

ORDINANCE NO. 10-374

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING THE AGOURA HILLS LADYFACE MOUNTAIN SPECIFIC PLAN (CASE NO. 09-SPA-001)

THE CITY COUNCIL OF THE CITY OF AGOURA HILLS ORDAINS AS FOLLOWS:

SECTION 1. The Agoura Hills Ladyface Mountain Specific Plan is amended to add the following supplemental information and requirements:

Supplemental Land Use Requirements

Introduction

The Ladyface Mountain Specific Plan provides for two development scenarios. Scenario 1-A, which is the maximum permitted building area for each parcel, and Scenario 2-A, which establishes a higher maximum permitted building area for each parcel subject to certain findings. The Plan further provides that a property owner may apply for the level of development permitted under Scenario 2-A as part of its application for a conditional use permit. Development in accordance with Scenario 2-A may be permitted, however, only if the property owner can prove that specified findings can be made which are designed to ensure that the increased level of development will not have any adverse impacts.

One of the goals of this supplemental document is to provide for greater objectivity and clarity in assessing applicants' request to increase the maximum permitted building area to what is permitted under Scenario 2-A.

General Provisions

Projects shall be required to comply with the most current version of the City's Zoning Ordinance and Architectural Design Standards & Guidelines.

Landscape Concept

Major Streetscape Standards

a. Agoura Road

Main Street Trees. *Pistacia chinensis* (Chinese Pistache) and *Koelreuteria bipinnata* (Golden Rain Tree) in informal groups of twos, threes and fours may also be utilized as secondary trees provided that they not exceed more than 40 feet on-center.

Project Entries and Intersections. *Platanus racemosa* (California Sycamore) and *Arbutus* 'Marina' (NCN) may also be used as primary theme trees utilized at project entries along Agoura Road.

b. Development Standards.

Project Cut or Fill Slopes, Buffer Zones. *Quercus berberidifolia* (Scrub Oak), *Aesculus californica* (California Buckeye), *Arctostaphylos* species (Manzanita), *Ceanothus* species (California Lilac), *Cercis occidentalis* (Western Redbud), *Cercocarpus betuloides* (Mountain Mahogany), *Heteromeles arbutifolia* (Toyon), *Malacothamnus fasciculatis* (Santa Cruz Island Bush Mallow), *Rhamnus* species, *Rhus* species, *Ribes* species, and other deep-rooted native shrubs and trees may be included in the project landscaping at manufactured cut or fill slopes, and buffer zones.

Parking Lot, Courtyard. Supplementary parking lot and outer courtyard mix shall be *Cercis occidentalis* (Western Redbud), *X Chitalpa Tashkentensis* (Chitalpa), *Laurus nobilis* Saratoga' (Sweet Bay), *Pistacia chinensis* (Chinese Pistache), *Platanus acerifolia* (London Plane Tree), and *Quercus ilex* (Holly Oak).

**TABLE III-1
SUPPLEMENTAL PLANT PALETTES**

A. Trees – Evergreen

Botanical name

Arbutus 'Marina'

Geijera parviflora

Laurus nobilis Saratoga'

Lithocarpus densiflorus

Lyonothamnus floribundus ssp. *aspleniifolius*

Quercus berberidifolia

Rhus lancea

Umbellularia californica

Common Name

NCN

Australian Willow

Sweet Bay

Tanbark Oak

Santa Cruz Island Ironwood

Scrub Oak

African Sumac

California Bay Laurel

B. Trees – Deciduous

Botanical Name

Acer macrophyllum

Aesculus californica

Alnus rhombifolia

Juglans californica

Common Name

Big-leaf Maple

California Buckeye

White Alder

Southern California Black Walnut

Pistacia chinensis

Chinese Pistache

Quercus lobata

Valley Oak

Salix lasiolepis

Arroyo Willow

Sambucus mexicana

Blue Elderberry

X Chitalpa tashkentensis

NCN

C. Shrubs

Botanical Name

Common Name

Berberis 'Golden Abundance'

NCN

B. lomarifolia

Venetian Blind Mahonia

B. nevinii

Nevin Mahonia

B. pinnata

California Holly Grape

Calycanthus occidentalis

Spice Bush

Carpenteria californica

Bush Anemone

Cercocarpus betuloides

Mountain Mahogany

Comarostaphylis diversifolia

Summer Holly

Fremontedendron species & cvs

Flannel Bush

Garrya elliptica

Coast Silktassel

Keckiella cordifolia (Penstemon cordifolia)

Heart-leaved Penstemon

Lavatera assurgentiflora

Tree Mallow

L. maritima (L. bicolor)

Tree Mallow

L. 'Purissima'

Hybrid Tree Mallow

Myrica californica

Pacific Wax Myrtle

Prunus ilicifolia ssp. lyonii

Catalina Cherry

Rhamnus californica & cvs

California Coffeyberry

R. crocea

Redberry

R. ilicifolia

Hollyleaf Redberry

Ribes aureum

Golden Currant

R. malvaceum

Chaparral Currant

R. viburnifolium

Catalina Perfume

Symphoricarpos albus

Common Snowberry

S. mollis

Teucrium fruticans

T. f. 'Compactum'

Creeping Snowberry

Bush Germander

Compact Bush Germander

D. Sub-Shrubs

Botanical Name

Artemisia 'Powis Castle'

Galvezia speciosa

G. s. 'Firecracker'

Heuchera hybrids

H. maxima

Kniphofia uvaria

Lavandula angustifolia

L. dentata

L. x intermedia

L. stoechas

Philadelphus lewisii californicus

Rosmarinus officinalis 'Huntington Blue'

R. o. 'Severn Sea'

Salvia greggii

S. leucantha

Westringia fruticosa & cvs

Zauschneria californica & cvs

Common Name

NCN

Island Bush Snapdragon

NCN

Coral Bells

Island Alum Root

Red hot poker

English Lavender

French Lavender

Lavandin

Spanish Lavender

California Mock Orange

Huntington Blue Rosemary

Severn Sea Rosemary

Autumn Sage

Mexican Bush Sage

Coast Rosemary

California Fuchsia

E. Ground Covers

Botanical Name

Arctostaphylos edmundsii 'Bert Johnson'

A. e. 'Carmel Sur'

A. 'Pacific Mist'

A. uva-ursi "Radiant"

A. 'Wood's Compact'

Berberis aquifolium var. *repens*

Ceanothus 'Centennial'

Common Name

Bert Johnson Manzanita

Carmel Sur Manzanita

Pacific Mist Manzanita

Radiant Kinnikinnick

Wood's Compact Manzanita

Creeping Mahonia

Centennial Ceanothus

| | |
|---------------------------------------|-------------------------------------|
| <i>C. maritimus</i> 'Frosty Dawn' | Ceanothus Frosty Dawn |
| <i>C. m.</i> 'Point Sierra' | Ceanothus Point Sierra |
| <i>C. m.</i> 'Popcorn' | Ceanothus Popcorn |
| <i>Cotoneaster dammerii</i> | Bearberry Cotoneaster |
| <i>Fragaria chiloensis</i> | Wild Strawberry |
| <i>Zauschneria</i> 'Everett's Choice' | Everett's Choice California fuchsia |
| <i>Z.</i> 'Summer Snow' | Summer Snow California fuchsia |

Oak Tree Protection/Replacement Guidelines

1. In addition to the detailed Oak Tree Report required as a part of the Conditional Use Permit, all provisions of **Division 7. Oak Tree Preservation Guidelines** and **Appendix A – Oak Tree Preservation Guidelines** of the **City of Agoura Hills Municipal Zoning Code** apply to all development within the Ladyface Mountain Specific Plan area.
2. No work of any kind is allowed in the City of Agoura Hills within the protected zone of any oak tree without first obtaining an Oak Tree Permit. The protected zone of an oak is the area within the canopy of the tree and extends 5 feet outside the canopy. It is never less than 15 feet from the trunk and includes canopy and root zone. If there is an oak tree on the property or any adjacent property within 250 feet of the planned construction, the City Landscape and Oak Tree Consultant must be contacted to determine whether an Oak Tree Permit is required.
 - a. No pruning of live wood (branches or twigs *of any size*) is permitted unless specifically authorized by the City Oak Tree Consultant.
 - b. No soil disturbance is permitted within the protected zone of any oak tree without approval of the City Oak Tree Consultant.
 - c. No storage, temporary or permanent, is allowed within the protected zone of any oak tree. This includes any type of vehicle, equipment, materials, rubble or any other item.
 - d. No herbicides shall be used within 100 feet of the dripline of any oak without approval of the City Oak Tree Consultant.
 - e. No fertilizer shall be used on any oak unless a soil test shows it is necessary. Oaks generally do not need fertilization unless serious deficiencies are evident in the leaves.
 - f. No irrigation or planting shall be installed within the dripline of any existing oak tree unless specifically approved by the City Oak Tree Consultant. Under certain conditions supplemental irrigation may be required, such as when natural water sources have been disrupted.

Fuel Modification

The City of Agoura Hills has been designated as Very High Fire Hazard Severity Zone. Fuel modification is required in the City for any project that will include an enclosed structure that exceeds two hundred (200) square feet.

"*Fuel Modification Plan Guidelines*" can be found at <http://www.lacofd.org/forestry.htm>. Additional information can be obtained by contacting the County of Los Angeles Fire Department Fuel Modification Unit at 605 N. Angeleno Avenue, Azusa, CA 91702-2904, telephone (626) 969-5205.

The Los Angeles County Fire Department's "*Fuel Modification Plan Guidelines*" includes a plant list to be used as a guideline. In addition, the City of Agoura Hills has prepared a Supplemental Fuel Modification Plant List to be used in conjunction with the Fire Department's List Revised 8/16/07. This list is available at the City of Agoura Hills City Hall Planning Counter. The City's list has been approved by the Fire Department's Fuel Modification Unit; however the plants must be used in accordance with the Fire Department's spacing guidelines.

Since it is possible that Fire Department requirements could influence aspects of project landscape and site design, it is suggested that any proposed development consider possible fuel modification requirements as early as possible, and that preliminary fuel modification approval be obtained prior to review by the Planning Commission. Significant modifications required by the Fire Department to an approved plan might necessitate an additional review by the Planning Commission.

Development Regulations and Requirements

The following development regulations and requirements shall apply to all new development in the Ladyface Mountain Specific Plan:

1. All projects shall meet a design construction standard equivalent to the minimum U.S. Green Building Council LEED Certified rating.
2. Pervious or semi-pervious paving material for parking areas shall be utilized to facilitate rainwater percolation and retention/detention basins that limit runoff to pre-development levels.
3. A gray water system or other water efficient features shall be utilized for landscaped areas. In addition, all projects shall connect to the non-potable water line in Agoura Road.
4. A rock-faced soil nail wall or other decorative block wall that blends into the hillside shall be utilized for all retaining walls over six (6) feet in height.
5. Each project shall implement a Transportation Demand Management (TDM) program that includes the following components:

- A minimum of one on-site electrical vehicle charging station shall be provided in the parking lot for sites consisting of 200 or more parking spaces.
 - Transit and ridesharing information shall be available for all employees.
 - Property owners are encouraged to provide reserved parking spaces near the front entrance for van-pool vehicles and hybrid/alternative fuel and electrical vehicles.
 - To promote employee health and fitness and alternative modes of transportation, property owners are encouraged to provide amenities such as secured bicycle storage facilities, showers, dressing area, and lockers.
6. In order to reduce the amount of paving on site, up to ten (10) percent of the required parking spaces may be compact spaces.
 7. Exterior illumination levels shall be reduced by at least 50% when the building(s) are not occupied.
 8. Outdoor amenities for employees including, but not limited to, shaded areas with benches and table for eating and relaxing shall be provided.
 9. The adopted Specific Plan Trails Map includes a single, main trail to be located above the 1,100-foot elevation. Property owners are not responsible for construction of the trail system. Connector trails shown on the Specific Plan Trails Map, located on private property, are not required, but are encouraged.

Application submittal items

The following supplemental submittal items shall be provided:

1. An Opportunities and Constraints Map shall be prepared prior to siting any proposed improvements (structures, roads, driveways, utilities, fencing, etc.). An opportunity and constraints map includes, but is not limited to, areas with a slope of more than 30%, the location of drainage patterns, oak trees, sensitive habitat, major rock outcropping, natural canyons, existing roads and/or trails, structures, and property lines. The purpose of the Map is to assist in the following:
 - a. Determining the best location for the building(s);
 - b. Determining the location for the road and/or driveway;
 - c. Determining how best to site improvements to work with the natural topography and reduce grading;
 - d. Determining the best use of retaining walls to reduce the amount of grading; and
 - e. Identifying the site features that should be preserved and retained.

2. Photo simulation: A visual representation of the proposed project that includes any modifications and improvements to the site that would result from the project. The purpose of the visual analysis is to simulate the impact of the proposed project within the context of its surroundings. Show views from offsite for all four directions, including views from U.S. Highway 101. Specific view locations shall be approved by Planning and Community Development staff.

The simulation shall provide a view of not only the building but of all manufactured slopes on the site. The simulation shall provide perspectives to show the growth of the proposed landscaping from issuance of a certificate of occupancy at: 1) one month, 2) one year and 3) five years or at full maturity.

3. For hillside lots, cross sections of the site and proposed project shall be provided through all proposed grading including any grading necessary to construct right-of-way improvements. The cross sections shall identify existing and proposed grades. Cross sections through major axis and extending from property line to property line, and extending to nearby street centerlines for sites over 10% slope.
4. Lighting Plans, dimensioned and scaled including:
 - a. Detailed, comprehensive exterior lighting plan prepared by a licensed lighting professional to include all exterior lighting including, but not limited to, parking and pedestrian lighting.
 - b. Photometric plan with a maximum of one foot candle at property lines.
 - c. Lighting fixture specifications and locations (use of energy efficient fixtures and technology is required).
 - d. Proposed lighting intensity of each light fixture.
5. Dimensions of existing and proposed rights-of-way, curb, gutter, sidewalks, edge of pavement, centerline, trails, paths; and typical cross section of streets and pedestrian paths and sidewalks.

SECTION 2. Notwithstanding any provision of the Agoura Hills Municipal Code and Ladyface Mountain Specific Plan, or any other ordinance of the City, this ordinance shall apply to all new applications submitted to the City after the effective date of this ordinance for development within the Ladyface Mountain Specific Plan area, within the City.

SECTION 3. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or applications, and to this end, the provisions of this ordinance are declared to be severable. The City Council declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof even if one or more sections, subsections, sentences, clauses, phrases, parts or portions thereof is declared invalid or unconstitutional.

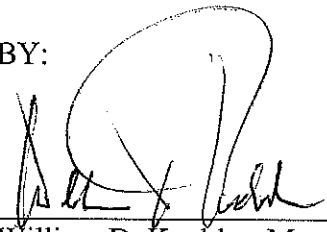
SECTION 4. The Addendum to the Ladyface Mountain Specific Plan Environmental Impact Report adequately addresses the environmental impacts of the proposed Specific Plan amendment, in accordance with the provisions of the California Environmental Quality Act, and is hereby certified.

SECTION 5. The City Clerk shall publish and cause notice of this ordinance to be given according to law.

PASSED, APPROVED, AND ADOPTED this 12th day of May, 2010, by the following vote to wit:


AYES: (5) Koehler, Schwarz, Edelston, Kuperberg, Weber
NOES: (0)
ABSTAIN: (0)
ABSENT: (0)

BY:



William D. Koehler, Mayor

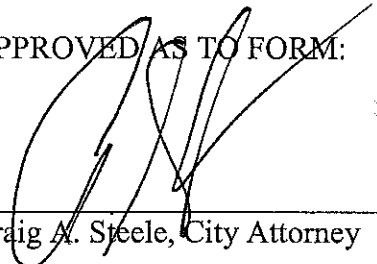
ATTEST:



Kimberly Rodrigues, City Clerk



APPROVED AS TO FORM:



Craig A. Steele, City Attorney