

REPORT TO CITY COUNCIL

DATE: NOVEMBER 10, 2020

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: NATHAN HAMBURGER, CITY MANAGER

BY: RAMIRO S. ADEVA III, ASSISTANT CITY MANAGER
VALERIE DARBOUZE, ASSOCIATE PLANNER

SUBJECT: ADOPTION OF ZONE CHANGE ORDINANCE NO. 20-452; AN ORDINANCE OF THE CITY OF AGOURA HILLS, CALIFORNIA, ADOPTING A ZONE CHANGE FOR AN APPROXIMATELY 15,113 SQUARE-FOOT PORTION OF A PROPERTY LOCATED AT 5764 FAIRVIEW PLACE ZONED RESIDENTIAL LOW DENSITY TO BE ADDED TO A PROPERTY LOCATED AT 5805 COLODNY DRIVE, ZONED RESIDENTIAL VERY LOW DENSITY (CASE NO. ZONE-01780-2020)

At the October 28, 2020, the City Council unanimously adopted Resolution No. 20-1960 (Case No. GPA-01779-2020) for a General Plan Amendment in connection with a Lot Line Adjustment application (Case No. LOT-01781-2020), and introduced, read by title only, and waived further reading of Ordinance No. 20-452 (Zone Change Ordinance).

The purpose of the Ordinance is to adopt a zone change of an approximate 15,113 square-foot portion of a parcel described as Assessor's Identification Number (AIN) 2055-012-032 located at 5764 Fairview Place from Residential Low Density to Residential Very Low Density with an Old Agoura Design and Equestrian Overlay, resulting from the property's addition to a parcel described as AIN 2055-027-062 located at 5805 Colodny Drive (Case No. ZONE-01780-2020).

Attached for reference is a copy of Ordinance No. 20-452.

RECOMMENDATION

Staff respectfully recommends the City Council adopt Ordinance No. 20-452 for a Zone Change.

Attachment: Ordinance No. 20-452

ORDINANCE NO. 20-452

AN ORDINANCE OF THE CITY OF AGOURA HILLS, CALIFORNIA, ADOPTING A ZONE CHANGE FOR AN APPROXIMATELY 15,113 SQUARE-FOOT PORTION OF A PROPERTY LOCATED AT 5764 FAIRVIEW PLACE ZONED RESIDENTIAL LOW DENSITY TO BE ADDED TO A PROPERTY LOCATED AT 5805 COLODNY DRIVE, ZONED RESIDENTIAL VERY LOW DENSITY (CASE NO. ZONE-01780-2020)

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 Jan Wilson (the "Applicant"), with respect to the real properties located at 5805 Colodny Drive (Assessor's Identification Number (AIN) 2055-027-062) and at 5764 Fairview Place (AIN: 2055-012-032), requesting approval of a Zone Change (Case No. ZONE-01780-2020) to adjust the property lines of two adjacent parcels by removing approximately 15,113 square feet of AIN 2055-012-032 zoned Residential Very Low-Old Agoura Design Overlay and Equestrian Overlay district (RV-OA-EQ) by removing it from the parcel zoned Residential Low-Old Agoura Design Overlay and Equestrian Overlay district (RL-OA-EQ) (the "Project"), which is related to the applicant's request for a General Plan Amendment (Case No. GPA-01779-2020), and administrative Lot Line Adjustment (Case No. LOT-01781-2020).

B. The applicant has submitted an administrative application for a lot line adjustment (Case No. LOT-01781-2020) removing approximately 15,113 square feet from a parcel located 5764 Fairview Place with Assessor's Identification Number 2055-012-032 and adding the same square footage to an adjacent parcel located at 5805 Colodny Drive with Assessor's Identification Number 2055-027-062.

C. The current zoning of AIN 2055-012-032 is Residential Low Density (RL) with an Old Agoura Design and Equestrian Overlay districts (OA-EQ), and the current zoning of AIN 2055-027-062 is Residential Very Low (RV) with an Old Agoura Design and Equestrian Overlay districts (OA-EQ).

D. On October 1, 2020, 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. The public hearing was held in accordance with the Governor's Executive Order N-29-20 on an electronic platform that allowed for the applicant and members of the public to present statements and provide materials to the Commission. After closing the public hearing, the Planning Commission unanimously adopted a resolution to recommend that the City Council approve this Ordinance.

E. The purpose of the Ordinance is to change the zoning designation of the approximately 15,113 square-foot portion of AIN 2055-012-032 to be added to AIN 2055-027-062.

F. On October 28, 2020, the City Council of the City of Agoura Hills held a public hearing in accordance with the Governor's Executive Order N-29-20 on an electronic platform that allowed for the applicant and members of the public to present statements and provide materials to the Commission. Notice of time, date and means of participation in, and purpose of the aforementioned hearing was duly given and published as required by state law.

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

SECTION 2. The City Council finds that 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 Maps will be consistent with the Zoning Ordinance and General Plan, as follows:

A. The Project will provide for a single set of zoning districts of RV-OA-EQ and a single General Plan land use designation of RV for Lot 1 at 5805 Colodny Drive.

B. The remaining area of Lot 2 at 5764 Fairview Place will continue to be in the RL-OA-EQ zone and the RL General Plan land use designation.

C. Lots 1 and 2 will comply with all required zoning regulations, including applicable lot size, lot width, and lot depth requirements of the respective zoning districts.

As a result, the Zone Change would foster a harmonious and convenient relationship among land uses.

SECTION 4. Environmental Review.

Pursuant to the California Environmental Quality Act ("CEQA"), as amended, Section 15061(b)(3) and 15305(a) 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 zones and General Plan land use designations, although the 15,113-square-foot area would be shifted from a Residential Very Low Density to a Low Density zone. No development is proposed as part of the Project. In addition, once the Zone Change and General Plan Amendment are approved,

the lot line adjustment will qualify for the CEQA exemption found at Section 15305(a) of the CEQA Guidelines applicable to minor lot line adjustments.

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 respectively, 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, APPROVED, AND ADOPTED, this ___ day of _____ 2020, by the following vote to wit:

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

Illece Buckley Weber, Mayor

ATTEST:

Kimberly M. Rodrigues, City Clerk

APPROVED AS TO FORM:

Candice Lee, City Attorney