

**Attachment E:**  
**Ladyface Mountain Specific Plan Amendment**  
**Draft Ordinance No. 22-462**

## ORDINANCE NO. 22-462

### **AN ORDINANCE OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING CHAPTER IV (DEVELOPMENT REGULATIONS AND REQUIREMENTS) OF THE LADYFACE MOUNTAIN SPECIFIC PLAN TO ESTABLISH PROVISIONS REGULATING THE AFFORDABLE HOUSING OVERLAY DISTRICT (CASE NO. ZOA-2022-0003)**

WHEREAS, on September 25, 1991, the City Council of the City of Agoura Hills adopted the Ladyface Mountain Specific Plan by Ordinance (Ordinance No. 194) with the purpose of creating a comprehensive set of plans, policies, regulations and conditions for guiding and ensuring the orderly development and implementation of the area formerly regulated as the Ladyface Mountain Overlay District.

WHEREAS, on May 12, 2010, the City Council of the City of Agoura Hills amended the Ladyface Mountain Specific Plan by Ordinance (Ordinance No. 10-374) to increase the maximum permitted building area permitted under a provision addressed as Scenario 2-A.

WHEREAS, Government Code Section 65453 states that a specific plan shall be prepared, adopted, and amended in the same manner as a general plan, except that a specific plan may be adopted by resolution or by ordinance and may be amended as often as deemed necessary by the legislative body.

WHEREAS, the State has declared that the lack of housing, including providing for a variety of housing types for all income levels and special needs groups, is a critical problem that threatens the economic, environmental, and social quality of life in California.

WHEREAS, Government Code Section 65583 requires that the City's Housing Element address governmental constraints to the development of housing, including providing for a variety of housing types for all income levels.

WHEREAS, the City of Agoura Hills has been assigned a Regional Housing Needs Assessment (RHNA) Allocation of 318 units, including 199 units for Lower Income Households, as established by the California Department of Housing and Community Development (HCD) and the Southern California Association of Governments (SCAG).

WHEREAS, the City's Sixth Cycle (2021 - 2029) Housing Element establishes a comprehensive, long-term plan to ensure the City has a stock of adequate and affordable housing and Government Code section 65583(a)(3) requires the City to identify an inventory of suitable land, including vacant sites and sites having realistic and demonstrated potential for redevelopment, to accommodate the City's RHNA allocation.

WHEREAS, the City's Housing Element identifies an inventory of 20 sites that will have capacity to meet the City's RHNA allocation at all income levels through a rezoning program.

WHEREAS, the Housing Element also requires that the City Council amend the Ladyface Mountain Specific Plan Overlay District to permit increased housing opportunities for housing development for all income levels.

NOW, THEREFORE, the City Council of the City of Agoura Hills does ordain as follows:

**Section 1.** The facts set forth in the recitals of this Ordinance are true and correct.

**Section 2.** Procedural Findings.

A. The City of Agoura Hills initiated the following legislative actions to adopt the General Plan Update 2035 (Case No. GPA-2022-0003), amend the General Plan Land Use Diagram, amend the Agoura Hills Municipal Code (Case No. ZOA-2022-0003), amend the Zoning Map to Depict the Affordable Housing Overlay District and Zone Changes for the Housing Sites Inventory, amend the Ladyface Mountain Specific Plan (Case No. SPA-2022-0003), and amend the Agoura Village Specific Plan (Case No. SPA-2022-0002) (collectively referred to as the “Project”).

B. The Project was processed including, but not limited to a public notice, in the time and manner prescribed by State and local law, including the California Environmental Quality Act.

C. A Subsequent Environmental Impact Report (“SEIR”), Mitigation Monitoring and Reporting Program, and Statement of Overriding Considerations were prepared for the Project in accordance with the California Environmental Quality Act and the California Environmental Quality Act Guidelines (“CEQA”). Thereafter, City staff circulated a Notice of Completion indicating the public comment period and intent to adopt the EIR as required by law. The public comment period commenced via the State Clearinghouse (Office of Planning and Research) from April 28, 2022 through June 20, 2022. A Notice of Completion was also sent to the Los Angeles County Clerk. Copies of the documents have been available to public review and inspection at the offices of the Department of Community Development, located at City Hall, 30001 Ladyface Court, Agoura Hills, California 91301, the Agoura Hills Public Library, 29901 Ladyface Court, Agoura Hills, California 91301, The Agoura Hills Recreation and Event Center, 29900 Ladyface Court, Agoura Hills, California 91301, and the City of Agoura Hills website.

D. On July 21, 2022, the Planning Commission considered the Project and the related Subsequent Environmental Impact Report (“SEIR”), at a duly noticed public hearing as prescribed by law, at which time the City staff and interested persons had an opportunity to, and did testify either in support of or opposition to this matter.

E. Following consideration of the entire record of information received at the public hearing, the Planning Commission adopted Resolution No. 22-1272, “A Resolution Recommending that the City Council Certify the Subsequent Environmental Impact

Report for the General Plan Update, Adopt a Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program, Adopt the General Plan Update (Case No. GPA-2022-0003), Amend the General Plan Land Use Diagram, Amend the Agoura Hills Municipal Code (Case No. ZOA-2022-0003), Amend the Zoning Map to Depict the Affordable Housing Overlay District and Zone Changes for the Housing Sites Inventory, Amend the Ladyface Mountain Specific Plan (Case No. SPA-2022-0003), and Amend the Agoura Village Specific Plan (Case No. SPA-2022-0002).”

F. On August 10, 2022, the City Council of the City of Agoura Hills considered the Project and the SEIR, Mitigation Monitoring and Reporting Program, and Statement of Overriding Considerations, at a duly noticed public hearing at which time all interested persons had an opportunity to and did testify either in support or in opposition to this matter. The Council considered all the testimony and any comments received regarding the Project and the SEIR, Mitigation Monitoring and Reporting Program, and Statement of Overriding Considerations prior to and at the public hearing.

G. Following the public hearing, the Council adopted Resolution No. 22- 2017 adopting the SEIR, adopting environmental findings pursuant to CEQA, adopting a Mitigation Monitoring and Reporting Program, and adopting Statement of Overriding Considerations.

H. All legal preconditions to the adoption of this Resolution have occurred.

**Section 3.** The proposed amendments are consistent with the objectives of the City’s General Plan. The Ordinance is consistent with Goal LU-2 (City of Diverse Uses), Policy LU-2.1 (Housing), which calls for opportunities to have a full range of housing types, locations and densities to meet the regional housing needs of the City. The Ordinance is consistent with Goal LU-5 (City Sustained and Renewed), Policy LU-5.7 (Housing Maintenance), which encourages continued high maintenance levels of the City’s housing stock. The Ordinance is consistent with Goal LU-7 (Livable and Quality Neighborhoods), including Policy LU-7.2 (Housing Character and Design), which requires new or renovated housing to maintain the character and quality of the neighborhoods in which they are located, and Policy LU-7.9 (Housing Maintenance), which recognizes the housing stock as a priority. The Ordinance is also consistent with Goal LU-10 (Multi-Family Neighborhoods) in that the amendments will encourage ownership and rental opportunities for housing that are well designed and exhibit characteristics of the City. Lastly, the Ordinance is consistent with the goals and policies of the Housing Element, more specifically Goals H-1 to H-4, which encourages the improvement of housing quality and stock of rented units (Policy H1.1, H-1.2 and H-1.3); provide a range of housing types to meet mixed income levels (Policy H-2.1) and create incentives that facilitates the development of affordable housing (Policy H-2.2); identify and maintain an inventory of housing sites that accommodates varying types of housing, location, and density (Policies H-3.1 and H-3.2); streamline permitting process to reduce governmental constraints on development (Policy H-4.1).

**Section 4.** CHAPTER IV: DEVELOPMENT REGULATIONS AND REQUIREMENTS subsection A. GENERAL REGULATIONS is hereby amended in the Ladyface Mountain Specific Plan to include the language shown below in underline, as shown on **Exhibit A**, with all other provisions to remain unchanged:

**“A. GENERAL REGULATIONS**

<b>Table IV-1 Scenario 2-A</b>			
<b>Assessor’s Parcel #</b>	<b>Permitted Land Use</b>	<b>Maximum Bldg. Area</b>	<b>Traffic Budget</b>
2061-33-11	bus. park	78,000 s.f.	175
	ret. com.	84,700 s.f.	745/415*
	disc. com.	39,500 s.f.	240/135*
2061-33-13	bus. park	75,000 s.f.	155
<u>**2061-33-15</u>	bus. park	8,000 s.f.	25
2061-02-22	bus. park	97,300 s.f.	190
2061-02-24	bus. park	31,500 s.f.	75
2061-02-25	bus. park	58,800 s.f.	125
2061-01-22	bus. park	14,000 s.f.	35
2061-01-25	bus. park	34,000 s.f.	90
<u>Total</u>	bus. park	396,600 s.f.	1855/1420*
	ret. com	84,700 s.f.	
	disc. com	39,500 s.f.	

\* Represents 45% reduction from “passer-by” trips captured from adjacent roadways.

\*\*AIN: 2061-33-15 is identified in the 6th Cycle Housing Element as a housing opportunity site where the Affordable Housing Overlay District may apply. See Chapter IV, Section B, Item 1 for applicable regulations.

**Section 5.** CHAPTER IV: DEVELOPMENT REGULATIONS AND REQUIREMENTS subsection B. PERMITTED LAND USES is hereby amended in the Ladyface Mountain Specific Plan to include the language shown below in underline, as shown on **Exhibit B**, with all other provisions to remain unchanged:

**“B. PERMITTED LAND USES**

Within the Specific Plan area there are three subareas: Business Park, Shopping Center, and Open Space.

**1. Business Park:**

The permitted uses within the subarea are itemized in the Commercial Land Use Tables for the BP-OR (Business Park-Office Retail) Zone (Section 9312.2 of the Zoning Ordinance). A wide range of uses such as offices, hotels/motels, restaurants and retail uses that are incidental to offices are

permitted. However, the following uses that are listed in the Commercial Use Table for the BP-OR Zone are expressly prohibited:

- Auto rental or lease agency
- Auto service station
- Bar – tavern
- Bookstore – adult
- Business School
- Candy store
- Church (unless it is the only use on a parcel)
- Driving School
- Hospital
- Live entertainment
- Live entertainment-adult
- Live theater
- Massage Parlor
- Motion picture theater
- Physical fitness studio
- Psychiatric facility-outpatient
- Recreation facility-indoor
- Sanitarium
- School, business
- School, charm, culture
- School, college & university
- School, private k-6
- School, trade
- School, self defense
- School, gymnastics
- School, vocational
- Towing service-office only
- Utility trailer-rental, service, sales

Additionally, residential uses are not permitted with the exception of Assessor's Identification Number 2061-33-15 in Table IV-1. This property is designated with the Affordable Housing (AH) Overlay District, and may be developed either in the manner provided in this Specific Plan or in the manner provided in Part 3 of Chapter 5 of Title IX (Affordable Housing Overlay District). A development proposed pursuant to the AH Overlay District is not subject to the provisions of the LMSP, unless specifically indicated in Part 3 of Chapter 5 of Title IX."

**Section 6. Severability Clause.** If any portion, provision, section, paragraph, sentence, or word of this Ordinance is rendered or declared to be invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining portions, provisions, sections, paragraphs, sentences, and words of this Ordinance shall remain in full force and effect and shall be interpreted by the court so as to give effect to such remaining portions of the Ordinance.

**Section 7. Effective Date.** This Ordinance shall take effect thirty (30) days after its adoption.

**Section 8. Certification.** The City Clerk shall certify to the adoption of this Ordinance and cause it to be published in the manner required by law.

**PASSED, APPROVED, AND ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2022, by the following vote to wit

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

\_\_\_\_\_  
Deborah Klein Lopez, Mayor

ATTEST:

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

APPROVED AS TO FORM:

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

EXHIBIT A

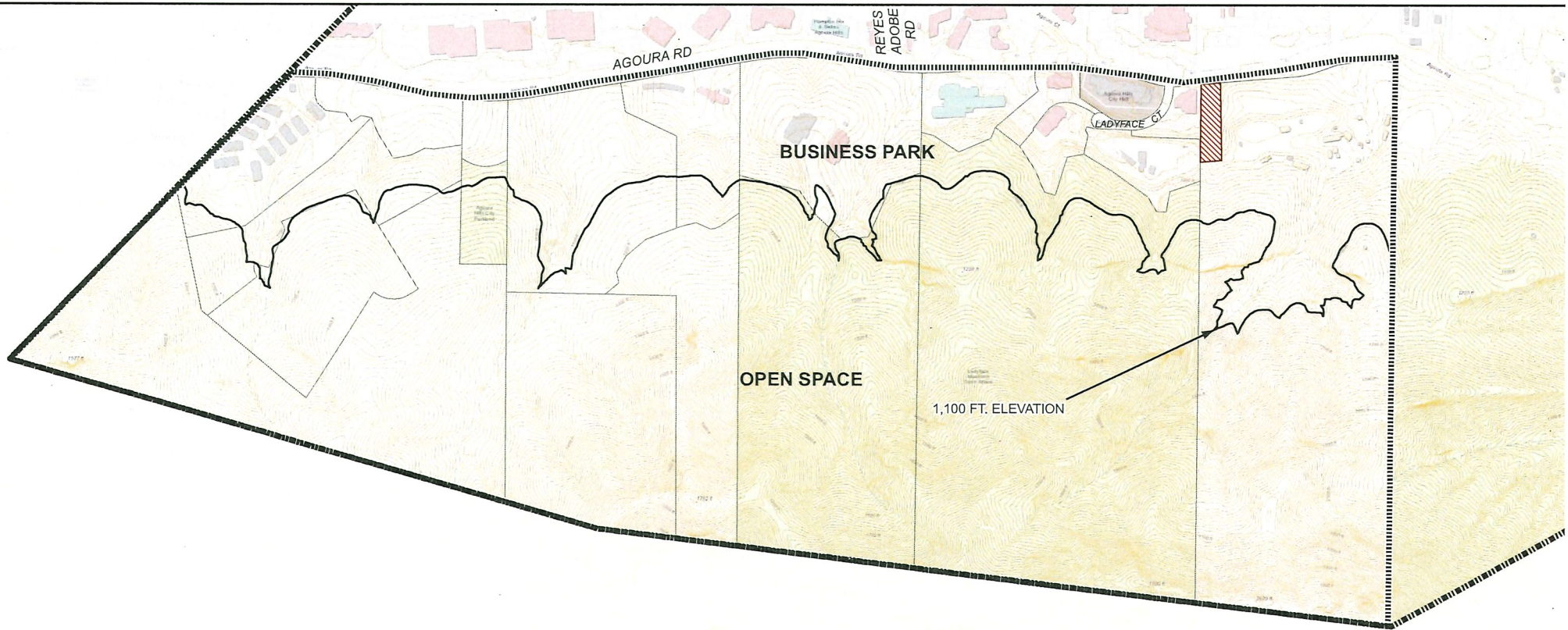
Ladyface Mountain Specific Plan Map





AGOURA HILLS

# LADYFACE MOUNTAIN SPECIFIC PLAN: LAND USE PLAN



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



### Legend

- Ladyface Mountain Specific Plan boundary
- Ladyface Mountain Land Use Areas

- Affordable Housing Overlay (AH)
- Parcels - July 2021

- Agoura Hills City Boundary

EXHIBIT B

Ladyface Mountain Specific Plan Amendment

**IV.  
DEVELOPMENT REGULATIONS AND REQUIREMENTS**

**A. GENERAL REGULATIONS**

The following regulations and requirements shall govern all development within the Ladyface Mountain Specific Plan area.

**1. Development and Density:**

The density of development provided by Scenario 1-A in Table IV-1 shall be the maximum permitted building area for each parcel specified therein. The maximum permitted density or building area may be reduced in connection with the approval of conditional use permit for a proposed development in order to meet the development standards and make the findings required by the Specific Plan. Notwithstanding the foregoing, a property owner in the Specific Plan area may request in connection with an application for a conditional use permit that the maximum building area and traffic budget for its parcel or parcels be increased by an amount not exceeding the maximum density and traffic budget provided under Scenario 2-A in Table IV-2. In making such request, the applicant shall have the burden of proving that:

- a. The finding required by Section V(A) of this Specific Plan can be made for the proposed development with the increased density.
- b. The increased density will not adversely affect the goals, objectives and policies of the General Plan or the Specific Plan.
- c. The increased density will not reduce the traffic Level of Service (LOS) at any intersection in the City to below LOS C as determined by the General Plan. In the event that the existing LOS is below LOS C, then the increased density will not reduce the existing level of service to a lower level. Any increase in the traffic budget is offset by increases in roadway capacity or other acceptable mitigation measures.
- d. The increased density will not create any potentially significant environmental effects.
- e. Manufactured slopes do not exceed a ratio of 2:1.
- f. The increased density will not result in an increased loss of oak trees.
- g. Exposed retaining walls will be used only to enhance design or to protect oak trees.
- h. Grading will be limited and innovative building techniques such as stepped massing, sculpturing the building into the hillside, undergrounding parking, or other similar mitigating measures will be incorporated into the project.
- i. Landscaping will be provided that exceeds the minimum requirements.
- j. The proposed project with the increased density will comply with the maximum developable land area, maximum building pad, and

minimum open space requirements provided for Scenario 1-A in Table IV-1.

<b>Table IV-1 Scenario 2-A</b>			
Assessor's Parcel #	Permitted Land Use	Maximum Bldg. Area	Traffic Budget
2061-33-11	bus. park	78,000 s.f.	175
	ret. com.	84,700 s.f.	745/415*
	disc. com.	39,500 s.f.	240/135*
2061-33-13	bus. park	75,000 s.f.	155
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2061-02-24	bus. park	31,500 s.f.	75
2061-02-25	bus. park	58,800 s.f.	125
2061-01-22	bus. park	14,000 s.f.	35
2061-01-25	bus. park	34,000 s.f.	90
<u>Total</u>	bus. park ret. com disc. com	396,600 s.f. 84,700 s.f. 39,500 s.f.	1855/1420*

\* Represents 45% reduction from "passer-by" trips captured from adjacent roadways.

**\*\*AIN: 2061-33-15 is identified in the 6th Cycle Housing Element as a housing opportunity site where the Affordable Housing Overlay District may apply. See Chapter IV, Section B, Item 1 for applicable regulations.**

In order to exceed the Scenario 2-A density limitation and the traffic budget, in addition to a CUP, a Specific Plan Amendment would be necessary.

## **2. Methodology Used for Determining Development and Density for Scenario 1-A:**

### a. Maximum Development Area and Minimum Open Space Area

The maximum development area and the minimum open space area were developed by applying the City's Hillside Development Criteria to each parcel. It also assumes that development is prohibited above the 1,100 ft. elevation.

### b. Maximum Pad Area

The total developable pad area within the entire specific plan area is 30.18 acres. The maximum pad areas were developed based on assumptions of applying the Hillside Development Criteria, using 2:1 manufactured slopes, minimal retaining walls, and applying all

setback requirements and the grading guidelines established for grading adjacent to scenic highways (City Council Resolution No. 329, adopted July 8, 1986). The intent of the Specific Plan is not to encourage the use of graded pads. In fact, this Specific Plan encourages the use of innovative siting techniques such as sculpturing the building into the hillside. One of the reasons why the maximum pad areas was established was to obtain quantifiable figures for the purpose of developing conceptual maximum building areas and assessing traffic impacts.

c. Maximum Developable Building Area

The maximum building areas were developed assuming the pad areas for each parcel consists of a 2 story building with on grade parking provided at a ratio of 3/1,000 square feet of building area. Other zoning constraints and Specific Plan provisions contained herein such as building set backs, lot coverage, oak tree encroachment restrictions, retaining wall and grading guidelines, and landscaping were also applied.

d. Traffic Budget

In order to ensure that cumulative traffic generated from development of the specific plan (Scenario 1-A) does not result in unacceptable levels of service at any of the 8 intersections/interchanges analyzed in Chapter II, a traffic budget has been established for each parcel in the Specific Plan area. Each parcel has been assigned a maximum number of afternoon peak hour trips it may generate based on the conceptual building square footages. A project specific traffic report is required for any development that is projected to generate over 50 afternoon peak hour trips.

### **3. Development Considerations:**

A Conditional Use Permit is required for all development within the Specific Plan area and shall adhere to the following guidelines. Compliance with these guidelines shall be required as part of the granting of a CUP. In this manner, compatibility of development with adjacent properties and the unique elements of Ladyface Mountain will be ensured.

- a. All development (as measured to the top of the building) shall be limited to below the 1,100 foot elevation. All area above said line shall be designated as Open Space.
- b. Setbacks of all structures shall maintain views of Ladyface Mountain from Agoura Road.

- c. Height of structures shall be limited to below the line-of-sight between viewer and ridgeline as viewed from the Ventura Freeway.
- d. Landscaped areas shall be required at ground level between structures.
- e. Landscaping shall be utilized to soften and enhance structures and conceal roadways and parking areas.
- f. All development shall conform to the existing terrain.
- g. Major rock outcroppings and natural canyons shall be preserved within designated natural open space areas.
- h. Building materials and colors shall be used which are compatible with the surrounding natural environment and which do not draw attention to structures.
- i. Existing natural drainage courses shall be preserved and special consideration shall be given for minimizing downstream impacts.
- j. As part of the Conditional Use Permit process, all archeological sites shall be preserved to the maximum extent possible. Special archaeological studies shall be required.
- k. As part of the Conditional Use Permit process, special geological studies shall be required of all development applications to guarantee the stability of any development.
- l. Whenever possible structures shall be clustered in a north-south configuration, with significant view corridors between clusters.
- m. As part of the Conditional Use Permit process, a site specific biota study shall be required for each development.
- n. Any subsequently adopted ordinance will supersede the provisions and regulations contained on the Specific Plan unless specifically excluded in such subsequent ordinances.

#### **4. Building Height:**

Maximum building height within the Specific Plan area is 35 feet. However, no structure shall extend above the 1,100 foot elevation and building heights shall be sensitive to the natural terrain. Therefore, buildings of more than one story shall not be placed upon the higher elevations.

#### **5. Building Coverage:**

Subject to the provisions of the City of Agoura Hills Zoning Ordinance, the maximum building coverage below the 1,100 foot elevation shall be 30 percent of each parcel.

#### **6. Building Yards:**

- a. Maximum front yards shall be equal to twice the height of any building, but not less than 25 feet.
- b. Minimum rear yards shall be equal to twice the height of any building.
- c. Minimum side and street side yards shall be as follows.

When two or more buildings are sited at the same time, the minimum side yard shall be equal to the sum of both building heights. This applies whether the buildings are on the same parcel or abutting parcels. If a building is situated adjacent to an undeveloped parcel, the minimum side yard shall equal the height of the building. However, if the two buildings are on the same parcel, the minimum side yard shall be 0.75 times the sum of the two building heights.

#### **7. Off-Street Parking and Loading Requirements:**

Off-street parking and loading shall be provided as required by the City Zoning Ordinance.

#### **8. Utilities:**

All utilities shall be provided as required by the City Zoning Ordinance.

#### **9. Landscaping:**

A minimum of 20 percent of the total project area shall be landscaped unless otherwise specified by the City Planning Commission. ("Project Area" is defined as the contiguous development zone including pad, pad access and manufactured slopes, but not including back slopes located at the rear portion of the development pad). A 25-foot buffer shall be provided within all required yards adjacent to public right-of-way. Said landscaping shall be provided and maintained in perpetuity subject to the following:

- a. Berming (undulating or embanked) shall be required with a minimum variation of 30 inches in height. No walls shall be located in the front setback area.
- b. One native Oak tree of the a minimum 24" box per 15,000 square feet of gross floor area shall be provided within said areas or at alternate locations as approved by the appropriate authority.
- c. No other usage or storage shall be permitted within any required landscaping.
- d. Within all commercial parking lots, sufficient landscaping shall be provided to achieve shading of a minimum of 50 percent of the parking area within 15 years of the development's completion. Uniform coverage of trees in parking areas shall be provided to ensure uniform shading.
- e. Drought tolerant and native landscape materials shall be encouraged.
- f. Low volume irrigation systems and native landscape materials shall be encouraged.

## **10. Grading:**

The cut and fill of slope bank within the study area shall not exceed 15 feet where visible to public area (R.O.W., parking, access, etc.). Up to 25 foot high slopes are permitted in areas not visible to public view. All slope banks shall be contoured to achieve a natural appearance, as well as fully landscaped and irrigated.

Along Agoura Road and Kanan Road, Resolution No. 329 of the City of Agoura Hills pertaining to grading next to scenic highways shall apply. All other grading shall be subject to the standards outlined in City Council Ordinances 65 and 109.

## **11. Refuse Containment:**

A decorative masonry trash enclosure compatible with the main building material shall be provided for all uses, unless the proposed location of the trash area is completely enclosed by walls or buildings. All developments shall provide for a master trash disposal agreement to guarantee uniform trash pickup within the development's entirety. Trash enclosure shall be of a size to facilitate the provision of recycling containers at a location that is accessible to trash haulers.

## **12. Fire Protection:**

All projects shall be designed to provide adequate access to fire protection and emergency vehicles and equipment. This access shall serve the project as well as adjacent open space to facilitate access for the fighting of wildland fires. Adequacy of access shall be determined by the designated City Fire Protection Officer.

## **B. PERMITTED LAND USES**

Within the Specific Plan area there are three subareas: Business Park, Shopping Center, and Open Space.

### **1. Business Park:**

The permitted uses within the subarea are itemized in the Commercial Land Use Tables for the BP-OR (Business Park-Office Retail) Zone (Section 9312.2 of the Zoning Ordinance). A wide range of uses such as offices, hotels/motels, restaurants and retail uses that are incidental to offices are permitted. However, the following uses that are listed in the Commercial Use Table for the BP-OR Zone are expressly prohibited:

- Auto rental or lease agency
- Auto service station
- Bar – tavern
- Bookstore – adult
- Business School



- Candy store
- Church (unless it is the only use on a parcel)
- Driving School
- Hospital
- Live entertainment
- Live entertainment-adult
- Live theater
- Massage Parlor
- Motion picture theater
- Physical fitness studio
- Psychiatric facility-outpatient
- Recreation facility-indoor
- Sanitarium
- School, business
- School, charm, culture
- School, college & university
- School, private k-6
- School, trade
- School, self defense
- School, gymnastics
- School, vocational
- Towing service-office only
- Utility trailer-rental, service, sales

Additionally, residential uses are not permitted with the exception of Assessor's Identification Number 2061-33-15 in Table IV-1. This property is designated with the Affordable Housing (AH) Overlay District, and may be developed either in the manner provided in this Specific Plan or in the manner provided in Part 3 of Chapter 5 of Title IX (Affordable Housing Overlay District). A development proposed pursuant to the AH Overlay District is not subject to the provisions of the LMSP, unless specifically indicated in Part 3 of Chapter 5 of Title IX.

Anyone wishing a land use, other than what is specifically allowed under this subarea must file an amendment to the Specific Plan (see Chapter V. "Implementation").

## **2. Shopping Center:**

This subarea is intended for planned retail and service shopping center use that will serve the convenience needs of nearby residents and business members. Typically, the primary tenant of a shopping center in the district will be a supermarket, drug store or other large retail store. These centers are required to fit into the residential patterns of development and not create either architectural or traffic conflicts.

Permitted uses within this subarea are limited to the uses specified in the Commercial Use Tables, Section 9312.2 under the CS (Commercial Shopping Center) Zone. In

addition, Senior Citizen Housing is permitted on Assessor's Parcel Number 2061-033-011 in lieu of 33,000 sq. ft. of Retail Commercial.

The following uses listed in the Commercial Use Table of the Zoning Ordinance for the CS Zone are expressly prohibited:

- Churches
- Live entertainment-adult
- Massage Parlor
- Motion Picture Theater-adult

Provisions for development are as specified in Chapter 3, Part 3 of the Zoning Ordinance (except as provided herein).

A portion of the Shopping Center subarea is within a riparian zone. This riparian area is indicated as the alluvial area with greatest liquefaction potential in Exhibit II-4. Development within this area shall also comply with the provisions of the Drainage, Flood Plain, Watercourse (D) Overlay District, Chapter 5, Part 2 of the City Zoning Ordinance.

Anyone wishing a land use other than what is specifically allowed in this subarea must file for an amendment to the Specific Plan (see Chapter V).

### **C. OPEN SPACE**

Within the Ladyface Mountain Specific Plan area, the subarea that is generally at or above the 1,100 foot elevation, or contains major rock outcroppings and natural canyons is designated Open Space. This area is subject to the provisions of the Open Space (OS) District, Chapter 4, Part 8 of the City Zoning Code.

The purpose of this subarea is to designate areas that, because of natural habitat, visual and aesthetic value or other reasons, should be preserved as natural open space. Preservation is accomplished through restrictions or transfers of development rights in conformance with the goals, policies and objectives of the City's General Plan. It is the intent of the City to achieve permanent open space areas by these policies.

No uses are permitted by right in this district. Subject to a Conditional Use Permit, certain designated uses that are sensitive to the designation of open space and the area's existing natural resources may be permitted. These uses are as follows:

1. One single family dwelling per lot, at a maximum density of one dwelling unit per 5-acre lot. Reference Section 9480.600 of the City Zoning Code regarding transfer development rights, and Chapter 9650 regarding Hillside Development.
2. Light agricultural uses subject to the provisions of Section 9210.410 of the City Zoning Ordinance.

3. Parks and trails.
4. Wildlife preserves.
5. Public or private recreational uses which bear a reasonable relationship to open space; including riding academies, golf courses and the like.

Anyone wishing a land use other than what is specifically allowed in this subarea must file a Specific Plan Amendment.

**D. EXISTING NON-CONFORMING LOTS, BUILDINGS, USES AND LAND**

Existing non-conforming lots, buildings, uses and land shall be regulated per Section 9700 of the Zoning Ordinance.