

MEMORANDUM TO THE PLANNING COMMISSION



**DATE:** JULY 21, 2022

**TO:** HONORABLE CHAIR AND MEMBERS OF THE PLANNING COMMISSION

**FROM:** DENICE THOMAS, AICP, COMMUNITY DEVELOPMENT DIRECTOR

**SUBJECT:** ERATTA MEMORANDUM

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In an attempt to address recent feedback received from the California Department of Housing and Community Development, supplemental information has been added to the Housing Element. The following information has been added:

- Page IV-10 has been changed to provide supplemental information regarding mixed use developments in the region that have been approved with a mixture of existing commercial and new residential uses. The section also references the illustrative volume block exercise which graphically depicts Sites O, P, and Q with the unit capacity identified in the Housing Opportunity Sites Inventory;
- Page V-18 has ben amended to provide clarity. Language from the program narrative has been repeated as part of the 2021 – 2029 Objective;
- Page V-20 has been amended to include to clearly state the City will test a sample site from the categories identified in Program 13 – Objective Design and Development Standards.

**Sites O, P and Q** are local shopping centers on Kanan Road. Agoura Meadows is 8 acres and developed in 1978, Twin Oaks is 8.8 acres and developed in 1978, and Agoura City Mall is 5.7 acres and developed in 1986. The centers are all in need upgrading to modern standards, and each has several vacant tenancies. In contrast, less than two miles outside the city, Westlake Plaza has undergone major renovations and offers a gourmet grocery store along with a vibrant mix of retail, services, dining and a variety of pedestrian amenities; Thousand Oaks and Calabasas also offer more modern shopping centers than available in Agoura Hills. The City's shopping center sites are characterized by large areas of surface parking, which consistent with redevelopment trends throughout the region, could accommodate residential infill with parking consolidated into a podium structure or subsurface. The Los Angeles region has numerous examples of this trend of utilizing underutilized parking as an opportunity for development of higher density multi-family residential, providing a higher return on investment.<sup>16</sup> For example, a mixed use development was recently approved on the 5.3 acre site of an existing Walmart Neighborhood Market in Simi Valley; the project will maintain the anchor grocery store, tear down approximately 40% of the center's older retail and replace with new commercial, and integrate 280 residential units (including 14 affordable units) on the existing surface parking areas. This project provides a good example of how the three Agoura Hills shopping centers could potentially be upgraded and develop with housing on the large parking lots. The City's urban design consultant has prepared height and bulk studies for Sites O, P and Q to illustrate various options as to how the number of housing units identified for each site in the Sites Inventory could be integrated within the proposed development standards (refer to Appendix C).

The current CS-MU (Commercial Shopping Center – Mixed Use) zoning on these sites allows for a limited number of residential units at a density of 1.75 dwelling units/acre above commercial use as part of a mixed use development. By adding the Affordable Housing Overlay, increasing the permitted density and height, and allowing for horizontal mixed use, these sites become far more attractive for residential infill which can in turn stimulate upgrade of the commercial centers and the introduction of amenities to make them more competitive with other nearby centers. The location of these sites are well suited to housing for several reasons: a) with the majority of Housing Element sites located south of the 101 freeway, development of these sites in the northwest quadrant of the City would serve to disperse affordable housing locations, thereby affirmatively furthering fair housing; b) they are among only one other Housing Element site located outside the Very High Fire Hazard Severity Zone; c) they are located immediately adjacent to transit; and d) integrating housing in proximity to key shopping and services will reduce vehicle miles travelled and provide an ideal residential setting for less mobile populations, such as seniors and persons living with disabilities.

- **Site T** is a 0.9 acre flat site developed with a retail building dating from 1961 currently occupied with a vehicle accessories/outfitting business. The site is physically underutilized with just 43% lot coverage, and its good freeway visibility makes it valuable for development. The property owners approached the City in the last few years about their interest in redeveloping the site

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<sup>16</sup> Nearby examples of integrating housing on existing shopping center sites include: 1) Santa Susana Plaza Mixed Use in Simi Valley, approved for the addition of 280 units through the conversion of existing surface parking; 2) The Lakes Shopping Center in Thousand Oaks, recently approved for the addition of 165 apartment units; 3) Calabasas Commons, which is proposing to integrate approximately 200 units through conversion of existing surface parking; and 4) Thousand Oaks Ranch which involves the redevelopment of a former shopping center with 420 units, retail, and open space amenities, replacing the prior 510,000 sq.ft. surface parking area with 280,000 sq.ft. of parking provided as both semi-subterranean and within a parking structure.

**2021-2029 Objective:** *Develop an Affordable Housing Overlay (AHO) and associated objective development standards in 2022 in compliance with the parameters of a rezone program under Government Code section 65583.2(h).*

**9a. Facilitate Affordable Housing on Large Sites. (New)** Within one year of Housing Element adoption, the City shall meet with property owners of the two large sites in the sites inventory (e.g., more than 10 acres), provide information on available development incentives under the AVSP, and initiate meetings with interested affordable housing developers. To assist the development of housing for lower income households on these sites, the City shall commit to streamlining the approval process for land divisions and/or lot line adjustments resulting in parcel sizes that enable affordable housing development, and process fee deferrals related to projects including at least 20 percent of the units affordable to lower income households.

**2021-2029 Objective:** *Target production of 73 lower-income units on large sites (Sites A and K) through this program by 2029. Establish a policy to streamline land divisions and lot line adjustments on these two sites and provide for fee deferrals.*

**10. Agoura Village Specific Plan. (Modified)** The 135-acre Agoura Village Specific Plan (AVSP), originally adopted in 2008 and planned as a focal point for future mixed use development, is currently being updated to reflect current market conditions and a new set of guiding principles. **The emphasis of the AVSP is shifting from residential being a secondary to a primary use, with housing unit capacities increasing from 293 to over 650 units.** Development on mixed use sites in the AVSP will require a minimum of two-thirds of building square footage to be dedicated to residential use, consistent with the definition of “housing development project” under the Housing Accountability Act. Eight sites in the AVSP are included in the Housing Element sites inventory – an addition of three sites that had previously only permitted commercial - and all eight of which are designated with the Affordable Housing Overlay to allow increased densities and to incentivize the inclusion of lower income units. A unique set of objective design and development standards are being created for the AVSP, creating greater certainty for developers and shortened review times for project that qualify for ministerial approval (refer to Program 13).

**2021-2029 Program Objective:** *Update the Agoura Village Specific Plan to provide increased opportunities for residential development and streamlined review on Housing Element sites (2022).*

**11a. Promote Accessory Dwelling Units. (Expanded)** Agoura Hills adopted a new accessory dwelling unit (ADU) ordinance in August 2021 to align with state law and better facilitate the production of ADUs and Junior ADUs. For example, the City now allows ADUs in all residential zones, as well as in the commercial-mixed use zone and open space restricted zone, both of which allow residential uses. The pace of ADU activity has begun to increase, with four permits issued in 2019, five in 2020, and ten in 2021. Furthermore, SCAG’s affordability analysis estimates that in the Las Virgenes subregion, two-thirds of ADUs are provided at rents affordable to lower and moderate-income households.

Pursuant to AB 671, the Housing Element is now required to include plans to incentivize and encourage affordable ADU rentals. The City is using SB 2 Planning Grant funds to develop a user-friendly guide to answer frequently asked questions about building an ADU, along with a submittal

**13. Objective Design and Development Standards. (New)** There are several scenarios in the future in which development projects in Agoura Hills will be required to undergo a “by-right”, non-discretionary approval process. These scenarios include: a) qualified projects being processed under Government Code section 65913.4 (SB 35); b) projects on sites identified in a prior housing element where at least 20% lower income units are included; and c) projects on sites being rezoned with the Affordable Housing Overlay as part of the Housing Element update with at least 20% lower income units. The creation of objective design and development standards is critical to a “by-right” approval process, since qualifying projects may only be required to meet objective, not subjective standards.

The City has contracted with a consultant and is in the process of establishing clear and objective design and development standards to facilitate quality development that can be approved ministerially. The City conducted a community workshop in Fall of 2021 to solicit input from the development community on these standards, with development standards scheduled for public review and adoption in conjunction with the Housing Element in July and August 2022. Three separate sets of standards will be prepared corresponding to sites in the housing inventory for: a) the eight sites within the Agoura Village Specific Plan; b) the three large shopping center sites on Kanan Road; and c) the nine other sites in the Housing Element sites inventory. The City will test each set of development standards to ensure projects can meet the permitted densities under zoning. In conjunction with developing objective development standards, Agoura Hills is creating an SB 35 checklist and written procedures for processing SB 35 applications.

***2021-2029 Program Objective:** Establish objective design and development standards to create greater certainty for developers and streamline the development review and permitting process. Create an SB 35 checklist and written procedures for processing SB 35 applications (2022).*

**14. Zoning Text Amendments for Special Needs Housing. (New)** As presented under the Governmental Constraints analysis and pursuant to state law, several revisions to the Agoura Hills Zoning Code have been identified as appropriate to better facilitate the provision of a variety of housing types. These Code revisions include:

- Allow transitional and supportive housing in all zones where residential is permitted, including mixed use zones, subject to the same restrictions as similar uses in the same zone (SB 2),
- Allow supportive housing as a use by right in all zones where multi-family and mixed use is permitted; eliminate parking requirements for supportive housing located within one-half mile of public transit (per AB 2162),
- Amend parking standards for emergency shelters from a ratio based on the size of the structure to a ratio based on to the number of shelter staff (per AB 139),
- Develop by right processing procedures for Low Barrier Navigation centers in mixed use and non-residential zones permitting multi-family uses, and should the city receive an application for these uses, process them as required by state law (per SB 48),
- Amend the Zoning Code to remove subjective findings related to neighborhood character as necessary to ensure reasonable accommodation for persons with disabilities and other protected classes, and
- Review and amend the Zoning Code to ensure requirements for group homes of more than six persons are consistent with state law and fair housing requirements.