills sections of the roadway, and by the California Highway Patrol in the County unincorporated sections of the roadway. The split jurisdiction is also confusing to the public, whose inquiries about a roadway repair, or speed enforcement, may require multiple calls to determine which jurisdiction is responsible for addressing the inquiry.

Annexing the entire Chesbro right-of-way, and the adjoining property to the west, into the City of Agoura Hills, will have the added effect of creating a more logical boundary for the City of Agoura Hills. The existing city boundary in this area is at a right angle, a line which bears no relation to development patterns, topographical features, nor man-made features. The proposed boundary will follow established parcel ownership patterns and an important regional-serving roadway (Chesebro Road).

As far as I know, there are no "management" issues for the oversight of the parcel owned by the Mountains Recreation Conservation Authority (MRCA). The land requires very little in the way of traditional municipal services (domestic water, electricity, law enforcement), as it is undeveloped, deed-restricted open space. The MRCA is responsible for maintaining the property now, with the property situated in unincorporated County territory; the MRCA will continue to be responsible for maintaining the property should the property be placed within the boundaries of the City of Agoura Hills. The MRCA is a sophisticated landowner, with representatives who are well aware of the jurisdictional boundaries associated with the properties in MRCA ownership. If anything, having all of the Chesebro Road right-of-way within the City of Agoura Hills makes it easier for MRCA representatives to address issues involving the roadway which abuts their property.

Sincerely,

- Paul

Paul A. Novak, AICP  
Executive Officer  
Local Agency Formation Commission  
for the County of Los Angeles  
80 South Lake Avenue  
Suite 870  
Pasadena, CA 91101  
pnovak@lalafco.org  
626/204-6500

---

**From:** Doug Dorado  
**Sent:** Thursday, March 05, 2015 8:13 AM  
**To:** Paul Novak  
**Subject:** FW: Agoura Equestrian Estates Project DEIR and Annexation

**Doug Dorado**  
Government Analyst  
LAFCO  
80 S. Lake Ave. suite 870  
Pasadena, CA 91101  
(626) 204-6500

---

**From:** Allison Cook [<mailto:ACook@ci.agoura-hills.ca.us>]  
**Sent:** Wednesday, March 04, 2015 4:42 PM  
**To:** Doug Dorado  
**Subject:** Agoura Equestrian Estates Project DEIR and Annexation

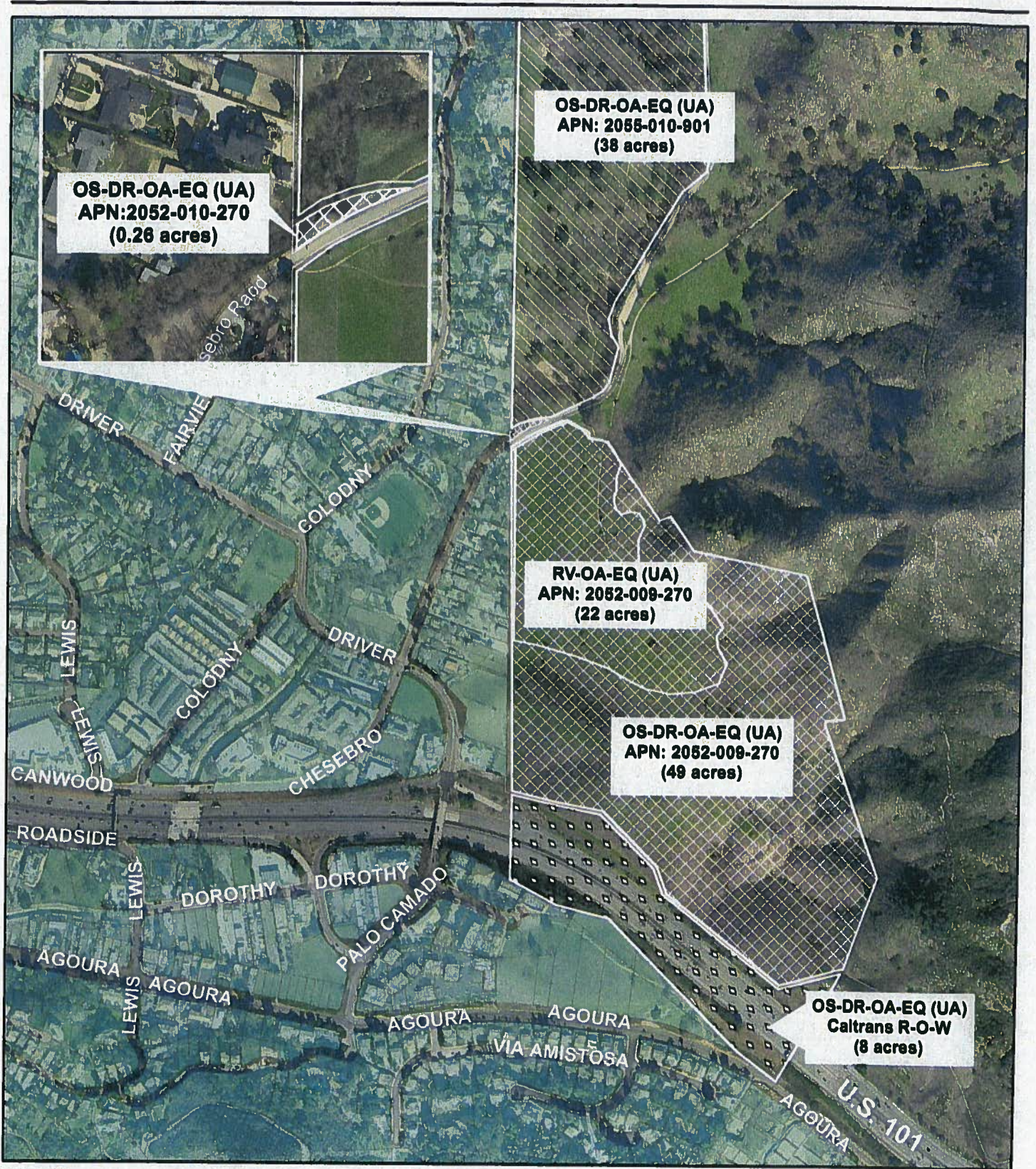
Hi Doug – We received a comment letter on the Draft EIR from the National Park Service stating, “It would be helpful if the DEIR substantiated the need to annex the MRCA property to establish proper borders, so either MRCA or NPS can understand implications for park management under city versus Los Angeles County jurisdiction.” Please see the attached exhibit from the Draft EIR. The parcel in question is the northernmost one. You may recall that this property owned by the state (Mountains Restoration Conservation Authority) was one LAFCO recommended we include in the annexation application for the 2 project parcels, along with Caltrans ROW. I mentioned this to NPS staff, but they want more “substantiation.” Can you provide some statement that I can use to show that LAFCO requested this? Thanks much.




Allison Cook  
Principal Planner  
City of Agoura Hills  
30001 Ladyface Court  
Agoura Hills, CA 91301  
T 818-597-7310 F 818-597-7352



**Attachment 4**  
**Pre-Zoning Areas**



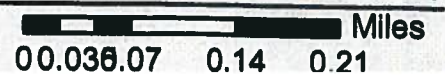


-  State of California (MRCA) Annexation Area
-  City of Agoura Hills - Agoura Equestrian Estates Project Annexation Area
-  Caltrans Right of Way Annexation Area



## Attachment 4

### Pre-Zoning Areas





**Attachment 5**

**Final Environmental Impact Report**

**(provided previously under separate cover)**

**Attachment 6**

**Planning Commission Resolution Regarding CEQA**



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

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF AGOURA HILLS CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE AGOURA EQUESTRIAN ESTATES PROJECT; MAKE ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND ADOPT A MITIGATION MONITORING AND REPORTING PROGRAM.**

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

Section 1. An application for approval of the Agoura Equestrian Estates Project (“Project”) was duly filed by Equine Estates/Fortune Realty (“Applicant”) for a 71-acre area located within the County of Los Angeles on the north side of U.S. Highway 101, adjacent to Chesebro Road, on the eastern boundary of the City of Agoura Hills (Assessor Parcel Numbers 2052-009-270 and 2055-010-270). As part of the application, a request for annexation and sphere of influence amendment was submitted (City Case Number 13-ANX-001). The annexation includes the aforementioned assessor parcel numbers as part of the Project, as well as adjacent Assessor Parcel Number 2052-010-901 and a portion of the California Department of Transportation’s right-of-way along the U.S. Highway 101, which are not part of the project. The request being considered by the Planning Commission at this time is for a Pre-Zoning Ordinance and Resolution of Application, consistent with the annexation application requirements of the Los Angeles County Local Agency Formation Commission (“LAFCO”). If the subject annexation and sphere of influence amendment are approved by the City and LAFCO, further public proceedings will be held to consider other aspects of the Project.

Section 2. In accordance with the California Environmental Quality Act (“CEQA”), the CEQA Guidelines, and the City’s Local CEQA Guidelines, a Notice of Preparation and Initial Study requesting agency input regarding the scope of the Environmental Impact Report (“EIR”) was properly noticed and circulated for public review on May 21, 2014. The Initial Study found the following environmental issue areas to be less than significant impacts, or have no impact, and therefore were not carried forward in the Draft Environmental Impact Report (“DEIR”) analysis: agriculture resources; air quality; cultural resources; greenhouse gases; land use and planning; mineral resources; noise; population and housing; public services; recreation; transportation/traffic; and utilities and service systems.

Section 3. In accordance with CEQA, the CEQA Guidelines, and the City’s Local CEQA Guidelines, a DEIR was prepared, and on January 15, 2015, a Notice of Adoption and Notice of Intent to Adopt a DEIR and the DEIR were published. The availability of the DEIR for public

review was duly noticed. The DEIR was circulated to the State Clearinghouse for the State of California's Office of Planning and Research, as well as to other responsible, trustee, and/or interested agencies and persons for public comment for a period of 45 days, as required by law, beginning January 15, 2015 and ending March 2, 2015.

Section 4. The Planning Commission held a public hearing to receive comments on the DEIR on February 5, 2015. Notices were posted at City Hall, the City Recreation Center, and the Agoura Hills Library, as well as in the local newspaper. The DEIR was made available for review on the City's website, at the Planning Counter at City Hall, and at the Agoura Hills Library.

Section 5. The City accepted and responded in writing to comments on the DEIR relating to CEQA issues submitted during the public comment period, as required by law. The City prepared the Final EIR ("FEIR") for the project. Both the comments and the City's written responses thereto were incorporated in the FEIR as required by CEQA. Responses were returned to the commenting agencies and individuals at least ten (10) days prior to the certification of the FEIR, pursuant to Public Resources Code Section 21092.5. The FEIR was comprised of the DEIR, the technical appendices noted and incorporated therein, public comments and the City's responses thereto, revisions to the DEIR, and the Mitigation Monitoring and Reporting Program.

Section 6. The revisions to the DEIR in response to public comments do not result in identification of new or more severe impacts or change the conclusion of the DEIR regarding significance of an impact. The revisions to, or addition of, mitigation measures in the FEIR are not necessary to reduce potentially significant impacts to a less than significant level, as the DEIR already concluded that the DEIR mitigation measures were adequate and would reduce impacts to a level of less than significant. Therefore, the FEIR does not result in new significant information that would warrant recirculation pursuant to CEQA Guidelines Section 15088.5.

Section 7. The City finds that the public and government agencies have been afforded ample notice and opportunities to comment on the Notice of Preparation and Initial Study regarding the scope of the EIR, as well as the DEIR and FEIR.

Section 8. On August 20, 2015, the Planning Commission considered the FEIR at a duly noticed public hearing as prescribed by law, at which time interested persons had an opportunity to, and did testify, either in support of or opposition to this matter.

Section 9. The Planning Commission hereby finds that the FEIR was completed in compliance with the provisions of CEQA and the guidelines promulgated pursuant thereto, and the City's local CEQA guidelines, and is legally adequate. The Planning Commission has reviewed and considered the contents of the FEIR prior to deciding whether to recommend approval of the Pre-Zoning Ordinance and Resolution of Application to the City Council. Based on the facts stated in this Resolution and substantial evidence in the record of this proceeding, in its independent judgment and analysis, the Planning Commission hereby recommends that the City Council certify the FEIR.

**Section 10.** Based upon the FEIR, public comments, and the record before the Planning Commission, the Planning Commission hereby recommends that the City Council find that the FEIR identifies less than significant impacts to the following environmental issue areas: lighting and glare; wildlife movement; fault rupture; leaking underground storage tanks; potential hazardous contaminants from the landfill; erosion and sedimentation; drainage patterns; water quality; impervious surfaces; and groundwater.

**Section 11.** Based upon the FEIR, public comments, and the record before the Planning Commission, the Planning Commission hereby recommends that the City Council find that the FEIR identifies the following potentially significant environmental effects for which feasible mitigation measures have been identified that will avoid or reduce the effects to a less than significant level:

- A. **Aesthetics.** The FEIR identifies potentially significant aesthetic impacts from affecting scenic views to the site and altering visual character due to fencing and the drainage outlet into Chesebro Creek. Changes or alterations have been required in, or incorporated into, the proposed Project that avoid or reduce the impacts to a less than significant level, including ensuring that the fencing and outlet structure are aesthetically compatible with the project site and its natural surroundings.
- B. **Biological Resources.** The FEIR identifies potentially significant biological impacts from: reduction of a non-California Department of Fish and Wildlife and non-United States Fish and Wildlife Service listed wildlife species' population and habitat, and from restricting reproductive capacity of such a species; reduction in number and habitat of a California Native Plant Society rare species; disturbance or reduction in extent of onsite and offsite sensitive plant communities; reduction of jurisdictional drainages; and disturbance and removal of oak trees. Changes or alterations have been required in, or incorporated into, the proposed Project that avoid or reduce the impacts to a less than significant level. Measures to conduct pre-construction sensitive wildlife surveys and avoid impacts to wildlife; conduct pre-construction bird nesting surveys and nest avoidance; conduct pre-construction botanical surveys and implement a restoration plan or offsite preservation plan, as necessary; avoidance and preservation of species of the round leaf filaree; preparation of a fuel modification plan; prohibition on invasive plants; preparation of a jurisdictional revegetation plan; oak tree protection and replacement, as necessary; and lighting restrictions are required. The following additional measures would provide extra resource protection, and have also been incorporated into the Project: pesticide, herbicide, fertilizer and rodenticide control; domestic animal predator and predation education; and wildlife friendly fencing.
- C. **Geology and Soils.** The FEIR identifies potential geology and soils impacts from seismic ground shaking; liquefaction; landslides; soil settlement; and expansive soils. Changes or alterations have been required in, or incorporated into, the proposed Project that avoid or reduce the impacts to a less than significant level. These methods include incorporating requirements and recommendations of the geotechnical site evaluation prepared for the Project and individual site review as



each residential unit is proposed; and preparation of an infiltration study prior to construction of the debris detention basins.

- D. Hydrology and Water Quality. The FEIR identifies the impact from potential flooding of the Project site and adjacent areas due to a portion of the site located in a 100-year flood zone. Changes or alterations have been required in, or incorporated into, the proposed Project that avoid or reduce the impacts to a less than significant level, consisting of compliance with Federal Emergency Management Agency (FEMA) and City requirements and preparation of a FEMA Conditional Letter of Map Revision (CLOMR) prior to construction; and preparation of an access plan to indicate how access to the site would be maintained under flood conditions, to be reviewed and accepted by the City.

Section 12. Following consideration of the entire record of information received at the public hearing, the Planning Commission hereby recommends that the City Council certify the FEIR, make the environmental findings pursuant to CEQA, and adopt a Mitigation Monitoring and Reporting Program.

PASSED, APPROVED AND ADOPTED this 20th day of August 2015, by the following vote to wit:

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

\_\_\_\_\_  
Linda Northrup, Chairperson

ATTEST:

\_\_\_\_\_  
Doug Hooper, Secretary



**Attachment 7**

**Planning Commission Resolution Regarding  
Annexation Application**

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

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF AGOURA HILLS REQUEST THAT THE LOCAL AGENCY FORMATION COMMISSION OF LOS ANGELES COUNTY INITIATE PROCEEDINGS TO AMEND THE CITY'S SPHERE OF INFLUENCE AND ANNEX CERTAIN UNINHABITED TERRITORY TO THE CITY OF AGOURA HILLS FOR THE AGOURA EQUESTRIAN ESTATES PROJECT AND ADJACENT LANDS.**

fact: Section 1. The Planning Commission does hereby make the following findings of

- A. The City of Agoura Hills ("City") desires to initiate proceedings pursuant to the Cortese-Knox- Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, to the Los Angeles County Local Agency Formation Commission ("LAFCO") for a Sphere of Influence amendment and annexation of approximately 117 acres of unincorporated County of Los Angeles territory, related to City Case No. 13-ANX-001. The approximately 117-acre area includes the Agoura Equestrian Estates Project ("Project") area, and adjacent areas. If the subject annexation and Sphere of Influence amendment are approved by the City and LAFCO, further public proceedings will be held to consider other aspects of the Agoura Equestrian Estates Project ("Project").
- B. The territory proposed to be annexed is uninhabited, and a map of the general annexation area, and a map of the specific boundaries and legal description, as set forth in Exhibits A (Areas Proposed for Annexation) and Exhibit B (Legal Description of Annexation Areas), respectively, are incorporated herein by reference.
- C. Approximately seventy one (71) acres of the proposed territory, which constitute the Agoura Equestrian Estates Project, are owned by the City of Agoura Hills (Assessor Parcel Numbers 2052-009-270 and 2055-010-270); thirty eight (38) acres owned by the State of California Mountains Recreation and Conservation Authority (Assessor Parcel Number 2052-010-901); and eight (8) acres owned by the State of California Transportation Department as the U.S. Highway 101 right-of-way ("ROW").

- D. The affected territory is not within the Sphere of Influence of the City of Agoura Hills.
- E. The proposed territory to be annexed includes the Agoura Equestrian Estates Project area proposed for fifteen (15) single-family homes, including a private road, drainage facilities and other infrastructure, and trails, as well as preserved open space areas. The parcel to be annexed that is owned by the State of California Mountains Recreation and Conservation Authority, and the California Department of Transportation U.S. Highway 101 ROW, would remain in their current state, with no development proposed.
- F. The reasons for this proposed annexation are to create a logical extension of City boundaries; to promote the efficient provision of municipal services and access in the affected territory; and, considering that 71 acres of the territory are owned by the City, to allow for limited development and preserve open space uses of the site, consistent with City standards and regulations pursuant to the General Plan and Municipal Code.
- G. The subject territory consists of vacant land, along with a portion of Chesebro Road and Chesebro Creek, and several trails, as well as California Department of Transportation U.S. Highway 101 ROW.
- H. In accordance with the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and the City's local CEQA Guidelines, a Notice of Preparation and Initial Study requesting agency input regarding the scope of the Environmental Impact Report (EIR) was properly noticed and circulated for public review on May 21, 2014. The Initial Study found the following environmental issue areas to be less than significant impacts, or have no impact, and therefore were not carried forward in the Draft EIR ("DEIR") analysis: agriculture resources; air quality; cultural resources; greenhouse gases; land use and planning; mineral resources; noise; population and housing; public services; recreation; transportation/traffic; and utilities and service systems.
- I. In accordance with CEQA, the CEQA Guidelines, and the City's Local CEQA Guidelines, a DEIR was prepared, and on January 15, 2015, a Notice of Adoption and Notice of Intent to Adopt a DEIR and the DEIR were published. The availability of the DEIR for public review was duly noticed. The DEIR was circulated to the State Clearinghouse for the State of California's Office of Planning and Research, as well as to other responsible, trustee, and/or interested agencies and persons for public comment for a period of 45 days, as required by law, beginning January 15, 2015 and ending March 2, 2015.
- J. The Planning Commission held a public hearing to receive comments on the DEIR on February 5, 2015. Notices were posted at City Hall, the City Recreation Center, and the Agoura Hills Library, as well as in the local newspaper. The



DEIR was made available for review on the City's website, at the Planning Counter at City Hall, and at the Agoura Hills Library.

- K. The City accepted and responded in writing to comments on the DEIR relating to CEQA issues submitted during the public comment period, as required by law. The City prepared the Final EIR (FEIR) for the project. Both the comments and the City's written responses thereto were incorporated in the FEIR as required by CEQA. Responses were returned to the commenting agencies at least ten (10) days prior to the certification of the FEIR, pursuant to Public Resources Code Section 21092.5. The FEIR was comprised of the DEIR, the technical appendices noted and incorporated therein, public comments and the City's responses thereto, revisions to the DEIR, and the Mitigation Monitoring and Reporting Program.
- L. The revisions to the DEIR in response to public comments do not result in identification of new or more severe impacts or change the conclusion of the DEIR regarding significance of an impact. The revisions to, or addition of, mitigation measures in the FEIR are not necessary to reduce potentially significant impacts to a less than significant level, as the DEIR already concluded that the DEIR mitigation measures were adequate and would reduce impacts to a level of less than significant. Therefore, the FEIR does not result in new significant information that would warrant recirculation pursuant to CEQA Guidelines Section 15088.5.
- M. The Planning Commission finds that the public and government agencies have been afforded ample notice and opportunities to comment on the Notice of Preparation and Initial Study regarding the scope of the EIR, as well as the DEIR and FEIR.
- N. On August 20, 2015, the Planning Commission considered the FEIR at a duly noticed public hearing as prescribed by law, at which time interested persons had an opportunity to, and did testify, either in support of or opposition to this matter.
- O. At the conclusion of the public hearing and after due consideration of the entire record, the Planning Commission adopted Resolution No. \_\_\_\_ recommending that the City Council certify the FEIR, make the environmental findings pursuant to CEQA and adopt a Mitigation Monitoring and Reporting Program.

Section 2. The Planning Commission hereby recommends that the City Council adopt a Resolution of Application requesting that the Local Agency Formation Commission (LAFCO) of Los Angeles County initiates proceedings for a Sphere of Influence amendment and annexation of that territory shown in Exhibits A and B, incorporated by this reference, according to the terms and conditions stated above.

PASSED, APPROVED AND ADOPTED this 20th day of August 2015, by the following vote to wit:

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

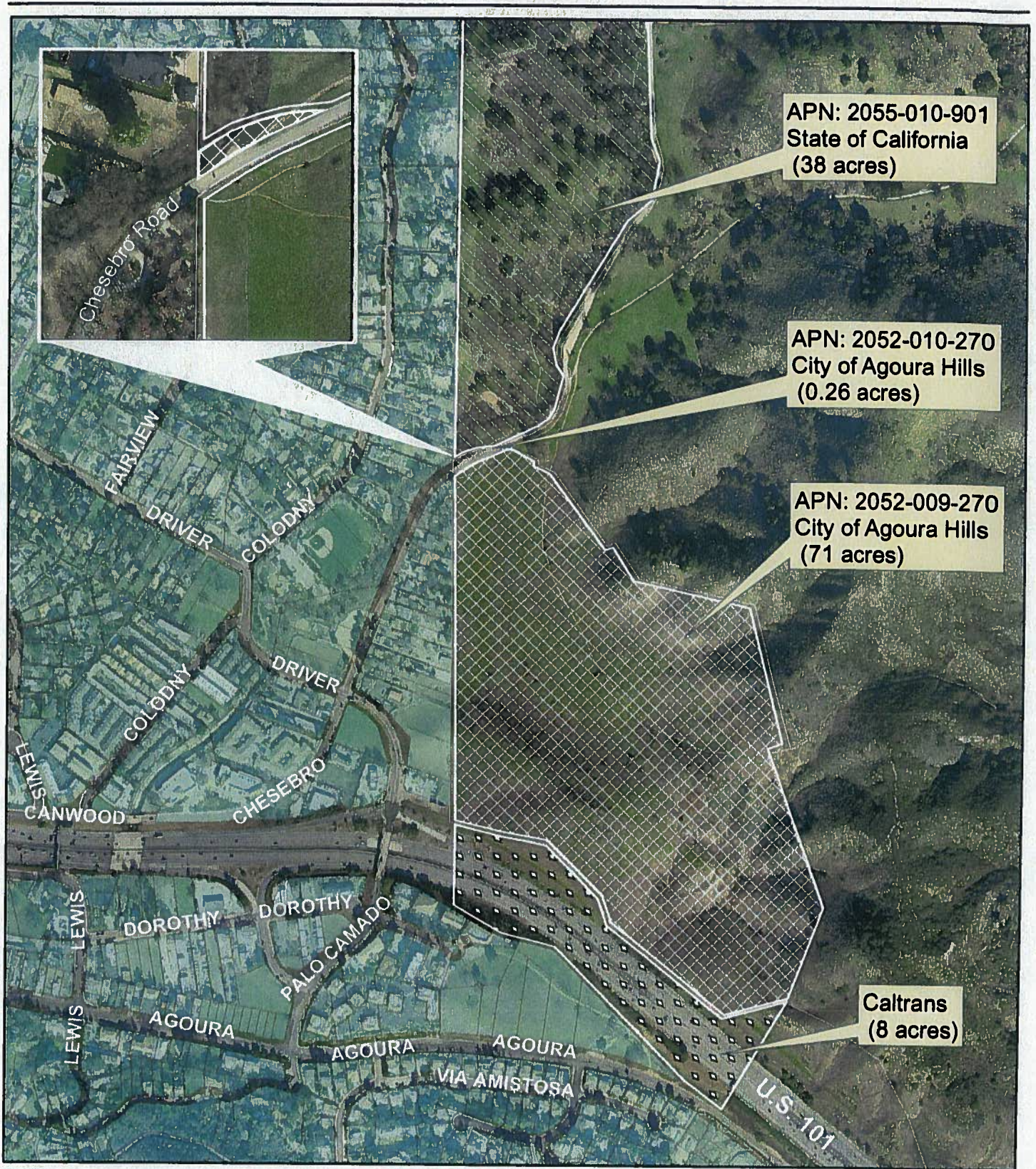
\_\_\_\_\_  
Linda Northrup, Chairperson

ATTEST:

\_\_\_\_\_  
Doug Hooper, Secretary

**Exhibit A**








APN: 2055-010-901  
State of California  
(38 acres)

APN: 2052-010-270  
City of Agoura Hills  
(0.26 acres)

APN: 2052-009-270  
City of Agoura Hills  
(71 acres)

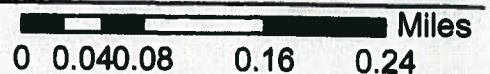
Caltrans  
(8 acres)

-  State of California (MRCA) Annexation Area
-  City of Agoura Hills - Agoura Equestrian Estates Project Annexation Area
-  Caltrans Right of Way Annexation Area



# Areas Proposed for Annexation

Exhibit A





**Exhibit B**

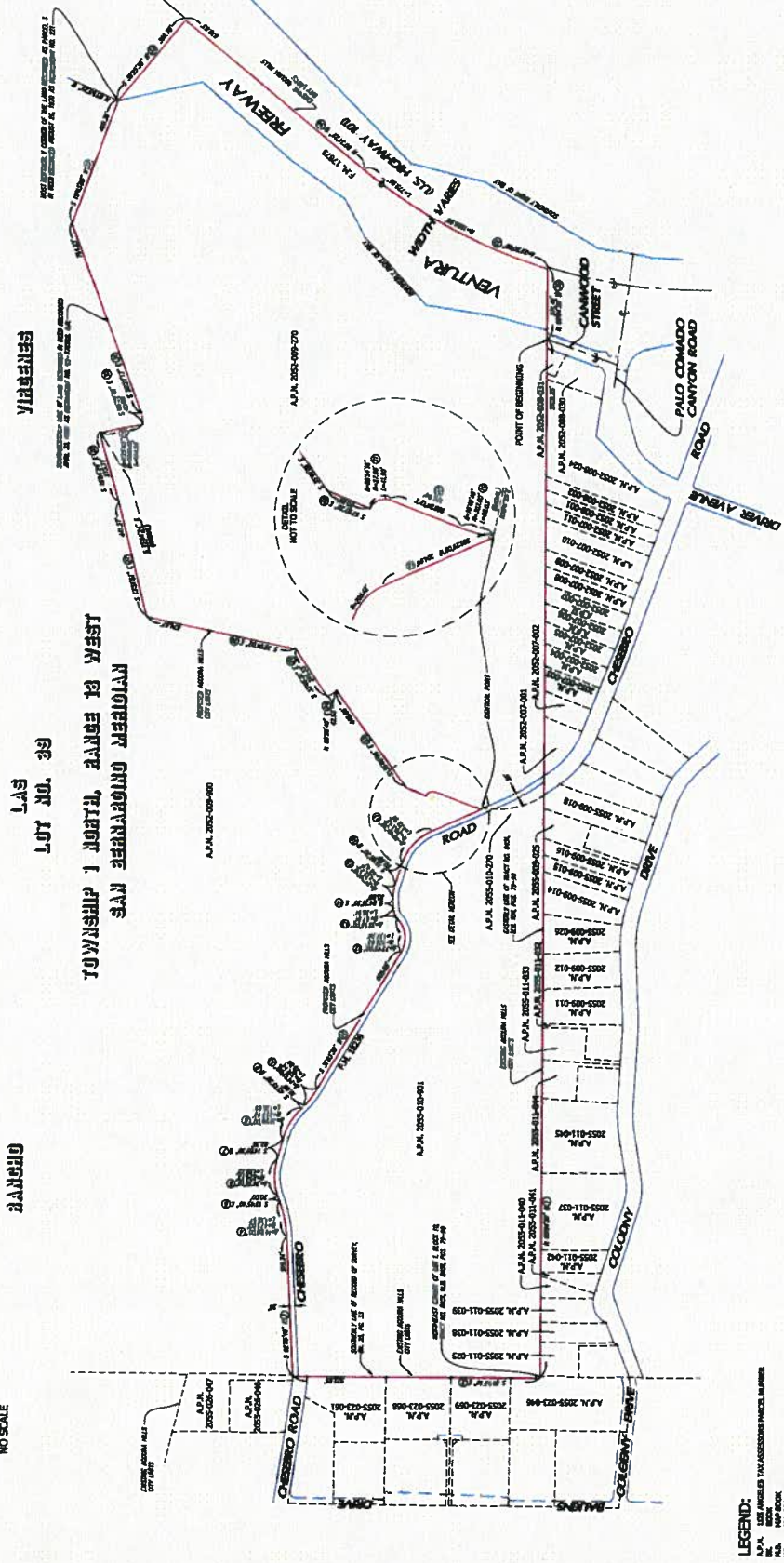
PREPARED BY:  
**Chris Nelson & Associates, Inc.**  
 PROFESSIONAL LAND SURVEYORS  
 91280 Via Colinas Suite 7, Westlake Village, CA 91382  
 VO: 818.581.0400 FAX: 818.581.0514

PREPARED FOR:  
**CITY OF AGOURA HILLS**

**EXHIBIT "B"**  
 ANNEXATION NO. 2015-10  
 TO THE CITY OF AGOURA HILLS

JOB NO. 14-3022  
 SCALE: 1" = 200'  
 DATE: MAY, 2014  
 DRAFTER: GBN

SHEET NO.  
**1**  
 OF 1 SHEET



**LEGEND:**  
 A.P.N. UNRECORDED TAX ACCESSION PARCEL NUMBER  
 B.L. BOUNDARY LINE  
 E.A. EASEMENT  
 M.L. METERS  
 O.L. OFFICIAL RECORDS  
 P.L. PLAT  
 C. CORRESPOND TO LINE ON BOUNDARY DESCRIPTION FOR EXHIBIT "A"

REVISION NOTES	
NO.	DESCRIPTION





**EXHIBIT "A"**  
**ANNEXATION NO. 2015-10**  
**TO THE CITY OF AGOURA HILLS**

THAT PORTION OF RANCHO LAS VIRGENES IN TOWNSHIP 1 NORTH, RANGE 18 WEST, SAN BERNARDINO MERIDIAN, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EASTERLY LINE OF TRACT NO. 8451, RECORDED IN BOOK 8451, PAGES 79 THROUGH 90, INCLUSIVE OF MAPS, SAID POINT BEING THE SOUTHEASTERLY TERMINUS OF THE CENTERLINE OF CANWOOD STREET AS SHOWN ON RECORD OF SURVEY, RECORDED IN BOOK 156, PAGE 100, THENCE;

1. ALONG THE EASTERLY LINE OF SAID TRACT, NORTH  $00^{\circ}04'30''$  WEST, 3,908.25 FEET, TO THE NORTHEAST CORNER OF LOT 1, BLOCK 10 OF SAID TRACT, THENCE;
2. LEAVING SAID EASTERLY LINE, SOUTH  $89^{\circ}58'10''$  EAST, 922.65 FEET, ALONG THE SOUTHERLY LINE OF RECORD OF SURVEY, RECORDED IN BOOK 25, PAGE 33, TO THE EASTERLY RIGHT OF WAY LINE OF CHESEBRO ROAD AS SHOWN ON MAP F.M. 18239, FILED IN THE COUNTY SURVEYORS OFFICE OF SAID COUNTY, THENCE; LEAVING SAID SOUTHERLY LINE, ALONG THE EASTERLY RIGHT OF WAY LINE OF CHESEBRO ROAD AS SHOWN ON F.M. 18239, BY THE FOLLOWING COURSES AND DISTANCES,
3. SOUTH  $02^{\circ}55'40''$  EAST, 519.34 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 473.00 FEET, THENCE;
4. SOUTHERLY ALONG SAID LAST MENTIONED CURVE THROUGH A CENTRAL ANGLE OF  $16^{\circ}50'00''$ , 138.97 FEET, THENCE;
5. SOUTH  $19^{\circ}45'40''$  EAST, 20.00 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 224.73 FEET, THENCE;
6. SOUTHERLY ALONG SAID LAST MENTIONED CURVE THROUGH A CENTRAL ANGLE OF  $34^{\circ}36'10''$ , 135.72 FEET, THENCE;
7. SOUTH  $14^{\circ}50'30''$  WEST, 82.35 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 257.49 FEET, THENCE;
8. SOUTHWESTERLY ALONG SAID LAST MENTIONED CURVE THROUGH A CENTRAL ANGLE OF  $30^{\circ}25'00''$ , 136.69 FEET, THENCE;
9. SOUTH  $45^{\circ}15'30''$  WEST, 15.00 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 321.14 FEET, THENCE;
10. SOUTHWESTERLY ALONG SAID LAST MENTIONED CURVE THROUGH A CENTRAL ANGLE OF  $14^{\circ}12'00''$ , 79.59 FEET, THENCE;
11. SOUTH  $31^{\circ}03'30''$  WEST, 605.00 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 106.65 FEET, THENCE;
12. SOUTHWESTERLY, SOUTHERLY AND SOUTHEASTERLY ALONG SAID LAST MENTIONED CURVE THROUGH A CENTRAL ANGLE OF  $73^{\circ}45'00''$ , 137.28 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 57.81 FEET, THENCE;
13. SOUTHEASTERLY ALONG SAID LAST MENTIONED CURVE THROUGH A CENTRAL ANGLE OF  $38^{\circ}10'00''$ , 38.51 FEET, THENCE;
14. SOUTH  $04^{\circ}31'30''$  EAST, 35.00 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 132.73 FEET, THENCE;

15. SOUTHERLY ALONG SAID LAST MENTIONED CURVE THROUGH A CENTRAL ANGLE OF 21°20'00", 49.42 FEET, THENCE;
16. SOUTH 16°48'30" WEST, 92.00 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 203.42 FEET, THENCE;
17. SOUTHWESTERLY ALONG SAID LAST MENTIONED CURVE THROUGH A CENTRAL ANGLE OF 48°40'30", 172.81 FEET, THENCE;
18. SOUTH 65°29'00" WEST, 204.66 FEET, TO A POINT IN THE SOUTHWESTERLY LINE OF THE LAND DESCRIBED IN DEED RECORDED APRIL 30, 1992 AS INSTRUMENT NO. 92-776968, SAID POINT BEING IN A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 307.00, A RADIAL LINE TO SAID POINT BEARS NORTH 10°41'59" EAST, THENCE; LEAVING SAID EASTERLY RIGHT OF WAY LINE OF CHESEBRO ROAD, ALONG THE SOUTHWESTERLY LINE OF SAID DEED BY THE FOLLOWING COURSES AND DISTANCES,
19. EASTERLY ALONG SAID LAST MENTIONED CURVE THROUGH A CENTRAL ANGLE OF 10°49'49", 58.03 FEET, THENCE;
20. SOUTH 68°28'12" EAST, 126.99 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 27.00 FEET, THENCE;
21. NORTHEASTERLY ALONG SAID LAST MENTIONED CURVE THROUGH A CENTRAL ANGLE OF 88°54'16", 41.90 FEET, THENCE;
22. SOUTH 67°22'28" EAST, 80.00 FEET, THENCE;
23. SOUTH 35°40'06" EAST, 446.86 FEET, THENCE;
24. NORTH 58°25'40" EAST, 42.53 FEET, THENCE;
25. SOUTH 33°48'37" EAST, 216.33 FEET, THENCE;
26. SOUTH 78°04'02" EAST, 574.67 FEET, THENCE;
27. SOUTH 13°51'51" EAST, 441.27 FEET, THENCE;
28. SOUTH 15°54'24" EAST, 273.77 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 1,000.00 FEET, A RADIAL LINE OF SAID CURVE TO SAID BEGINNING BEARS SOUTH 15°54'24" EAST, THENCE;
29. WESTERLY ALONG SAID LAST MENTIONED CURVE THROUGH A CENTRAL ANGLE OF 09°25'43", 164.56 FEET, THENCE;
30. SOUTH 06°28'41" EAST, 40.00 FEET, THENCE;
31. SOUTH 20°27'17" EAST, 764.23 FEET, THENCE;
32. SOUTH 19°43'55" WEST, 489.36 FEET TO THE MOST NORTHERLY CORNER OF THE LAND DESCRIBED AS PARCEL 3 OF DEED RECORDED AUGUST 26, 1970 AS INSTRUMENT NO. 221, THENCE; LEAVING SAID SOUTHWESTERLY LINE,
33. SOUTH 39°25'38" WEST, 396.78 FEET, TO A POINT IN THE CENTERLINE OF THE VENTURA FREEWAY AS SHOWN ON MAP F.M. 17873, FILED IN THE COUNTY SURVEYORS OFFICE OF SAID COUNTY, THENCE; ALONG THE CENTERLINE OF SAID VENTURA FREEWAY BY THE FOLLOWING COURSES AND DISTANCES,
34. NORTH 50°34'22" WEST, 878.83 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 1,999.95 FEET, THENCE;
35. NORTHWESTERLY ALONG SAID LAST MENTIONED CURVE THROUGH A CENTRAL ANGLE OF 22°20'00", 779.56 FEET, TO THE EASTERLY LINE OF SAID TRACT NO. 8451, THENCE; LEAVING SAID CENTERLINE OF THE VENTURA FREEWAY,
36. NORTH 00°04'30" WEST, 271.46 FEET, ALONG THE EASTERLY LINE OF SAID TRACT, TO THE POINT OF BEGINNING.



THE ABOVE DESCRIPTION IS DELINEATED ON EXHIBIT "B" ATTACHED HERETO AND BY  
REFERENCE MADE A PART HEREOF.

CONTAINING 116.9 ACRES MORE OR LESS



**Attachment 8**

**Planning Commission Resolution Regarding  
Pre-Zoning**



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

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF AGOURA HILLS APPROVE THE PRE-ZONING OF APPROXIMATELY 117 ACRES FOR THE AGOURA EQUESTRIAN ESTATES PROJECT AND ADJACENT PROPERTIES.**

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

Section 1. The Planning Commission does hereby make the following findings of fact:

- A. On June 14, 2013, Equine Estates/Fortune Realty (the "Applicant") initiated an application for annexation (Case Number 2013-ANX-001), including a Sphere of Influence amendment, and Pre-Zoning for the purposes of annexing the Agoura Equestrian Estates Project ("Project") to the City of Agoura Hills ("City"). If the subject annexation and Sphere of Influence amendment are approved by the City and the Los Angeles County Local Agency Formation Commission ("LAFCO"), further public proceedings will be held to consider other aspects of the Project.
- B. The Project site is owned by the City of Agoura Hills, and is located within the County of Los Angeles on the north side of U.S. Highway 101, adjacent to Chesebro Road, on the eastern boundary of the City of Agoura Hills (Assessor Parcel Numbers 2052-009-270 and 2055-010-270).
- C. The annexation, Sphere of Influence amendment, and Pre-Zoning includes the aforementioned Assessor Parcel Numbers as part of the Project, as well as adjacent Assessor Parcel Number 2052-010-901 owned by the State of California Mountains Recreation and Conservation Authority, and a portion of the California Department of Transportation's right-of-way along the U.S. Highway 101, which are not part of the Project, but are proposed to create a logical extension of City boundaries.
- D. The annexation territory, consisting of the Project site and adjacent areas to be annexed, as listed above, totals approximately 117 acres of land soon to be contiguous to the corporate limits of the City of Agoura Hills on the eastern boundary, as shown on Exhibit A (Pre-Zoning Areas), incorporated herein by reference.
- E. The annexation territory is vacant, with the exception of the U.S. Highway 101 right-of-way and other roadways, and uninhabited. Assessor Parcel

Number 2052-010-901 is preserved as open space. The Project area is proposed for development of fifteen (15) single-family homes, including a private road, drainage improvements and other infrastructure, and trails. The remaining annexation territory is not proposed for development.

- F. Land uses surrounding the territory to be annexed on the west are low density residential single-family homes in the Old Agoura community and a gas station, with some commercial services and high density residential development adjacent to the U.S. 101 Highway corridor further west, all of which are located in the City. To the north, the territory is bounded by low density single-family homes, and on the east, by preserved open space. On the south, the territory is bounded by U.S. Highway 101.
- G. Currently, the annexation territory is zoned A-1-5 (Light Agricultural, maximum residential density of one dwelling per five acres) for Assessor Parcel Number 2052-009-270; O-S (Open Space) for Assessor Parcel Number 2055-010-270; O-S for Assessor Parcel Number 2055-010-901; and A-1-5 for U.S. Highway 101 right-of-way by the County of Los Angeles.
- H. Pre-Zoning would designate the annexation territories with City of Agoura Hills zoning designations, consisting of: RV-OA-EQ (UA) (Very Low Density Residential-Old Agoura Design Overlay-Equestrian Overlay) at a density of one acre minimum lot for an approximately twenty two (22) acre area of Assessor Parcel Number 2052-009-270; OS-DR-OA-EQ (UA) (Open Space-Deed Restricted-Old Agoura Overlay-Equestrian Overlay for Assessor Parcel Number 2055-010-270 and the remainder of Assessor Parcel Number 2052-009-270; and OS-DR-OA-EQ (UA) for Assessor Parcel Number 2055-010-901 and U.S. Highway 101 right-of-way.
- I. In accordance with California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and the City's local CEQA Guidelines, a Notice of Preparation and Initial Study requesting agency input regarding the scope of the Environmental Impact Report (EIR) was properly noticed and circulated for public review on May 21, 2014. The Initial Study found the following environmental issue areas to be less than significant impacts, or have no impact, and therefore were not carried forward in the Draft EIR ("DEIR") analysis: agriculture resources; air quality; cultural resources; greenhouse gases; land use and planning; mineral resources; noise; population and housing; public services; recreation; transportation/traffic; and utilities and service systems.
- J. In accordance with CEQA, the CEQA Guidelines, and the City's local CEQA Guidelines, a DEIR was prepared, and on January 15, 2015, a Notice of Adoption and Notice of Intent to Adopt a DEIR and the DEIR were published. The availability of the DEIR for public review was duly



noticed. The DEIR was circulated to the State Clearinghouse for the State of California's Office of Planning and Research, as well as to other responsible, trustee, and/or interested agencies and persons for public comment for a period of 45 days, as required by law, beginning January 15, 2015 and ending March 2, 2015.

- K. The Planning Commission held a public hearing to receive comments on the DEIR on February 5, 2015. Notices were posted at City Hall, the City Recreation Center, and the Agoura Hills Library, as well as in the local newspaper. The DEIR was made available for review on the City's website, and at the Planning Counter at City Hall and at the Agoura Hills Library.
- L. The City accepted and responded in writing to comments on the DEIR relating to CEQA issues submitted during the public comment period, as required by law. The City prepared the Final Environmental Impact Report ("FEIR") for the project. Both the comments and the City's written responses thereto were incorporated in the FEIR as required by CEQA. Responses were returned to the commenting agencies at least ten (10) days prior to the certification of the FEIR, pursuant to Public Resources Code Section 21092.5. The FEIR was comprised of the DEIR, the technical appendices noted and incorporated therein, public comments and the City's responses thereto, revisions to the DEIR, and the Mitigation Monitoring and Reporting Program.
- M. The revisions to the DEIR in response to public comments do not result in identification of new or more severe impacts or change the conclusion of the DEIR regarding significance of an impact. The revisions to, or addition of, mitigation measures in the FEIR are not necessary to reduce potentially significant impacts to a less than significant level, as the DEIR already concluded that the DEIR mitigation measures were adequate and would reduce impacts to a level of less than significant. Therefore, the FEIR does not result in new significant information that would warrant recirculation pursuant to CEQA Guidelines Section 15088.5.
- N. The Planning Commission finds that the public and government agencies have been afforded ample notice and opportunities to comment on the Notice of Preparation and Initial Study regarding the scope of the EIR, as well as the DEIR and FEIR.
- O. On August 20, 2015, the Planning Commission considered the FEIR at a duly noticed public hearing as prescribed by law, at which time interested persons had an opportunity to, and did testify, either in support of or opposition to this matter.

- P. At the conclusion of the public hearing and after due consideration of the entire record, the Planning Commission adopted Resolution No. \_\_\_\_\_ recommending that the City Council certify the FEIR, make the environmental findings pursuant to CEQA and adopt a Mitigation Monitoring and Reporting Program.

Section 2. Based on the foregoing facts and findings, the Planning Commission, in recommending approval of the Pre-Zoning Ordinance to City Council, hereby finds, determines and declares as follows:

- A. The Pre-Zoning is consistent with the City of Agoura Hills General Plan 2035, as it provides for 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 (Goal LU-1); provides open space lands that are preserved to maintain the visual quality of the City and provide recreational opportunities, protect the public from safety hazards, and conserve natural resources (Goal LU-3); provides residential neighborhoods containing very low and low density housing reflecting Agoura Hills' history and designed to respect their environmental setting (Goal LU-8); and maintains the identity, scale, and character of the City's distinct residential neighborhoods (Goal LU-9). Prior to final adoption of the annexation and Sphere of Influence amendment by the City Council after LAFCO approval, the City Council will consider a General Plan Amendment to incorporate the new annexation territories into the text and exhibits of the General Plan, reflecting their inclusion in the City boundary, which will ensure consistency with the General Plan.
- B. The purpose of the proposal is to Pre-Zone the subject territory for annexation and sphere of influence amendment from Los Angeles County zoning designations to RV-OA-EQ (UA) and OS-DR-OA-EQ, (UA) pursuant to the Agoura Hills Municipal Code Sections 9221 *et seq.*, 9490 *et seq.*, 9551 *et seq.*, 9590 *et seq.*, and 9672.9(C). These designations most closely comport with the proposed Project and adjacent areas to be annexed, and best reflect the areas surrounding the annexation territory, which are lower density development and protected open space, and within the Old Agoura Design Overlay and Equestrian Overlay. The zones are similar to the current County of Los Angeles zones, which allow limited low-density residential development and preserved open space and park areas.
- C. The Pre-Zoning pertaining to the Agoura Equestrians Estates Project and adjacent areas as shown on the attached Exhibit A is consistent with the City of Agoura Hills General Plan 2035 and development policies of the City in that the proposed Pre-Zoning designations are consistent with

existing land uses in the area and would not result in a substantive change to the existing zoning of the territories to be annexed, as the territories to be annexed would either remain as permanent open space, or in the case of the Project site, be developed with low-density residential uses consistent with the current County zoning and adjacent zoning in the City.

Section 3. The Planning Commission of the City of Agoura Hills, California, hereby recommends that the City Council adopt the Pre-Zoning Ordinance substantially in the form attached hereto in Exhibit B for the Agoura Equestrian Estates Project and adjacent areas as shown on attached Exhibit A.

PASSED, APPROVED, AND ADOPTED this 20th day of August 2015, by the following vote to wit:

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

---

Linda Northrup, Chairperson

ATTEST:

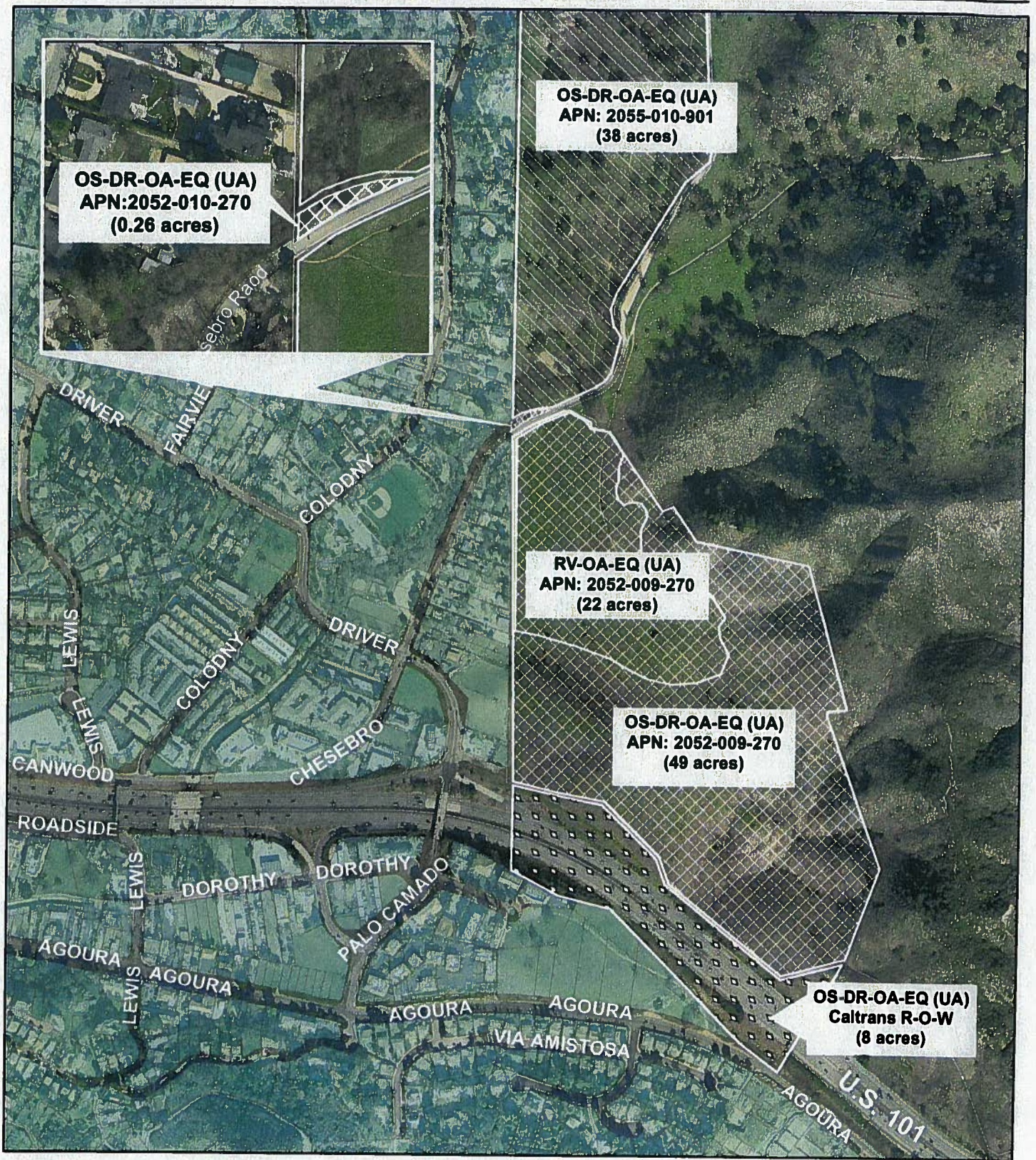
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Doug Hooper, Secretary



**Exhibit A**



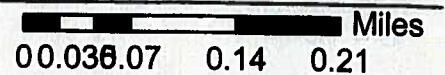


-  State of California (MRCA) Annexation Area
-  City of Agoura Hills - Agoura Equestrian Estates Project Annexation Area
-  Caltrans Right of Way Annexation Area



## Exhibit A

### Pre-Zoning Areas





**Exhibit B**

**DRAFT ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING THE PRE-ZONING OF APPROXIMATELY 117 ACRES FOR THE AGOURA EQUESTRIAN ESTATES PROJECT AND ADJACENT PROPERTIES.**

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

Section 1. The City Council does hereby make the following findings of fact:

- A. On June 14, 2013, Equine Estates/Fortune Realty (the "Applicant") initiated an application (Case Number 2013-ANX-001) for annexation, including a Sphere of Influence amendment, and a Pre-Zoning for the purposes of annexing the Agoura Equestrian Estates Project ("Project") to the City of Agoura Hills.
- B. The Project site is owned by the City of Agoura Hills, and is located within the County of Los Angeles on the north side of U.S. Highway 101, adjacent to Chesebro Road, on the eastern boundary of the City of Agoura Hills (Assessor Parcel Numbers 2052-009-270 and 2055-010-270).
- C. The annexation, Sphere of Influence amendment, and Pre-Zoning includes the aforementioned Assessor Parcel Numbers as part of the Project, as well as adjacent Assessor Parcel Number 2052-010-901 owned by the State of California Mountains Recreation and Conservation Authority, and a portion of the California Department of Transportation's right-of-way along the U.S. Highway 101, which are not part of the Project, but are proposed to create a logical extension of City boundaries.
- D. The annexation territory, consisting of the Project site and adjacent areas to be annexed, as listed above, totals approximately 117 acres of land soon to be contiguous to the corporate limits of the City of Agoura Hills on the eastern boundary, as shown on Exhibit A (Pre-Zoning Areas), incorporated herein by reference.
- E. The annexation territory is vacant, with the exception of the U.S. Highway 101 right-of-way and other roadways, and uninhabited. Assessor Parcel Number 2052-010-901 is preserved as open space. The Project site is proposed for development of fifteen (15) single-



family homes, including a private road, drainage improvements and other infrastructure, and trails. The remaining annexation territory is not proposed for development.

- F. Land uses surrounding the territory to be annexed on the west are low density residential single-family homes in the Old Agoura community and a gas station, with some commercial services and high density residential development adjacent to the U.S. 101 Highway corridor further west, all of which are located in the City. To the north, the territory is bounded by low density single-family homes, and on the east, by preserved open space. On the south, the territory is bounded by U.S. Highway 101.
- G. Currently, the annexation territory is zoned A-1-5 (Light Agricultural, maximum residential density of one dwelling per five acres) for Assessor Parcel Number 2052-009-270; O-S (Open Space) for Assessor Parcel Number 2055-010-270; O-S for Assessor Parcel Number 2055-010-901; and A-1-5 for U.S. Highway 101 right-of-way by the County of Los Angeles.
- H. Pre-zoning would designate the annexation territories with City of Agoura Hills zoning designations, consisting of RV-OA-EQ (UA) (Very Low Density Residential-Old Agoura Design Overlay-Equestrian Overlay) at a density of one acre minimum lot for an approximately twenty two (22) acre area of Assessor Parcel Number 2052-009-270; OS-DR-OA-EQ (UA) (Open Space-Deed Restricted-Old Agoura Overlay-Equestrian Overlay for Assessor Parcel Number 2055-010-270 and the remainder of Assessor Parcel Number 2052-009-270; and OS-DR-OA-EQ (UA) for Assessor Parcel Number 2055-010-901 and U.S. Highway 101 right-of-way.
- I. A Draft Environmental Impact Report ("DEIR") was prepared for the Project in accordance with the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and the City's local CEQA guidelines, and circulated from January 15, 2015 through March 2, 2015, for a 45-day public review.
- J. The Planning Commission held a public hearing to receive comments on the DEIR on February 5, 2015. Notices were posted at City Hall, the City Recreation Center, and the Agoura Hills Library, as well as in the local newspaper. The DEIR was made available for review on the City's website, at the Planning Counter at City Hall, and at the Agoura Hills Library.
- K. The City accepted and responded in writing to comments on the DEIR relating to CEQA issues submitted during the public comment period,

as required by law. The City prepared the Final Environmental Impact Report (FEIR) for the project. Both the comments and the City's written responses thereto were incorporated in the FEIR as required by CEQA. Responses were returned to the commenting agencies at least ten (10) days prior to the certification of the FEIR, pursuant to Public Resources Code Section 21092.5. The FEIR was comprised of the DEIR, the technical appendices noted and incorporated therein, public comments and the City's responses thereto, revisions to the DEIR, and the Mitigation Monitoring and Reporting Program.

- L. The revisions to the DEIR in response to public comments do not result in identification of new or more severe impacts or change the conclusion of the DEIR regarding significance of an impact. The revisions to, or addition of, mitigation measures in the FEIR are not necessary to reduce potentially significant impacts to a less than significant level, as the DEIR already concluded that the DEIR mitigation measures were adequate and would reduce impacts to a level of less than significant. Therefore, the FEIR does not result in new significant information that would warrant recirculation pursuant to CEQA Guidelines Section 15088.5.
- M. The Planning Commission held a duly noticed public hearing on August 20, 2015 at 6:30 p.m. at City Hall, at which time City staff presented its report, and interested persons had an opportunity to and did testify either in support or in opposition to the annexation application, the Sphere of Influence amendment, and the Pre-Zoning.
- N. Following consideration of the entire record before it at the said public hearing and in due consideration of the proposed annexation application, the Sphere of Influence amendment, and the Pre-Zoning, the Planning Commission adopted Resolution No. \_\_\_\_\_ recommending that the City Council certify the Final EIR prepared for the Agoura Equestrian Estates Project, adopt findings pursuant to CEQA, and adopt a Mitigation Monitoring and Reporting Program.
- O. At the conclusion of the Planning Commission hearing and after due consideration of the entire record before the Commission, and testimony regarding the annexation application, the Sphere of Influence amendment, and the Pre-Zoning, the Planning Commission adopted Resolution No. \_\_\_\_\_ recommending that the City Council adopt the pre-zoning ordinance for the Agoura Equestrian Estates Project and adjacent areas as shown in Exhibit A.
- P. On \_\_\_\_\_, 2015, the City Council of the City of Agoura Hills considered the annexation application, the Sphere of Influence amendment, and the Pre-Zoning and the FEIR at a duly noticed public hearing as



prescribed by law, and certified the FEIR for the Agoura Equestrian Estates Project, and adopted a Mitigation Monitoring and Reporting Program.

- Q. On \_\_\_\_, 2015, the City Council of the City of Agoura Hills held a duly noticed public hearing on the proposed Pre-Zoning at which time all persons interested in the proposed annexation application, the Sphere of Influence amendment, and the Pre-Zoning had the opportunity to, and did, address the City Council on these matters. Following receipt of all public testimony, the City Council closed the hearing.

Section 2. Based upon the testimony and other evidence presented at the \_\_\_\_\_ 2015 public hearing, the City Council finds as follows:

- A. The Pre-Zoning is consistent with the City of Agoura Hills General Plan 2035, as it provides for 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 (Goal LU-1); provides open space lands that are preserved to maintain the visual quality of the City and provide recreational opportunities, protect the public from safety hazards, and conserve natural resources (Goal LU-3); provides residential neighborhoods containing very low and low density housing reflecting Agoura Hills' history and designed to respect their environmental setting (Goal LU-8); and maintains the identity, scale, and character of the City's distinct residential neighborhoods (Goal LU-9). Prior to final adoption of the annexation and Sphere of Influence amendment by the City Council after LAFCO approval, the City Council will consider a General Plan Amendment to incorporate the new annexation territories into the text and exhibits of the General Plan, reflecting their inclusion in the City boundary, which will ensure consistency with the General Plan.
- B. The purpose of the proposal is to Pre-Zone the subject territory for annexation and Sphere of Influence amendment from Los Angeles County zoning designations to: RV-OA-EQ (UA) and OS-DR-OA-EQ (UA) pursuant to the Agoura Hills Municipal Code Sections 9221 *et seq.*, 9490 *et seq.*, 9551 *et seq.*, 9590 *et seq.*, and 9672.9(C). These designations most closely comport with the proposed Project and adjacent areas to be annexed, and best reflect the areas surrounding the annexation territory, which are lower density development and protected open space, and within the Old Agoura Design Overlay and Equestrian Overlay. These zones are similar to the current County of Los Angeles zones, which allow limited low-density residential development and preserved open space and park areas.

- C. Public participation and notification requirements pursuant to Sections 65090 and 65091 of the State Government Code were duly followed.

Section 3. Based upon the foregoing facts and findings, the City Council hereby finds as follows:

- A. The Pre-Zoning pertaining to the Agoura Equestrians Estates Project and adjacent areas as shown on the attached Exhibit A is consistent with the City of Agoura Hills General Plan 2035 and development policies of the City in that the proposed Pre-Zoning designations are consistent with existing land uses in the area and would not result in a substantive change to the existing zoning of the territories to be annexed, as the territories to be annexed would either remain as permanent open space, or in the case of the approximately twenty-two (22) acre portion of the Project site, be developed with low-density residential uses generally consistent with the current County zoning, and consistent with adjacent zoning in the City.

Section 4. The City Council of the City of Agoura Hills, California hereby Pre-Zones the properties, shown in attached Exhibit A, the following zoning designations: RV-OA-EQ (UA) (Very Low Density Residential-Old Agoura Design Overlay-Equestrian Overlay) at a density of one acre minimum lot for an approximately twenty two (22) acre area of Assessor Parcel Number 2052-009-270; OS-DR-OA-EQ (UA) (Open Space-Deed Restricted-Old Agoura Overlay-Equestrian Overlay for Assessor Parcel Number 2055-010-270 and the remainder of Assessor Parcel Number 2052-009-270; and OS-DR-OA-EQ (UA) for Assessor Parcel Number 2055-010-901 and U.S. Highway 101 right-of-way.

Section 5. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance or the application thereof to any person or place, 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 remainder of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more Sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

Section 6. The City Clerk shall certify to the passage of this Ordinance and shall cause same to be published pursuant to state law within fifteen (15) days after its passage, and this ordinance shall become effective thirty (30) days after its passage.



**PASSED, APPROVED, and ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2015, by the following vote to wit:

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

\_\_\_\_\_  
Illece Buckley Weber, Mayor

ATTEST:

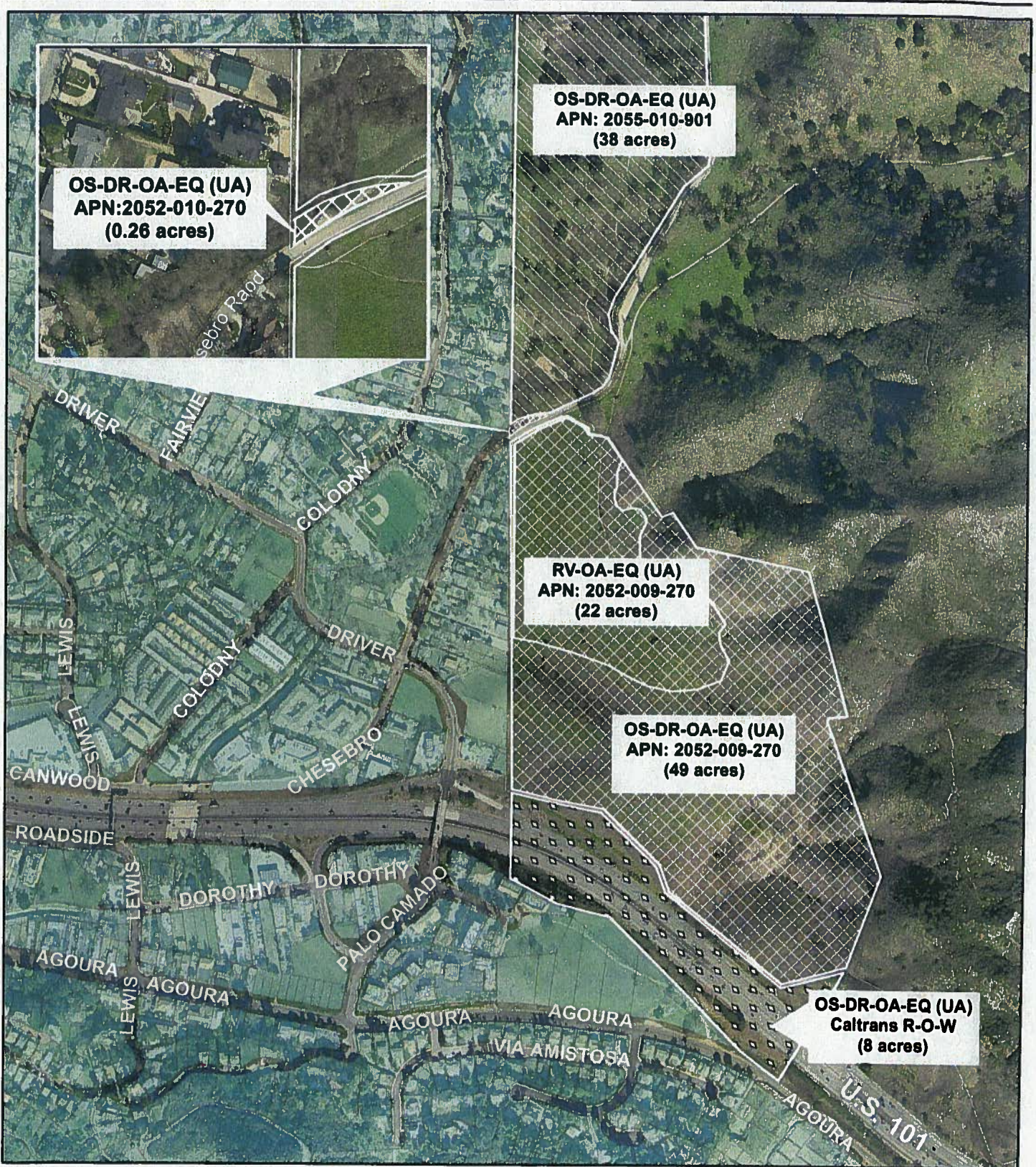
\_\_\_\_\_  
Kimberly M. Rodrigues, MMC, City Clerk




APPROVED AS TO FORM:

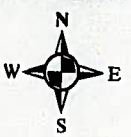
\_\_\_\_\_  
Candice K. Lee, City Attorney

**Exhibit A**



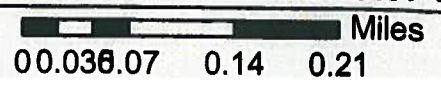


-  State of California (MRCA) Annexation Area
-  City of Agoura Hills - Agoura Equestrian Estates Project Annexation Area
-  Caltrans Right of Way Annexation Area



# Exhibit A

## Pre-Zoning Areas





**Attachment 9**  
**Other Comments**





2015 JUN -8 PM 1:10  
AGOURA HILLS  
CITY CLERK

Allison Cook, Principal Planner  
City of Agoura Hills  
30001 Lady Face Court  
Agoura Hills, CA 91301

Re: Agoura Equestrian Estates  
Tract #72316  
DEIR Comment

Dear Allison,

You may recall that we are residents of Old Agoura and with respect to the above captioned matter submit a copy of a letter dated 7/10/01 to Mike Kamino from Arthur Eck, former Superintendent for the National Park Service.

Our purpose is to remind you that the issue of the Wildlife Corridor at Liberty Canyon is a long term one, and impact of any development must be weighed against the documented importance it has to preservation of our environment, and the wildlife and flora that are an intrinsic part of the Santa Monica Mountains and our valuable Mediterranean climate. A well-documented community of flora and fauna known throughout the world.

Former Superintendent Eck's letter repeats what has so often been expressed that "habitat fragmentation caused by human encroachment has been recognized as one of the greatest threats to wildlife survival." This development as proposed, is again another threat to the Liberty Canyon Wildlife Corridor, the last best remaining north-south habitat exchange in the central part of the mountain range. It is clear that the extent of the project and its completion will have a significant impact. We remain available to discuss this further.

Sincerely,

A handwritten signature in black ink, appearing to read "George &amp; Kathi Colman". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

George & Kathi Colman  
818-889-6727  
5676 Colodny Drive  
Agoura, CA 91301



# United States Department of the Interior

**NATIONAL PARK SERVICE**  
Santa Monica Mountains National Recreation Area  
401 West Hillcrest Drive  
Thousand Oaks, California 91360-4207

In reply refer to:  
L76 (SAMO)

July 10, 2001

Mr. Mike Kamino, Community Development Director  
City of Agoura Hills  
30101 Agoura Court, Suite 102  
Agoura Hills, CA 91301

Dear Mr. Kamino:

The National Park Service has reviewed the draft Mitigated Negative Declaration (MND) for the proposed Liberty Office Center, located at the northwest corner of Liberty Canyon Road and Agoura Road. We recommend the City require either an Environmental Impact Report (EIR) for the current project or require a revised project with a new Mitigated Negative Declaration. The basis for the recommendation is the significant impacts the project would have on the Liberty Canyon Wildlife Corridor.

### Wildlife Corridor Width

The draft MND's mitigation measures need to be strengthened to preserve the wildlife corridor and the habitat values intrinsic to facilitating wildlife movement. It would be ideal to have the parcel come into parkland ownership, and that option should be explored if the landowner is willing. Meanwhile, a more propitious design that accommodates both development and wildlife corridor protection would include a wider corridor along the north side of the project, as depicted in the Santa Monica Mountains Conservancy's 1998 Liberty Canyon Wildlife Corridor Project, "Critical [Wildlife Corridor] Enhancement Zone." The National Park Service supported the Conservancy's corridor project, including preservation of the "critical enhancement zone" encompassing all of Parcel 4 of the proposed project site.

As you may know, the National Park Service and other university-affiliated researchers have been monitoring wildlife use in and around the Liberty Canyon Wildlife Corridor. Use of the corridor has been documented by a variety of species, including bobcats, deer, raccoons, and spotted skunks. For example, radio-collared bobcats regularly utilize riparian habitats along Agoura Road and the Ventura Freeway, adjacent to and within the proposed project site. In addition, remote camera photography and track surveys show animals crossing under the freeway at the Liberty Canyon Road underpass and within the drainage tunnel beneath the freeway and proposed project site.



### Wildlife Corridor Habitat Protection

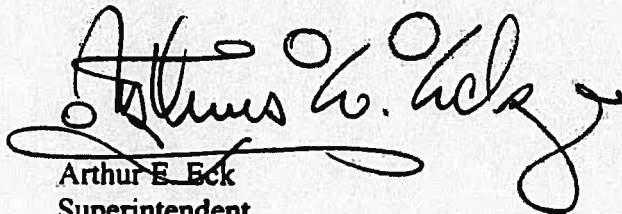
Wildlife corridor function and use depends on shelter provided by surrounding vegetation and adequate screening from development. Animals generally seek cover under vegetation and by following vegetated stream courses. The proposed project would impact the majority of oaks on the site, through removal, transplantation and encroachment, to the detriment of wildlife shelter. The project should be designed to reduce removals and eliminate encroachments into oak trees. After development, landscaping around the perimeter of the project should be with native plant species and provide screening and shelter for wildlife movement.

Additionally, the proposed project sites buildings within feet of stream courses. We recommend the City consult with State Department of Fish and Game (DFG) about qualifying for a Streambed Alteration Agreement. We understand DFG has jurisdiction over a stream's adjacent riparian habitat when determining whether or not a Streambed Alteration Agreement is necessary. Given the project's encroachment into oak trees adjacent to the stream courses, a permit may be necessary. At a minimum, we recommend a 100 foot setback from the streams based on other jurisdictions' guidelines for stream course protection.

Habitat fragmentation caused by human encroachment has been recognized as one of the greatest threats to wildlife survival. In the Santa Monica Mountains, the Ventura Freeway and its adjacent development has disrupted nearly all habitat connectivity to open space north of the mountains. Over the course of 55 miles along the Ventura Freeway, from the east to the west end of the Santa Monica Mountains, the Liberty Canyon Wildlife Corridor is the last best remaining north-south habitat linkage in the central part of the mountain range. A tremendous investment of public funds has secured public parkland north and south of the freeway to protect this critical linkage. Proper design of the proposed office center is essential to ensure long-term survival of local wildlife and to uphold the public's investment in the corridor.

Thank you for considering the National Park Service's input. If we can be of assistance, please call Dr. Ray Sauvajot, Chief, Division of Planning, Science and Resource Management, at (805) 370-2339.

Sincerely,



Arthur E. Eck  
Superintendent

cc: Joe Edmiston, Executive Director, Santa Monica Mountains Conservancy  
Russ Guiney, Superintendent, Angeles District, Department of Parks and Recreation  
Margo Murman, Executive Officer, Resource Conservation District of the Santa Monica Mountains



Inspiring Americans to protect wildlife  
for our children's future.

CITY OF AGOURA HILLS  
2015 JUN -8 PM 1:42  
CITY CLERK

June 8, 2015

Allison Cook, Principal Planner/Environmental Analyst  
City of Agoura Hills  
30001 Ladyface Court  
Agoura Hills, CA 91301

RE: Letter of support for preserving Chesebro Meadow

Dear Allison,

This letter is provided on behalf of the National Wildlife Federation in support of preserving Chesebro Meadow as public open space. National Wildlife Federation is one of the oldest and largest wildlife conservation groups in the country, with 6 million supporters nationwide. Our organization provides a voice for wildlife, and is dedicated to protecting wildlife and habitat and inspiring the future generation of conservationists.

The National Wildlife Federation is committed to protecting wildlife across the nation through the conservation, restoration, and connection of critical wildlife habitat. We are particularly concerned about the plight of larger mammals, like mountain lions in Los Angeles County, which need expansive contiguous wildlife habitat corridors to survive. For this reason, we are working hard to help reconnect large landscapes of habitat currently fragmented by highways and urban development.

As you know, last year we signed an official MOU with the Santa Monica Mountains Fund, and partnered with the National Park Service and others to form the #SaveLACougars campaign to advocate and fundraise for the Liberty Canyon Wildlife Crossing. We thank the City of Agoura Hills for their support of this project.

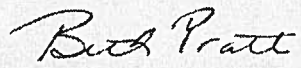
Preserving open space in the Santa Monica Mountains is vital to ensuring that mountain lions and all wildlife have a future in the area. As such we support the efforts to encourage the developer to be a willing and profitable seller of Agoura Equestrian Estates to a public open space agency like MRCA. As the National Park Service concluded in their review of the DEIR:

*NPS supports MRCA's efforts to protect the full property as public open space in accordance with NPS's goals and objectives to protect Liberty Canyon Wildlife Corridor. Acquisition would preserve existing open space within the wildlife corridor that provides forage and habitat for a number of mammals, birds, reptiles, amphibians, sensitive plants. In the event acquisition funding and a willing seller are not both available, the DEIR's preferred alternative and final project design should be based on maximal preservation of existing natural, scenic, and outdoor recreation values the property offers.*



**For all of these reasons, the National Wildlife Federation strongly supports adding Chesebro Meadow to the important designation of public open space in the Santa Monica Mountains.**

Sincerely,

A handwritten signature in cursive script that reads "Beth Pratt".

**Beth Pratt,  
California Director**