

REPORT TO CITY COUNCIL

DATE: DECEMBER 11, 2019
TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
FROM: GREG RAMIREZ, CITY MANAGER *GR*
BY: NATHAN HAMBURGER, ASSISTANT CITY MANAGER *h2*
ALLISON COOK, ASSISTANT PLANNING DIRECTOR *ac*
SUBJECT: ADOPTION OF ZONE CHANGE ORDINANCE NO. 19-446

At the November 13, 2019 City Council meeting, the Council introduced, read by title only, and waived further reading of the Zone Change Ordinance (Ordinance No. 19-446). The City Council unanimously approved the introduction of Ordinance No. 19-446.

The purpose of the Ordinance is to adopt a zone change for an approximately 9,644-square-foot portion of property described as Assessor's Identification Number (AIN) 2061-006-038, located on Agoura Road, from Planned Development to Commercial Retail-Service with a Freeway Corridor Overlay, resulting from the property's addition to a parcel described as AIN 2061-006-037 at 29134 Roadside Drive (Case No. ZONE-01631-2019). At the November 13, 2019, the City Council also adopted related Resolution No. 19-1915 for a Specific Plan Amendment to the Agoura Village Specific Plan (Case No. SPA-01630-2019), Resolution No. 19-1916 for a General Plan Amendment (Case No. 01629-2019), and a Termination of the Covenant and Lot Tie Agreement (Instrument No. 88-958736) involving these two parcels, as well as AIN 2061-006-039.

RECOMMENDATION

Staff recommends the City Council adopt Ordinance No. 19-446 for a Zone Change.

Attachment: Ordinance No. 19-446

ORDINANCE NO. 19-446

AN ORDINANCE OF THE CITY OF AGOURA HILLS, CALIFORNIA, ADOPTING A ZONE CHANGE FOR AN APPROXIMATELY 9,644-SQUARE-FOOT PORTION OF PROPERTY DESCRIBED AS ASSESSOR'S IDENTIFICATION NUMBER 2061-006-038, LOCATED ON AGOURA ROAD FROM PLANNED DEVELOPMENT TO COMMERCIAL RETAIL-SERVICE WITH A FREEWAY CORRIDOR OVERLAY, RESULTING FROM THE PROPERTY'S ADDITION TO A PARCEL DESCRIBED AS ASSESSOR'S IDENTIFICATION NUMBER 2061-006-037 AT 29134 ROADSIDE DRIVE (CASE NO. ZONE-01631-2019)

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

SECTION 1. Recitals.

A. An application was duly filed by David Artinian (the "Applicant"), with respect to the real property located at 29134 Roadside Drive (Assessor Identification Number (AIN) 2061-006-037)("Lot 1"), and a vacant lot on Agoura Road with no address (AIN 2061-006-038)("Lot 2"), requesting approval of a Zone Change (Case No. ZONE-01631-2019) (the "Project"), which is related to the applicant's request for a General Plan Amendment (Case No. GPA-01629-2019), Specific Plan Amendment (Case No. SPA-01630-2019), and administrative Lot Line Adjustment (Case No. LOT-01632-2019), and a request to Terminate a Covenant and Lot Tie Agreement.

B. The Applicant has submitted an administrative application for a lot line adjustment (Case No. LOT-01632-2019), removing approximately 9,644 square feet from AIN 2061-006-038, and placing it within AIN 2061-006-037.

C. The current zoning for AIN 2061-006-038 is Planned Development (in the Agoura Village Specific Plan area), while that of AIN 2061-006-037 is Commercial-Retail-Service with a Freeway Corridor Overlay District.

D. The City's zoning regulations are generally applied on a lot-by-lot basis, and it is the intent and policy of the City to provide cohesive and orderly zoning where a single lot is subject to no more than one (1) set of zoning designations.

E. The purpose of the ordinance is to change the zoning designation of the approximately 9,644-square-foot portion of AIN 2061-006-038 to be removed from Planned Development District (in the Agoura Village Specific Plan)("AVSP") to Commercial-Retail-Service/Freeway Corridor Overlay District.

F. On October 17, 2019, the Planning Commission of the City of Agoura Hills held a duly noticed public hearing to consider the Ordinance, and received testimony from City staff and all interested parties regarding the proposed change. Following the close

of the public hearing, the Planning Commission adopted Resolution No. 19-1236 recommending that City Council adopt the Ordinance for a Zone Change, with a vote of 5-0.

G. On November 13, 2019, the City Council of the City of Agoura Hills conducted and concluded a duly noticed public hearing concerning the Zone Change, as required by law, and received testimony from City staff and all interested parties regarding the proposed Zone Change.

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

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

SECTION 3. Pursuant to Section 9672.7 of the Agoura Hills Municipal Code, upon adoption of the Ordinance, and approval of the requested actions identified in Section 1.A., the Zoning Map and Zoning Map with Overlay Districts will be consistent with the Zoning Ordinance and General Plan as follows:

A. The Project would achieve the intent and purpose of Agoura Hills Municipal Code Section 9103.C. to foster a harmonious, convenient, workable relationship among land uses by providing: a single set of zoning districts of CRS-FC and a single General Plan land use designation of CRS for Lot 1; the remaining area of Lot 2 to be in the PD zone (in the Agoura Village Specific Plan) and the PD General Plan land use designation; and by Lots 1 and 2 continuing to meet all required zoning regulations, including applicable lot size, lot width, and lot depth requirements of their respective zoning districts, including the Agoura Village Specific Plan for Lot 2.

B. The Project would be consistent with Goal LU-1 of the General Plan 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 by providing consistency among the Zoning Ordinance, General Plan, and Agoura Village Specific Plan by way of zoning districts and land use designations.

SECTION 4. Environmental Review.

Pursuant to the California Environmental Quality Act ("CEQA"), as amended, Section 15061(b)(3) of the CEQA Guidelines promulgated there under, and the City's local CEQA Guidelines, the Project is exempt from CEQA, as the activities do not have the potential for causing a significant effect on the environment. The Project consists of a Zone Change related to adjustments in lot boundaries in which land is being removed from one lot and added to another. No new zones are being created. The Project does not involve a change in permitted uses in the zone districts, although the 9,644-square-foot area would be shifted from a retail/restaurant/office/limited multi-family residential mixed-use category of the AVSP to a retail/service/office category of CRS. No development or other physical activities are proposed as part of the Project.

SECTION 5. The Zoning Map and Zoning Map with Overlay Districts of the City of Agoura Hills are hereby revised as shown in Exhibits A-1 and A-2, attached and incorporated herein.

SECTION 6. Effective Date. This ordinance shall go into effect on the 31st day after its passage.

SECTION 7. Certification. The City Clerk of the City of Agoura Hills shall certify to the passage and adoption of this ordinance and shall cause the same or a summary thereof to be published and posted in the manner required by law.

PASSED AND APPROVED this 11th day of December 2019, by the following vote to wit:

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

Illece Buckley Weber
Mayor

ATTEST:

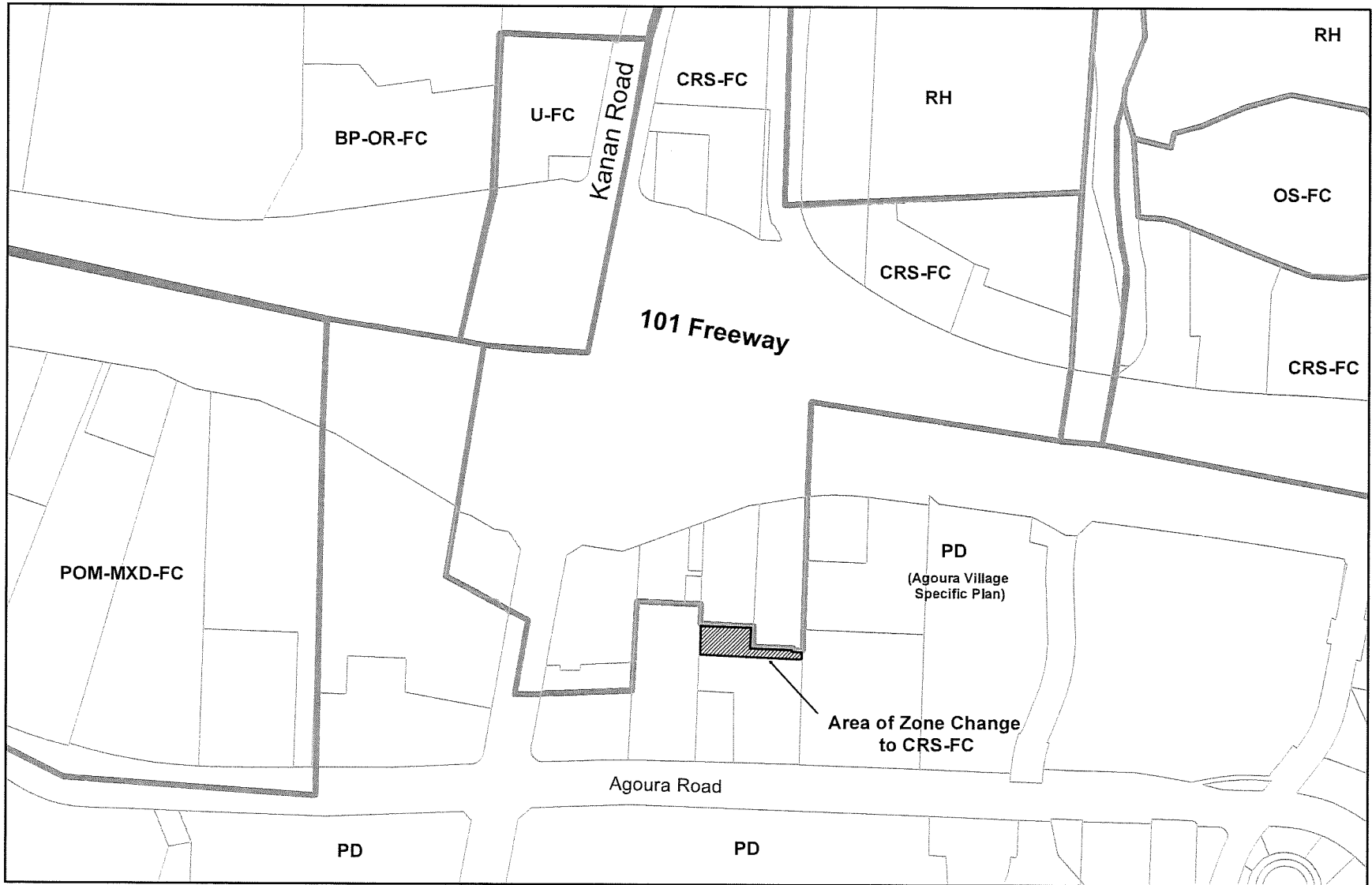
Kimberly M. Rodrigues, MMC
City Clerk

APPROVED AS TO FORM:

Candice K. Lee
City Attorney

Attachment



Exhibit A-1



City of Agoura Hills Zoning Map With Overlay Districts

Proposed Changes

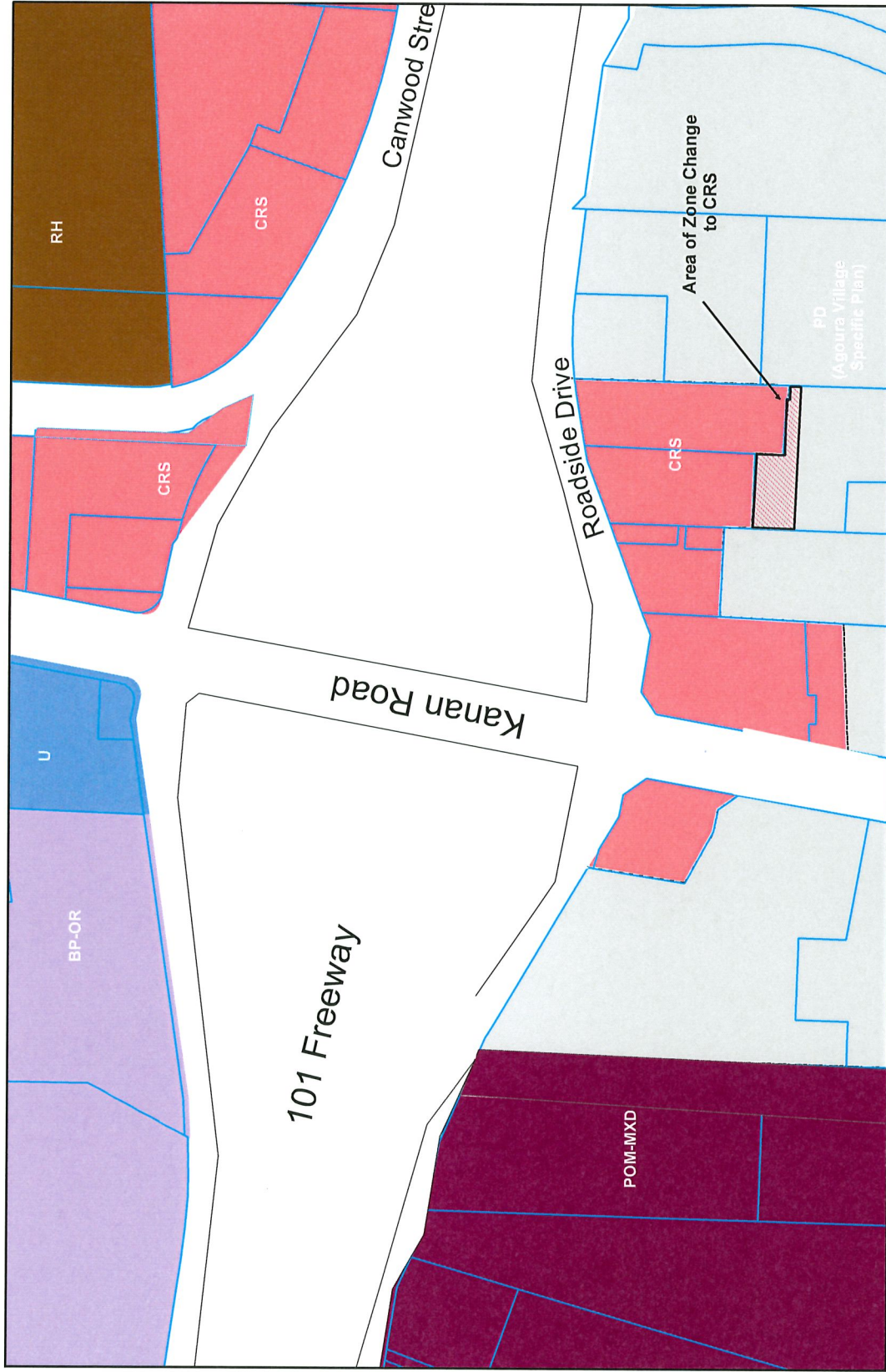
Exhibit A-1

-  Parcels
-  Zoning Districts



Attachment

Exhibit A-2



City of Agoura Hills Zoning Map Proposed Changes

Exhibit A-2

- Commercial Retail Service
- Planned Development (Agoura Village Specific Plan)

Exhibit A-2

