

**REPORT TO CITY COUNCIL**

**DATE:** AUGUST 24, 2022

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM:** NATHAN HAMBURGER, CITY MANAGER

**BY:** DENICE THOMAS, AICP, COMMUNITY DEVELOPMENT DIRECTOR  
JESSICA CLEAVENGER, PRINCIPAL PLANNER  
ROBBY NESOVIC, SENIOR PLANNER

**SUBJECT:** 1) ADOPTION OF ORDINANCE NO. 22-461; AMENDING THE AGOURA HILLS MUNICIPAL CODE TO INCORPORATE LAND USE AND ZONING REGULATIONS AS FOLLOWS:

- a. ESTABLISH AND IMPLEMENT THE AFFORDABLE HOUSING OVERLAY DISTRICT, INCLUDING ESTABLISHING A MINISTERIAL PROCESS FOR APPROVAL OF QUALIFYING AFFORDABLE HOUSING PROJECT;
- b. ADOPT OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS;
- c. AMEND THE RESIDENTIAL MEDIUM DENSITY (RM) ZONING DISTRICT TO PERMIT INCREASED DENSITY;
- d. AMEND THE RESIDENTIAL HIGH DENSITY (RH) ZONING DISTRICT TO PERMIT INCREASED DENSITY;
- e. AMEND THE COMMERCIAL SHOPPING CENTER-MIXED USE (CS-MU) ZONING DISTRICT TO PERMIT INCREASED DENSITY; AND AMEND THE GENERAL PLAN LAND USE DIAGRAM AND ZONING MAP TO:
- f. AMEND THE ZONING MAP TO GRAPHICALLY DEPICT THE AFFORDABLE HOUSING OVERLAY DISTRICT AND GRAPHICALLY DEPICT THE ZONE CHANGES FOR THE FOLLOWING HOUSING SITES INVENTORY SITES:
  - i. AIN: 2061-031-020 – (SITE A) FROM PLANNED DEVELOPMENT (PD) TO PLANNED DEVELOPMENT WITH AFFORDABLE HOUSING OVERLAY (AHO);
  - ii. AINS: 2061-032-021 AND -022 – (SITE B) FROM PD TO PD WITH AHO;
  - iii. AINS: 2061-029-005 AND -006 – (SITE C) FROM PD TO PD WITH AHO;
  - iv. AIN: 2053-001-004 – (SITE D) FROM BP-OR WITH FREEWAY CORRIDOR (FC) OVERLAY TO RM WITH AHO;
  - v. AIN: 2061-006-056 – (SITE E) FROM PD TO PD WITH AHO;

- vi. AINS: 2055-005-904 AND 2055-005-903 – (SITE F) FROM RL – 20,000 WITH OLD AGOURA OVERLAY (OA) AND EQUESTRIAN (EQ) OVERLAY TO RM WITH AHO;
- vii. AIN: 2061-006-044 – (SITE G) FROM PD TO PD WITH AHO OVERLAY;
- viii. AINS: 2061-013-024 – 025, 2061-013-001 – 005, 2061-013-036, AND 2061-013-039 – 040 – (SITE H) FROM BP-OR WITH FC OVERLAY TO RM WITH AHO;
- ix. AINS: 2061-029-003 – 004 – (SITE I) FROM PD TO PD WITH AHO;
- x. AINS: 2061-006-042 AND 2061-006-048 – (SITE J) FROM PD TO PD WITH AHO;
- xi. AINS: 2061-007-041, 2061-007-051 – 052, AND 2061-007-054 – 055 (SITE K) FROM PD TO PD WITH AHO;
- xii. AINS: 2061-010-015 – 017, 2061-010-006 – 008 – (SITE L) FROM CRS WITH FC AND OA OVERLAY TO RM WITH AHO;
- xiii. AIN: 2061-033-015 – (SITE M) FROM PD TO PD WITH AHO;
- xiv. AIN: 2061-004-049 – (SITE N) FROM POM WITH FC OVERLAY TO RM WITH AHO;
- xv. AINS: 2053-007-024 – 028 AND 2053-007-030 – (SITE O) FROM CS-MU TO CS-MU WITH AHO;
- xvi. AIN: 2051-006-141 – (SITE P) FROM CS-MU AND OS-R WITH DRAINAGE (D) OVERLAY TO CS-MU WITH AHO;
- xvii. AIN: 2051-005-002 – (SITE Q) FROM CS-MU TO CS-MU WITH AHO;
- xviii. AINS: 2061-009-075 – 076 – (SITE R) FROM CRS WITH FC AND OA OVERLAYS TO RM WITH AHO;
- xix. AINS: 2061-029-001, 2061-028-005 – 006 – (SITE S) FROM BP-OR TO RM WITH AHO; AND
- xx. AIN: 2061-004-022 – (SITE T) FROM POM WITH MIXED USE (MXD) AND FC OVERLAYS TO RM WITH AHO.

2) ADOPTION OF ORDINANCE NO. 22-462; AMENDING THE LADYFACE MOUNTAIN SPECIFIC PLAN TO PERMIT RESIDENTIAL ZONING FOR THE SITE LISTED ON THE HOUSING SITES INVENTORY (AIN: 2061-033-015 – SITE M)

3) ADOPTION OF ORDINANCE NO. 22-463; AMENDING THE AGOURA VILLAGE SPECIFIC PLAN TO PERMIT RESIDENTIAL ZONING FOR SITES LISTED ON THE HOUSING SITES INVENTORY THAT DO NOT HAVE RESIDENTIAL ZONING (AIN: 2061-006-044 – SITE G, AIN: 2061-006-042 – SITE J, AND AIN: 2061-007-041 – SITE K).

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At the August 10, 2022, meeting, the City Council voted 4-1 to introduce, read by title only, and waive further reading of Ordinance No. 22-461, amending Article IX (Zoning) of the Agoura Hills Municipal Code and amending the Zoning Map, Ordinance No. 22-462, amending the Ladyface Mountain Specific Plan, and Ordinance No. 22-463, amending the Agoura Village Specific Plan.

During the August 10, 2022, meeting, the City Council passed and approved a motion to incorporate the following text revision into Ordinance No. 22-461, amending Section 9663.6(F) of the Objective Development and Design Standards Chapter:

“5. 75 percent of all landscape Pplantings ~~under an oak tree canopy~~ shall consist of native, drought-tolerant species selected from those listed by the California Native Plant Society in the Calscape website specific to Agoura Hills.

6. For established oak trees, no planting, soil disturbance, or irrigation shall occur within a distance of six feet or 25 percent of the total canopy width from the trunk in any direction, whichever is greater. For newly planted oak trees, no planting shall occur within four feet of the tree trunk.”

7. Landscape and irrigation plans subject to the California State Model Water Efficient Landscape Ordinance shall conform to the requirements of the California State Model Water Efficient Landscape Ordinance to achieve water efficient landscaping.

The text revisions have been incorporated and Ordinance No. 22-461, in its entirety, is included as Attachment 1 to this report.

## **RECOMMENDATION**

Staff respectfully recommends the City Council adopt Ordinance No. 22-461, amending Article IX (Zoning) of the Agoura Hills Municipal Code and amending the Zoning Map; adopt Ordinance No. 22-462, amending the Ladyface Mountain Specific Plan; and adopt Ordinance No. 22-463, amending the Agoura Village Specific Plan.

### Attachments:

1. Ordinance No. 22-461
2. Ordinance No. 22-462
3. Ordinance No. 22-463

**ATTACHMENT 1**

**ORDINANCE NO. 22-461**



## ORDINANCE NO. 22-461

**AN ORDINANCE OF THE CITY OF AGOURA HILLS, AMENDING ARTICLE IX (ZONING) OF THE AGOURA HILLS MUNICIPAL CODE TO MODIFY THE RH, RM, AND CS-MU ZONING DISTRICTS TO ALLOW INCREASED RESIDENTIAL DENSITY; ESTABLISH AND IMPLEMENT THE AFFORDABLE HOUSING OVERLAY DISTRICT AND ESTABLISH A MINISTERIAL PROCESS FOR QUALIFYING PROJECTS (CASE NO. ZOA-2022-0003); ADOPT OBJECTIVE DESIGN STANDARDS FOR MULTIPLE FAMILY DWELLINGS (CASE NO. ZOA-2022-0005); AND AMEND THE ZONING MAP TO GRAPHICALLY DEPICT THE AFFORDABLE HOUSING OVERLAY DISTRICT AND NEW ZONING DESIGNATIONS FOR THE HOUSING ELEMENT SITE INVENTORY SITES**

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 rezoning program requires that the City amend the Agoura Hills Municipal Code to establish the Affordable Housing Overlay District, which incentivizes the development of affordable units that are integrated into market rate developments through a streamlined ministerial review process.

WHEREAS, the Housing Element also requires that the City Council amend the Residential Medium Density (RM) and the Residential High Density (RH) zoning districts to permit increased density that will open opportunities for housing development for all income levels.

WHEREAS, the Housing Element also requires that the City Council amend the Commercial Shopping Center-Mixed Use (CS-MU) zoning district to permit increased density and create housing opportunities in a mixed-use commercial setting to achieve

economic, environmental, and community goals set forth in the City's Sixth Cycle Housing Element.

WHEREAS, the City Council desires to establish Objective Design and Development Standards that clearly communicate design objectives because the site planning and building design of multi-family residential and mixed-use residential-commercial developments are vital to ensuring that new development creates housing opportunities in a way that conforms to community design priorities.

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 on April 28, 2022 and concluded on June 20, 2022. The Notice of Availability was also sent to the State Clearinghouse (Office of Planning and Research) and the Los Angeles County Clerk. Copies of the documents have been available for 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.

H. 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.

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

**Section 3.** Consistency with General Plan. The proposed amendments are consistent with the objectives of Article IX (Zoning) of the Agoura Hills Municipal Code and with 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 maintenance of the City’s 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. The Ordinance is consistent with Goal LU-14 (Mixed-Use) and its policies, as the amendments allow for and encourage the integration of residential units within a commercial setting that enhances pedestrian activity. The Ordinance is also consistent with Goal LU-27 (Community-Serving Shopping Centers), Policy LU-27.2 (Mixed-Use Development), which encourages the renovation of existing shopping centers by allowing multi-family housing on upper floors. 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) and encourage higher density mixed use commercial/residential in the AVSP and CS-MU districts (Policy H-3.3); streamline permitting process to reduce governmental constraints on development (Policy H-4.1).

**Section 4.** Zoning Code Amendment. Part 6 (RM RESIDENTIAL-MEDIUM DENSITY DISTRICT) of Chapter 2 (RESIDENTIAL LAND USE DISTRICTS) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to read as follows, with deleted language shown in ~~strikeout~~ and new language shown in underline:

#### **“PART 6. - RM RESIDENTIAL-MEDIUM DENSITY DISTRICT**

##### **9251. - Purpose.**

The RM district is intended for residential development consisting of ~~small lot subdivisions and single-family residences on small lot subdivisions~~, duplexes, townhomes, and apartments to be established in appropriate areas at a medium range of population density consistent with sound standards of public health and safety.

##### **9252. - Uses established.**

The limitations in the RM district, as to uses and structures, shall be as follows.

##### **9252.1. - Permitted uses.**

Subject to the provisions of chapter 6, the following are permitted uses and structures in the RM district:

~~A. Single family dwelling per lot;~~

~~B. Two family dwelling per lot~~

A. Single-family and multi-family dwelling units in combinations of attached or detached dwellings, including single-family dwelling units, duplexes, and townhomes.

B. Congregate housing;

C. Day care for children, small family day care home;

D. Home for aged persons, foster family;

E. Homes for children, foster family;

F. One (1) manufactured home (mobile home) per lot, on a permanent foundation, as a single-family dwelling, subject to the provisions of section 9675;

G. Community care facilities, small;

H. Transitional housing, when such use is in a single or two-family dwelling;

- I. Supportive housing, when such use is in a single or two-family dwelling;
- J. Employee housing, small.

**9252.2. - Accessory uses.**

Subject to the provisions of section 9281 et seq. and chapter 6, the following accessory uses and structures shall be permitted:

- A. Accessory buildings, uses and structures;
- B. Domestic animals;
- C. Home occupations;
- D. Private greenhouses, horticultural collections, flower and vegetable gardens;
- E. One (1) room rental in the principal structure;
- F. Garage sales, not to exceed two (2) in any calendar year;
- G. Accessory dwelling units, subject to the provisions of section 9283 et seq.

**9252.3. - Uses subject to director's review.**

Subject to the provisions of chapter 6, the following uses may be permitted subject to the approval of the director:

- A. Temporary structures such as model homes, real estate sales offices, and construction trailers during construction of a project when a valid building permit is in force;
- B. Any on-or off-site transport, grading projects of more than twenty-five thousand (25,000) cubic yards;
- C. Temporary storage of materials and construction equipment related to a city public works project;
- D. Day care for children, large family day care home, subject to the issuance of a large family day care permit pursuant to the provisions of section 9285;
- E. Motion picture filming not exceeding seven consecutive (7) days.

**9252.4. - Conditional uses.**

The following uses may be permitted subject to a conditional use permit:

- A. Apartment houses provided that the density shall not exceed the designation shown on the zoning map;
- B. Churches, temples or other places used exclusively for religious worship, including related incidental educational and social activities;
- C. Convents and monasteries;
- D. Reserved;
- E. Day nursery, children;
- F. Development of property with an average slope of ten (10) percent or greater, subject to the provisions of section 9652 et seq.;
- G. Golf courses, including the customary clubhouse and appurtenant facilities;
- H. Homes for aged person, small group care;
- I. Homes for children, special boarding;
- J. Manufactured homes (mobile homes) on a permanent foundation, as a single-family dwelling, subject to the provisions of section 9675, if more than ten (10) years have elapsed between the date of manufacture of the manufactured home and the date of the application for the issuance of a permit to install the manufactured home;
- K. Neighborhood recreation facilities, where operated by a nonprofit corporation for the use of the surrounding residents;
- L. Schools, private, accredited through grade twelve (12), including appurtenant facilities;
- M. Lighted tennis courts;
- N. Transitional housing, when such use is in an apartment building;
- O. Supportive housing, when such use is in an apartment building;
- P. Community care facilities, large.

**9252.5. - Prohibited uses.**

All uses not specifically permitted within section 9252 et seq. shall be strictly prohibited within the RM district.

**9253. - Development standards.**

Subject to the provisions of section 9281 et seq. and chapter 6, the following development standards shall apply in the RM district; provided, however, that where the provisions of section 9281 et seq. or chapter 6 conflict with the provisions of this part, the provisions of this part shall apply.

**9253.1. - Maximum density.**

The maximum density shall be as shown on the zoning map as a number of dwelling units per gross acre following the zoning symbol RM. However, said designation shall be limited to the range of six (6) through fifteen (15) dwelling units per acre. For example, RM-10 means residential-medium density land use district with a maximum of ten (10) dwelling units per acre.

**9253.2. - Minimum lot size.**

The minimum lot area shall be six thousand (6,000) square feet or larger as shown on the zoning map.

**9253.3. - Minimum lot specifications.**

The minimum lot specifications shall be as follows:

- A. Public street frontage: Thirty (30) feet;
- B. Minimum lot depth: Seventy-five (75) feet;
- C. Minimum lot width: Fifty (50) feet;
- D. Minimum front yard: Fifteen (15) feet;
- E. Minimum rear yard: Fifteen (15) feet;
- F. Minimum side yard: Seven (7) feet;
- G. Minimum street side yard: Twelve (12) feet.

Note: Reference section 9605.1, relating to yard requirements and exceptions.

**9253.4. - Minimum lot area per dwelling unit.**

The minimum lot area per dwelling unit shall be as follows:

- A. RM-6: Six thousand (6,000) square feet;
- B. RM-7: Five thousand (5,000) square feet;
- C. RM-8: Four thousand five hundred (4,500) square feet;

- D. RM-9: Four thousand (4,000) square feet;
- E. RM-10: Three thousand six hundred (3,600) square feet.
- F. RM-11: Three thousand two hundred (3,200) square feet;
- G. RM-12: Three thousand (3,000) square feet;
- H. RM-13: Two thousand seven hundred (2,700) square feet;
- I. RM-14: Two thousand five hundred (2,500) square feet;
- J. RM-15: Two thousand four hundred (2,400) square feet.

**9253.5. - Building site coverage.**

The maximum building coverage shall be sixty (60) percent.

**9253.6. - Building height.**

The maximum building height shall be thirty-five (35) feet, or two (2) stories, whichever is less.

**9253.7. - Off-street parking and loading requirement.**

All parking and loading shall comply with the provisions of chapter 6.

**9253.8. - Utilities.**

All utilities shall be provided as required by chapter 6.

**9253.9. - Signs.**

All signs shall be in compliance with chapter 6.

**9253.10 - Minimum group recreational open space.**

The minimum on-site group recreational open space shall be 250 square feet per dwelling unit.

**9254. - Special standards.**

In any RM land use district, the following special standards shall apply.



**9254.1. - Site plan review.**

All uses not requiring any other discretionary approvals, and not requiring ministerial approval, shall not be permitted unless a site plan review is obtained pursuant to the provisions of chapter 6.

**9254.2. – Design standards.**

Design standards in the RM district are as set forth in section 9663 et seq.”

**Section 5.** Zoning Code Amendment. Part 8 (RH RESIDENTIAL-HIGH DENSITY DISTRICT) of Chapter 2 (RESIDENTIAL LAND USE DISTRICTS) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to read as follows, with deleted language shown in ~~strikeout~~ and new language shown in underline:

**“PART 8. - RH RESIDENTIAL-HIGH DENSITY DISTRICT**

**9271. - Purpose.**

The RH district is intended to provide for higher density condominiums, apartments and related uses at appropriate locations consistent with sound standards of public health and safety.

**9272. - Uses established.**

The limitations in the RH district as to uses and structures shall be as follows.

**9272.1. - Permitted uses.**

Subject to the provisions of chapter 6, the following are permitted uses and structures in the RH district:

- A. Combinations of attached or detached dwellings, including duplexes, apartments, dwelling groups, congregate housing and town-houses;
- B. Multifamily dwellings;
- C. One (1) manufactured home (mobile home) per lot, on a permanent foundation, as a single-family dwelling, subject to the provisions of section 9675;
- D. Community care facilities, small;
- E. Transitional housing;
- F. Supportive housing.

**9272.2. - Accessory uses.**

Subject to the provisions of section 9281 et seq. and chapter 6, the following accessory uses and structures shall be permitted:

- A. Accessory buildings, uses and structures;
- B. Domestic animals;
- C. Home occupations;
- D. Private greenhouses, horticultural collections, flower and vegetable gardens;
- E. Signs;
- F. Utilities ancillary to residential development;
- G. Garage sales, not to exceed twice in any calendar year;
- H. Accessory dwelling units, subject to the provisions of section 9283 et seq.;

**9272.3. - Uses subject to director's review.**

Subject to the provisions of chapter 6, the following uses may be permitted subject to the approval of the director:

- A. Temporary structures such as model homes, real estate sales offices, and construction trailers when a valid building permit is in force;
- B. Temporary storage of material and construction equipment related to a city public works project;
- C. Any on-or off-site transport, grading projects of more than one hundred thousand (100,000) cubic yards;
- D. Day care for children, large family day care home, subject to the issuance of a large family day care permit pursuant to the provisions of section 9285;
- E. Motion picture filming not exceeding seven (7) consecutive days.

**9272.4. - Conditional uses.**

The following uses may be permitted subject to a conditional use permit:

- A. Churches, temples or other places used exclusively for religious worship, including related incidental educational and social activities;
- B. Convents and monasteries;
- C. Reserved;
- D. Reserved;
- E. Day nursery, children;

- F. Development of property with an average slope of ten (10) percent or greater, subject to the provisions of section 9652 et seq.;
- G. Golf courses, including the customary clubhouse and appurtenant facilities;
- H. Homes for aged persons, foster family;
- I. Homes for aged person, small group care;
- J. Homes for children, special boarding;
- K. Microwave stations;
- L. Neighborhood recreation facilities, when operated by a nonprofit corporation for the use of the surrounding residents;
- M. Schools, private, accredited through grade twelve (12), including appurtenant facilities;
- N. Lighted tennis courts;
- O. Manufactured homes (mobile homes) on a permanent foundation, as a single-family dwelling, subject to the provision of section 9675, if more than ten (10) years have elapsed between the date of manufacture of the manufactured home and the date of the application for the issuance of a permit to install the manufactured home;
- P. Community care facilities, large.

**9272.5. - Prohibited uses.**

All uses not specifically permitted within section 9272 et seq. shall be strictly prohibited within the RH district.

**9273. - Development standards.**

Subject to the provisions of chapter 6, the following development standards shall apply in the RH district.

**9273.1. - Maximum density.**

The maximum density shall be as shown on the zoning map as a number of dwelling units per gross acre following the zoning symbol RH. However, said designation shall be fifteen (15) through twenty-five (25) dwelling units per acre. For example, RH-25 means residential high density land use district with a maximum of twenty-five (25) dwelling units per gross acre.

**9273.2. - Minimum lot specifications.**

The minimum lot specifications shall be as follows:

- A. The minimum lot area shall be seventeen thousand five hundred (17,500) square feet or larger as shown on the zoning map;
- B. The minimum lot depth shall be one hundred (100) feet;
- C. The minimum lot width shall be one hundred (100) feet.

**9273.3. - Minimum lot area per dwelling unit.**

The minimum lot area per dwelling unit shall be as follows:

- A. RH-15: Two thousand four hundred (2,400) square feet;
- B. RH-16: Two thousand two hundred (2,200) square feet;
- C. RH-17: Two thousand one hundred (2,100) square feet;
- D. RH-18: Two thousand (2,000) square feet;
- E. RH-19: One thousand nine hundred (1,900) square feet;
- F. RH-20: One thousand eight hundred (1,800) square feet;
- G. RH-21: One thousand seven hundred (1,700) square feet;
- H. RH-22: One thousand six hundred (1,600) square feet;
- I. RH-23: One thousand five hundred fifty (1,550) square feet;
- J. RH-24: One thousand five hundred (1,500) square feet;
- K. RH-25: One thousand four hundred fifty (1,450) square feet.

**9273.4. - Building site coverage.**

The maximum building coverage shall not exceed fifty (50) percent.

**9273.5. - Building height.**

The maximum building height shall be thirty-five (35) feet or two (2) stories, whichever is less.

**9273.6. - Yards.**

The yards in the RH district shall be as follows:

- A. The minimum front yard shall be fifteen (15) feet;
- B. The minimum rear yard shall be ten (10) feet;

C. The minimum side yard shall be seven (7) feet;

D. The minimum street side yard shall be ten (10) feet.

**9273.7. - Minimum open space.**

The minimum group usable outdoor developed open space shall be three hundred (300) square feet per dwelling unit.

**9273.8. - Off-street parking and loading requirements.**

All parking and loading shall comply with the provisions of chapter 6.

**9273.9 - Utilities.**

All utilities shall be provided as required by chapter 6.

**9273.10. - Signs.**

All signs shall be in compliance with chapter 6.

**9274. - Special standards.**

In any RH land use district, the following special standards shall apply.

**9274.1. - Site plan review.**

All uses not requiring any other discretionary approval, and not requiring ministerial approval, shall not be permitted unless a site plan review is obtained pursuant to the provisions of chapter 6.

**9274.2 – Design standard.**

Design standards in the RH district are as set forth in section 9663 et seq.”

**Section 6.** Zoning Code Amendment. Part 5 (CS-MU COMMERCIAL SHOPPING CENTER-MIXED USE DISTRICT) of Chapter 3 (COMMERCIAL DISTRICTS) of Article IX (ZONING) of the Agoura Hills Municipal Code is hereby amended to read as follows, with deleted language shown in ~~strikeout~~ and new language shown in underline:

**“PART 5. - CS-MU COMMERCIAL SHOPPING CENTER-MIXED USE DISTRICT**

**9341. - Purpose.**

The purpose of the CS-MU district shall be to provide for planned shopping centers where the land and compatible retail stores and associated facilities, including multi-family residential units, are designed and developed together as an integrated whole using modern site planning techniques. The allowance for residential units is to encourage improvements to existing shopping centers, and to provide opportunities for an individual

to participate in multiple activities on the site, thereby promoting vehicle trip reduction. The primary tenant in the shopping center will usually be a supermarket, or other large retail tenant, and the center will serve primarily the convenience needs, such as food, drugs, hardware, and personal services, of nearby residential areas. The centers shall exhibit a high level of architectural and site design quality, providing a positive experience for visitors and residents of the center and community; fostering economic vitality and businesses activity; and serving as a center of neighborhood identity and activity. Such centers are required to fit into the surrounding residential pattern of development and create neither architectural nor traffic conflicts. Development, remodel and renovation of such centers shall integrate and promote pedestrian activity with pathway connections between center business areas and parking areas, and to adjoining neighborhoods and districts, as well as incorporate pedestrian amenities like seating areas and outdoor gathering spaces to accommodate pedestrians, outdoor dining and other activities. The pathways shall be clearly articulated with enhanced paving and other design features, landscaping, and wayfinding signage. Multi-family residential units may be included in a center, providing that resident-serving amenities are incorporated into the center; the residential and nonresidential uses are compatible; and the residential and nonresidential portions of mixed-use buildings are seamlessly integrated by architectural design, pedestrian walkways, and landscape. For existing shopping centers, residential use may be allowed only if it is part of a substantial and comprehensive redevelopment, remodel or renovation of the shopping center that improves the architectural and site design in which case, -In all cases, the residential use shall be ancillary to the commercial uses of the center. Alternatively, multi-family residences may be allowed as part of a mixed-use commercial project pursuant to Part 3 of Chapter 5 of Title IX (Affordable Housing Overlay District).

#### **9342. - Uses established.**

Uses and structures in the CS-MU district shall be subject to the limitations set forth in the following provisions of this section.

#### **9342.1. - Permitted commercial uses.**

Subject to the provisions of chapter 6, buildings and structures may be erected, structurally altered or enlarged, and land may be used within this district for commercial, service, office and other uses as provided in section 9312.2 the commercial land use table for the commercial shopping center (CS) district in part 2 of chapter 3. (~~See section 9311 et seq. of this chapter~~)

#### **9342.2. - Permitted residential uses.**

~~Residential uses shall be ancillary to the commercial uses, shall meet at least the minimum standards of the CS-MU district, and only be allowed with a conditional use permit as either part of the development of a new center, or the substantial and comprehensive redevelopment, renovation or remodel of an existing center. For existing shopping centers proposing to add residential units, the existing buildings shall be required to conduct façade and other improvements to enhance the architectural and site design, and the site shall be brought up to all standards of the CS-MU district. Residential uses shall be permitted providing that resident-serving recreation and other amenities are incorporated into the center; the residential and nonresidential uses are compatible; and the residential and~~

~~nonresidential portions of mixed-use buildings are seamlessly integrated by architectural design, pedestrian walkways, and landscaping. Residential uses shall be multifamily, and shall consist of apartments on the upper floors of buildings containing ground floor retail or office uses. Accessory dwelling units are allowed pursuant to section 9283.~~

- A. Residential uses shall be multi-family dwelling units, in accordance with Section 9343.
- B. Accessory dwelling units.

### **9342.3. - Prohibited uses.**

Except as provided in section 9342.2, any use or structure not specified in section 9342.1 shall be prohibited in the CS-MU district.

### **9343. Mixed-use development.**

- A. Residential uses shall be provided in the following manner:
  - 1. Part of a new mixed-use development project of commercial and residential dwelling units on a site; or
  - 2. An addition to an existing commercial development to remain on the same site, provided there is a substantial and comprehensive redevelopment, renovation or remodel of the existing center. For residential units to be added to existing shopping centers, the existing buildings shall be required to conduct façade and other improvements to enhance the architectural and site design, and the site shall be brought up to all standards of the CS-MU district.
- B. Resident-serving common recreational amenities shall be incorporated into the center totaling a minimum of 250 square feet per dwelling unit.
- C. The residential and commercial uses shall be compatible and seamlessly integrated by architectural design, pedestrian walkways, and landscaping.
- D. Residential uses shall consist either of apartments on the upper floors of buildings containing ground floor retail or office uses, or apartments in a solely residential building, providing there are commercial uses on the same site.
- E. A conditional use permit is required for the addition of residential uses to an existing commercial development, and for a mixed-use commercial and residential development project, as provided in section 9342.2.A.
- F. Projects containing a new mixed-use commercial and residential development shall include construction of both the residential and commercial parts concurrently.
- G. Projects consisting of the addition of residential units to an existing commercial development on the same site shall include the construction of the residential part after

or concurrently with the required redevelopment, renovation or remodel of the existing center pursuant to section 9343.A.2.

**93434. - Development standards.**

Subject to the provisions of sections 9303, 9391 et seq., and chapter 6, the following development standards shall apply in the CS-MU district; provided, however, that where the provisions of section 9303, 9391 et seq. or chapter 6 conflict with the provisions of this part, the provisions of this part shall apply.

**93434.1. - Project size.**

The minimum project ~~size~~ site shall be five (5) acres.

**93434.2. - Minimum lot specifications.**

All lots hereafter created shall contain the following:

A. Minimum lot area: Twenty thousand (20,000) square feet.

B. Minimum lot width: Two hundred (200) feet.

C. Minimum depth: One hundred (100) feet.

**93434.3. - Building coverage.**

The maximum building coverage shall be fifty (50) percent of the project site total project.

**93434.4. - Building height.**

The maximum building height shall be thirty-five (35) feet.

**93434.5. - Project setbacks.**

The minimum yard requirements shall be as follows:

A. Minimum front yard: Twenty (20) feet from any existing or proposed right-of-way;

B. Minimum side yard: none except:

1. When adjacent to a residential district or when abutting any street that separates the CS-MU district from a residential district: Twenty (20) feet;

2. The minimum street side yard shall be treated as a front yard;

C. Minimum rear yard: Equal to the height of the tallest buildings in the project.



#### **93434.6. - Residential design requirements.**

The provision of multi-family housing in the CS-MU district shall include the following minimum design requirements for new shopping centers, and for redevelopment, renovation and remodel of existing shopping centers:

- A. The project site shall meet at least the minimum standards of the CS-MU district;
- B. Residential and commercial uses within a mixed-use building shall be seamlessly integrated architecturally within the building, and the buildings shall be integrated with the remainder of the shopping center through architectural and site design elements;
- C. The ground floor of residential and commercial mixed-use buildings along primary street frontages and public sidewalks and plazas shall be occupied by retail, dining and other uses that engage pedestrians;
- D. The provision of on-site designated and secured residential parking separate from the on-site commercial use parking;
- E. The provision of recreational and other residential-serving amenities, including usable outdoor developed open space for the residents; and
- A. Mixed-use commercial and residential buildings shall be designed to assure compatibility among uses and public safety, which shall include at least privacy for residential entrances, separate access, fire suppression barriers, secured resident parking, and noise insulation.

#### **~~9343.7. - Residential maximum density.~~**

~~The maximum density shall be one and three quarters (1.75) dwelling units per acre.~~

#### **9344.7. - Mixed-use development density.**

- A. The residential density in a residential and commercial mixed-use development project shall be a minimum of six (6) and a maximum of fifteen (15) dwelling units per acre.
- B. The minimum commercial density in a residential and commercial mixed-use development project shall be a maximum of 33 percent and a minimum of 20 percent of the gross building square footage of the project, including common residential recreational buildings."

#### **9343.8. - Transfer of development credits for residential.**

The transfer of development credits for residential units in this district is to provide flexibility in the development of residential multi-family units, and to encourage the development of cohesively planned complexes of multi-family units. A development credit is a potential entitlement to construct one (1) multi-family residential unit. The transfer of

residential development credits may be authorized based on the conditions, and subject to the provisions listed as follows:

- A. Residential development credits may be transferred among donor and receiver parcels only within the CS-MU district west of Kanan Road, south of Laro Drive, and east and north of the Medea Creek channel;
- B. The development credit can only be exercised when it has been transferred pursuant to the provisions of this section from a donor to a receiver parcel and all other requirements of law are fulfilled;
- C. The city council, after recommendation by the planning commission, finds the donor parcel has development credits to be transferred, the receiver parcel has sufficient area designated in the general plan to accommodate development otherwise permitted under city regulations, and that such total development meets all of the applicable requirements of the city's general plan, and this section;
- D. The transfer of credits shall be authorized as part of a development agreement, which shall include both the donor and receiver parcels;
- E. When development credits are transferred, all such credits for a parcel shall be transferred, and they are thereafter extinguished with regard to the donor parcel;
- F. The number of development credits that may be transferred shall not exceed the number of dwelling units provided for in section 9343.7;
- G. Before approving the transfer of development credits, the city must find that the appropriate guarantees exist and will be provided to ensure that the transfer conforms to the intent and purposes of the general plan; the transfer will not result in a detrimental effect on the area surrounding the receiver parcel; and the transfer of credits will result in a superior residential development complex that would not otherwise be feasible without the transfer of credits.

**9343.9. - Compatibility with residential neighborhoods.**

Commercial uses adjoining off-site residential neighborhoods shall be designed to be compatible by incorporating the following:

- A. Landscape and decorative walls, or comparable buffering and/or screening elements, along the edges of the shopping center;
- B. Enhanced architectural treatment of elevations facing the residential uses;
- C. Low intensity lighting and screening to minimize light spillover and glare onto residential neighborhoods; and

D. Locating automobile and truck access and unloading areas so that they do not directly front residential neighborhoods, or by providing adequate screening with landscaping and/or decorative walls from the areas to the residential neighborhoods.

**9343.10. Required - amenities.**

A. Clearly articulated pedestrian paths through parking lots to the center businesses and residences with distinguishing design characteristics.

B. Well-defined pedestrian pathways connecting adjoining shopping centers, and between the centers and adjacent neighborhoods and districts.

C. Outdoor seating and gathering areas near the businesses, including expanded sidewalks or plazas, designed as an integral part of the overall architecture and site design. Outdoor seating, exclusive of outdoor dining areas, shall be provided in expanded sidewalks or plazas at a rate of two (2) percent of the gross commercial square feet.

D. Bike racks or other public bike storage in convenient locations in the center, integrated within the overall architecture and site design of the center.

**9343.11. - Required landscaping.**

A minimum of fifteen (15) percent of the total lot shall be landscaped unless otherwise specified during a discretionary review. In addition, landscaping shall be provided within all required yards adjacent to the 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 elevation being thirty (30) inches;

B. One (1) native oak tree, twenty-four-inch box in size per fifteen thousand (15,000) square feet of building area shall be provided within said areas ~~or at alternative locations as approved by the city;~~

C. Landscaping shall minimize the visual dominance of the parking areas, shall complement on-site pedestrian amenities and circulation, and serve to modulate pavement temperature; and

D. No other usage or storage shall be permitted within any required landscaping.

**9343.12. - Required walls.**

Unless waived by the city, all developments shall be screened according to the following:

A. A decorative wall at a minimum height of six (6) feet shall be provided on all property lines except for those adjacent to a public right-of-way.

**9343.13. - Design standards.**

Design standards in the CS-MU district are as set forth in section 9663 et seq."

**Section 7.** Zoning Code Amendment. A new Part 3 (AH AFFORDABLE HOUSING OVERLAY DISTRICT) is hereby added to Chapter 5 (OVERLAY DISTRICTS) of Article IX (ZONING) of the Agoura Hills Municipal Code to read as follows:

**"PART 3. - AH AFFORDABLE HOUSING OVERLAY DISTRICT**

**9521. - Purpose.**

The purpose of the affordable housing overlay district (AH) is to promote the creation of affordable housing units, beyond that which would be accomplished by section 9133 et seq. of part 4 of chapter 1 of this title, to enable the city to meet its housing goals, and be compatible with surrounding land uses through the establishment of special development standards and permitted densities.

**9522. - Definitions.**

- A. Affordable unit. "Affordable unit" shall be defined as a dwelling unit rented or sold to a very-low income household or low-income household at an affordable housing cost or affordable rent, as those terms are defined in California Health and Safety Code sections 50052.5 and 50053.
- B. By-right approval. "By right approval" shall be defined as a ministerial approval of a development project involving little or no discretion or judgment by the public official as to the wisdom or manner of carrying out the project, whereby the public official merely ensures that the development project meets all standards set forth in this part.
- C. Market rate unit. "Market rate unit" is a dwelling unit in a development project that is not restricted for a very low-income or low-income household, or for any other affordable housing category.
- D. Mixed-use development. "Mixed-use development" shall be defined as a development project consisting of a vertical (stacked) or horizontal (side by side, attached or detached) combination of multi-family residential dwelling units and a non-residential use as part of a single development application.
- E. Multi-family residential project. "Multi-family residential project" shall mean a project with two (2) or more attached dwelling units.
- F. Recreational group open space. "Recreational group open space" shall be defined as an outdoor area common to the residents of the development project and located

on the project site that is dedicated to active recreation, and may include, but not be limited to, picnic, bar-be-que, pool or spa, sport court, or other physical activity.

**9523. - Applicability.**

- A. Pursuant to the requirements of this part, the AH overlay district shall apply to the following:
1. Multi-family residential projects on properties that are: zoned Residential Medium Density – maximum 15 dwelling units per acre (RM-15); identified in the housing element of the general plan as being eligible for the AH overlay district; and identified with the “AH” notation on the zoning map;
  2. Multi-family residential projects on properties that are: zoned Planned Development (PD) in the Ladyface Mountain Specific Plan as identified in that specific plan and identified in the housing element of the general plan as being eligible for the AH overlay district; and
  3. New mixed-use residential projects, or new multi-family residential projects that will be added to a site with existing commercial developments that will remain on the site, on properties that are: zoned Commercial Shopping Center – Mixed Use (CS-MU); identified in the housing element of the general plan as being eligible for the AH overlay district; and identified with the “AH” notation on the zoning map;
  4. Mixed-use development projects, or new multi-family residential projects that will be added to a site with existing commercial developments that will remain on the site, on properties that are: zoned Planned Development (PD) in the Agoura Village Specific Plan as identified in that specific plan and identified in the housing element of the general plan as being eligible for the AH overlay district.
- B. The AH overlay district shall not be used to develop a mixed-use development on a site in the RM-15 zoning district or the Ladyface Mountain Specific Plan.
- C. The AH overlay district shall not be used to develop a solely multi-family development on a site in the CS-MU zoning district or the Agoura Village Specific Plan.
- D. A property designated within the AH overlay district may be developed either in the manner provided in this part or in the manner provided in the underlying zoning district or applicable specific plan.

**9524. - Uses established.**

The limitations in the AH overlay district as to uses and structures shall be as follows.

**9524.1. - Permitted uses.**

- A. Subject to the provisions of this part, multi-family residential projects and parking structures that provide parking for the residential units on-site are permitted on AH sites in the RM-15 zoning district.
- B. Subject to the provisions of this part, multi-family residential projects and parking structures that provide parking for the residential units on-site are permitted on AH sites in the Ladyface Mountain Specific Plan.
- C. Subject to the provisions of this part, mixed-use development projects and parking structures that provide parking for on-site uses are permitted on AH sites in the CS-MU zoning district.
- D. Subject to the provisions of this part, mixed-use development projects and parking structures that provide parking for on-site uses are permitted on AH sites in the Agoura Village Specific Plan.
- E. Specific non-residential uses shall be allowed as part of a mixed-use development project as allowed by the applicable specific plan or underlying zoning district.

**9524.2 - Accessory uses.**

Subject to the provisions of section 9281 et seq. and chapter 6, the following accessory uses and structures shall be permitted:

- A. Accessory uses, buildings and structures;
- B. Domestic animals;
- C. Home occupation;
- D. Private greenhouses, horticultural collections, flower and vegetable gardens;
- E. One (1) room rental in the principal structure;
- F. Garage sales, not to exceed two (2) in any calendar year;
- G. Accessory dwelling units, subject to the provisions of section 9283 et seq.

**9524.3. - Prohibited uses and structures.**

Any use or structure not specified in sections 9524.1 and 9524.2 shall be prohibited in the AH overlay district.

**9525. - Development standards.**

The development standards that apply to a project seeking approval under the AH overlay district are as follows:

**9525.1. - Density.**

- A. A project seeking approval under the AH overlay district shall include at least 20 dwelling units per acre.
- B. A project seeking approval under the AH overlay district shall include no more than 25 dwelling units per acre.
- C. Density shall be calculated on the basis of the entire acreage of the parcel, including any portion of the site used, dedicated or required to be used or dedicated as a buffer or easement and any portion of the site that is not developable due to the slope.

**9525.2. - Building height.**

- A. The maximum height for any building or structure included in a project seeking approval under the AH overlay district shall be as follows:
  - 1. A one-story building shall be no taller than 25 feet.
  - 2. A two-story building shall be no taller than 35 feet.
  - 3. A three-story building shall be no taller than 40 feet.
- B. The height of buildings and structures shall be measured vertically from the finished grade to the highest point on the roof, including but not limited to, any architectural features.

**9525.3. - Minimum lot specifications.**

Minimum lot specifications shall be as provided for by the applicable underlying zoning district or specific plan.

**9525.4. - Building site coverage.**

The maximum building site coverage shall not exceed 60 percent.

**9525.5. - Minimum group recreational open space.**

The minimum on-site group recreational open space shall be 250 square feet per dwelling unit.

**9525.6. - Off-street parking requirements.**

All requirements of section 9654 et seq. shall apply, except as follows:

- A. Parking Allocation for Residential Uses. The number of off-street parking spaces shall be no less than the following for residential uses.

<u>Apartments</u>	
<u>Studio</u>	<u>One (1) covered plus one-half (0.5) uncovered parking spaces per unit</u>
<u>One (1) bedroom</u>	<u>One (1) covered plus one and one-half (1.5) uncovered parking spaces per unit</u>
<u>Two (2) bedrooms or more</u>	<u>One (1) covered plus one and one-half (1.5) uncovered parking spaces per unit</u>
<u>Condominiums or Townhouses</u>	<u>Two (2) covered plus one-half (0.5) uncovered parking spaces per unit</u>

- B. An applicant may substitute covered parking spaces for uncovered parking spaces to comply with the residential parking requirements in subdivision "A" above.
- C. All covered parking spaces that are provided to comply with the minimum requirements in subdivision "A" above shall be assigned to an individual dwelling unit and cannot be used as guest parking or as part of shared parking.
- D. Parking Allocation for Nonresidential Uses in a Mixed-Use Development. The minimum number of off-street parking spaces for nonresidential uses in a mixed-use development shall be as indicated in section 9654.6. Shared parking shall be allowed only as expressly stated for mixed-use developments in Sections 9526.1.F and 9526.2.H.
- E. Parking structures, subterranean parking, and similar parking facilities that are part of a residential or mixed-use development shall be permitted by right.
- F. Parking lot landscaping shade trees shall be provided pursuant to section 9526 et seq.
- G. The percent of landscaping of the total parking area, including driveway areas, shall be provided pursuant to section 9526 et seq.
- H. A minimum eight (8)-foot wide landscaped finger planter shall be located every ten (10) parking spaces in surface parking lots.



### **9525.7. - Hillside lots and slopes.**

- A. The City's hillside ordinance (section 9652 et seq.) shall not apply to a project seeking approval under the AH overlay district. Instead, the following shall apply:
1. Structures exceeding 35 feet in height must be stepped into the hillside for any portion of the building constructed on a slope of greater than 15 percent, as follows: after every 15 feet of vertical height, the building shall be stepped back at least 10 feet horizontally.
  2. Structures shall be located with a minimum building setback of 30 feet from the top of a slope on sites with an average slope of 10 percent or steeper.
  3. No development shall occur on slopes greater than 35 percent.

### **9525.9. - Oak Trees.**

The City's oak tree ordinance (section 9657 et seq.) shall not apply to a project seeking approval under the AH overlay district, except for the following: Section II. definitions of appendix A of Article IX of the Agoura Hills Municipal Code, title IV of appendix A; section IV., items D, E, and items 2 and 3 of F of appendix A of title IV; section V. standards for performance of required work of appendix A of title IV; items 3 and 4 of section V. standards for performance of required work of appendix A of title IV; and item E of section 9657.5 oak tree permit. A project seeking approval under the AH overlay district shall comply with the following.

- A. If a project involves the removal of or encroachment greater than 25 percent into the root zone or canopy zone of a protected oak tree that is 48 inches in diameter or less per the City's Oak Tree Ordinance and Guidelines (Valley Oak, Coast Live Oak), one 24-inch-box minimum size oak tree of the same species shall be planted on the site. For scrub oak species protected per the City's Oak Tree Ordinance and Guidelines, on-site replacement for removal shall be equal to the square footage of the area removed, with scrub oaks of the same species planted to a five foot on center spacing within the replacement area.
- B. If a project involves the removal of up to 10 protected oak trees within the project site, not more than 25 percent of the total estimated tree canopy or root structure of all protected oak trees on that project site shall be removed. If the project involves the removal of 11 or more protected oak trees within the project site, not more than 35 percent of the total estimated tree canopy or root structure of all protected oak trees on the project site shall be removed.
- C. For the purpose of providing natural stabilization of hillsides and preservation of native landscaping, a minimum of 75 percent of all native trees on a slope steeper than 50 percent shall be retained.

- D. The removal of or encroachment greater than 25 percent into the root zone or canopy zone of a protected "landmark" Oak Tree (trees whose diameter exceeds 48 inches) is prohibited.

#### **9525.10. - Grading of slopes.**

In addition to grading standards in the City Building Code, the following shall apply to a project seeking approval under the AH overlay district.

- A. Graded slopes shall be no less than a 2:1 ratio.
- B. Grading shall create rounded, non-planar surfaces, and rounded, non-angular intersections between surfaces.
- C. The cut or fill of a slope bank shall not exceed 15 feet where visible to the public from a parking area, access drive or public right-of-way, and shall not exceed 25 feet in areas not visible to the public.

#### **9526. - Special development standards.**

Notwithstanding the provisions of section 9524 et seq. and 9525 et seq., the development standards applicable to a project seeking approval under the AH overlay district shall include the following in the specific underlying zoning districts and specific plans identified below.

##### **9526.1. - AH properties with an underlying zoning district of CS-MU.**

Subject to the provisions of chapter 6, the following development standards shall apply to a project on a site zoned as CS-MU that is seeking approval under the AH overlay district.

- A. Maximum non-residential density.
  - 1. The maximum floor area ratio (FAR) shall be 0.4 for non-residential uses, excluding above-ground parking structures, underground parking, and full basements.
  - 2. Non-residential development shall only be allowed as part of a mixed-use development project.
- B. The maximum building height shall be as established in section 9525.2 except that the height of a solely non-residential use building that is a part of a horizontal mixed-use development shall be no more than 35 feet and two (2) stories.

- C. Building Setbacks.

The minimum building setback requirements shall be as follows.

- 1. Front yard: 20 feet from any existing or proposed right-of-way.

2. Side yard: none except:
  - a. When adjacent to a residential district or when abutting any street that separates the CS-MU district from a residential district: 20 feet.
  - b. The minimum street side setback shall be treated as a front setback.
3. Rear yard: 20 feet.

D. Mixed-use development.

1. New projects containing mixed-use development shall include construction of both the residential and non-residential parts concurrently.
2. For mixed-use development sites, the residential density shall be in addition to the permitted and minimum required non-residential development density in the underlying district.

E. Landscaping.

1. Parking lot landscaping shall include shade trees placed so as to cover forty (40) percent of the total parking area, including drive aisles, with tree canopies established within fifteen (15) years after the issuance of the building permit for the related building, structure or other improvement.
2. Except for approved access ways, a minimum 15-foot wide landscaped planter shall be provided along all street and highway frontages.

F. Shared Parking.

Table 1 shared parking of section 9654.2.K.5 shall apply to all mixed-use developments where shared parking is proposed. Shared parking may apply to unassigned residential parking spaces and all non-residential parking spaces, but shall not apply to assigned residential parking spaces.

**9526.2. - AH properties with an underlying zoning district of PD in the Agoura Village Specific Plan.**

The following shall apply to a project on a site in the Agoura Village Specific Plan that is seeking approval under the AH overlay district, and shall replace the provisions in the specific plan.

A. Maximum non-residential density.

1. The maximum floor area ratio (FAR) shall be 0.3 for non-residential uses, excluding above-ground parking structures, underground parking, and full basements.
2. The minimum commercial density in a residential and commercial mixed-use development project shall be a maximum of 33 percent and a minimum of 20 percent of the gross building square footage of the project, including common residential recreational buildings.”
3. Non-residential development shall be allowed only as part of a mixed-use development project.

B. Maximum building size.

1. The maximum size of a non-residential building shall be 60,000 square feet.
2. The maximum size of any single non-residential tenant space in a building shall be 30,000 square feet.

C. Commercial building height.

The maximum building height shall be as established in section 9525.2 except that the height of a solely non-residential use building shall be no more than 35 feet and two (2) stories.

D. Building Setbacks.

1. Setbacks shall be as provided pursuant to the specific plan except that for buildings fronting a public right-of-way, there shall be no minimum or maximum side yard setback.
2. Setbacks shall be measured from the boundary of existing, or in the case of a proposed parcel map or tract map or lot line adjustment, from the proposed, parcel, unless the parcel borders the public right-of-way, and then the setback is calculated from the right-of-way line. Setbacks shall be measured to the closest structural portion of the building, including from partially or completely covered pedestrian or outdoor dining activity areas.

E. Buildings fronting a public right-of-way.

1. Buildings fronting a public right-of-way shall consist of the following:
  - a. Either a non-residential development or a vertical mixed-use development.
  - b. Ground floor levels shall be non-residential uses, with the exception of offices, which may not occupy ground floor levels.

c. Upper levels shall be multi-family residential uses or non-residential uses.

F. New mixed-use development shall include construction of both the residential and non-residential parts concurrently.

G. Landscaping.

1. Parking lot landscaping shall include shade trees placed so as to cover thirty-five (35) percent of the total parking area, including drive aisles, with tree canopies established within fifteen (15) years after the issuance of the building permit for the related building, structure or other improvement.

2. The total number of trees in a parking lot shall be one (1) for every four (4) parking spaces, and shall be located throughout a parking lot.

H. Shared parking.

Table 1 shared parking of section 9654.2.K.5 shall apply to all mixed-use developments where shared parking is proposed. Shared parking may apply to unassigned residential parking spaces and all non-residential parking spaces, but shall not apply to assigned residential parking spaces.

I. Public space.

Notwithstanding section 9525.5, projects shall include a minimum of 10 percent of the site area for public spaces accessible to the public from the street or internal site driveway, and shall include one or more of the following: plazas, paseos, courtyards, trails and pedestrian paths, outdoor dining in a commercial use, and view terraces.

J. Riparian habitat and creek protection program.

For project sites adjacent to a riparian area associated with Medea Creek and Lindero Canyon Creek, the owner shall retain a professional biologist to prepare and implement a riparian habitat and creek protection plan, which shall include methods to avoid encroachment into the riparian or creek area from development on the site.

K. Public Use Trail along Riparian Areas.

A public use trail shall be provided along the length of the project site adjacent to a riparian area associated with Medea Creek and Lindero Canyon Creek. The public trail shall be the minimum acceptable width pursuant to the Americans with Disabilities Act and shall be constructed of permeable materials, excluding pavement or pavers.

**9526.3. - AH properties with an underlying zoning district of PD in the Ladyface Mountain Specific Plan.**

The following shall apply to a project on a site in the Ladyface Mountain Specific Plan that is seeking approval under the AH overlay district, and shall replace the provisions of the specific plan.

A. Building setbacks.

1. Setbacks shall be measured from the boundary of existing, or in the case of a proposed parcel map or tract map or lot line adjustment from the proposed, parcel, unless the parcel borders the public right-of-way, and then the setback is calculated from the right-of-way line.
2. The minimum building setback requirements shall be as follows.
  - a. Front yard: 15 feet
  - b. Side yard: seven (7) feet
  - c. Rear yard: 15 feet

B. Landscaping

1. Parking lot landscaping shall include shade trees placed so as to cover thirty-five (35) percent of the total parking area, including drive aisles, with tree canopies established within fifteen (15) years after the issuance of the building permit for the related building, structure or other improvement.
2. Except for approved access ways, a minimum 15-foot wide landscaped planter shall be provided along all street frontages.
3. Other development standards.
  - a. Development as measured to the highest point on any building including but not limited to architectural features, is prohibited above the 1,100 foot elevation.

**9526.4. - AH properties within the RM zoning district.**

Subject to the provisions of chapter 6, the following development standards shall apply to a project seeking approval under the AH overlay district on a site located in the RM zoning district, and replace the provisions of the RM zoning district:

A. Building setbacks.

Setbacks shall be measured from the boundary of existing, or in the case of a proposed parcel map or tract map or lot line adjustment from the proposed, parcel, unless the parcel borders the public right-of-way, and then the setback is calculated from the right-of-way line.

1. The minimum building setback requirements shall be as follows.

- a. Front yard: 15 feet
- b. Side yard: seven (7) feet
- c. Rear yard: 15 feet

B. Landscaping.

- 1. Parking lot landscaping shall include shade trees placed so as to cover thirty five (35) percent of the total parking area, including drive aisles, with tree canopies established within fifteen (15) years after the issuance of the building permit for the related building, structure or other improvement.
- 2. Except for approved access ways, a minimum 15-foot wide landscaped planter shall be provided along all street and highway frontages.

#### **9527. - Design standards.**

Any project seeking approval under the AH overlay district shall comply with the design standards in section 9663 et seq.

#### **9528. - Other standards.**

Any project seeking approval under the AH overlay district shall comply with the following requirements:

- A. The project shall not obstruct the view of a scenic vista from passersby on rights-of-way adjacent to the site by more than 25 percent of the length of the project site. Scenic vistas include the following: Ladyface Mountain, strawberry hill, Morrison Ranch Hills, Palo Comado Hills, and Simi Hills, as well as primary and secondary ridgelines per the General Plan. The measurement shall be made from the nearest edge of the nearest vehicle travel line from the site.
- B. No development shall occur on primary and secondary ridgelines that are identified in the General Plan.
- C. All light poles, standards and fixtures shall not exceed a height of 16 feet measured from finished grade. The maximum 16 feet in height shall include all elements of the light, such as pole and light fixture combined.

- D. All exterior lighting shall be designed and shielded to face downward. Roof mounted lights are prohibited. Illumination levels shall not exceed one (1) foot-candle at the property lines, measured at ground level.
- E. No mirrored glass and gloss tiles building materials shall be included in the project. Steel, aluminum and metallic finishes may be used provided they have a non-reflective coating or other property of the materials that make them non-reflective.
- F. Unless otherwise authorized by CDFW and/or USFWS, the project shall provide a 50-foot buffer from the edge of any wetland, riparian, or other sensitive natural community identified in a local or regional plan, policy or regulation, or by the California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS), to be maintained as natural open space. Only planting of native species and unpaved walking trails shall be allowed within the buffer. As permitted by applicable state and federal regulatory agencies, storm drain outlets into creeks and other riparian drainages are allowed that meet best management practices (BMPs) for storm water and erosion control.
- G. Unless otherwise authorized by CDFW and/or USFWS, the project shall provide and maintain a minimum 100-foot buffer on-site from any on-site or off-site special status plant species, including those identified as candidate, sensitive or special status by the CDFW or USFWS, and a minimum 50-foot buffer from those special status plant species identified in local or regional plans, policies or regulations. No soil disturbance, landscaping (except that related to restoration of such plant species) or placement of structures, including buildings, driveways, pedestrian paths, or infrastructure are permitted in the buffer.
- H. All recommendations/requirements of the project geotechnical report prepared by a licensed engineering geologist or geotechnical engineer pursuant to the county public works department manual for the preparation of geotechnical reports standards are incorporated into the project design and reflected in the project plans submitted as part of the application for an administrative permit and for a building permit.
- I. If during excavation, paleontological resources are discovered, a qualified professional paleontologist shall evaluate the find and provide recommendations for the treatment of the resource.
- J. The project shall demonstrate that its site specific fire protection plan complies with all applicable requirements set forth in general plan policy s-3.21, and the city's duly adopted standards.
- K. Any necessary upgrades or construction of new storm water drainage facilities shall be designed in compliance with Los Angeles County Flood Control District (County Public Works Department) objective standards, and in compliance with state and federal law.



- L. The project shall comply with Los Angeles County Fire Department requirements and standards for fire truck access.
- M. The project shall be designed and constructed to full public right-of-way improvements along the project frontages in accordance with the Committee of Public Works Standards, Inc.'s standard plans for public works construction and any applicable specific plans.
- N. The project, including landscape plan, shall comply with the requirements of the Los Angeles County Fire Department Fuel Modification Unit.
- O. The project shall comply with all exterior and interior noise standards in the general plan and section 9656 et seq.
- P. Projects bordering any freeway, Kanan Road, Agoura Road and Thousand Oaks Boulevard shall incorporate air quality filter systems and site design requirements to disperse pollution according to general plan policies NR-7.5 and NR-7.6.
- Q. Unless exempt from the preparation of a level of service analysis according to the city's standards for transportation assessments, the project shall meet the level of service standards in General Plan Policy M-1.3 and in the city's transportation assessment standards.
- R. Unless the project meets any of the screening criteria of the city's standards for transportation assessments, a vehicle miles travelled (VMT) analysis shall be prepared for the project according to the city transportation assessment standards. Transportation demand management measures (TDMs) identified in the standards shall be included, as necessary, in the project to reduce the VMT generated by the project to below the significance thresholds based on the VMT assigned to each TDM in the city transportation assessment standards and VMT model.
- S. The project's vehicle circulation shall meet the minimum site distance standards in the most current version of American Association of State Highway and Transportation Official's Greenbook: Standards for Public Works Construction; Section 3 and meet Los Angeles County Fire Department access requirements.

**9529. - Compliance with state and federal laws.**

The project shall comply with all applicable state and federal laws, including but not limited to, the following:

- A. The project shall comply with the objective standards of the South Coast Air Quality Management District (SCAQMD) Rule 403 for fugitive dust control, rule 1113 for architectural coatings, rule 1403 for asbestos containing materials, and regulation

XIII for new on-site nitrogen oxide emissions. The project shall comply with Tier 4 construction equipment measures of the SCAQMD unless an air quality analysis is completed by the project applicant demonstrating that the level of emissions does not trigger the need for Tier 4 construction equipment measures.

- B. The project shall not conflict with state or federal regulations pertaining to special status plant or animal species, or that would have an adverse effect, either directly or through habitat modifications, on any species identified as candidate, sensitive or special status species in local or regional plans, policies or regulations, or by the California Department Of Fish And Wildlife (CDFW) or the united states fish and wildlife service (USFWS) unless the applicant/developer obtains the required permit(s) from the CDFW or USFWS.
- C. The project shall not result in the taking of any migratory bird species protected by the federal migratory bird treaty act (including killing, capturing, selling, trading and transporting) without prior authorization by the USFWS. Nesting bird surveys shall be conducted by a qualified professional biologist no more than seven (7) days prior to the beginning of any project-related physical activity, such as vegetation clearance, use and transport of equipment, mobilization and construction, likely to impact migratory songbirds or raptors that occurs between January 1 and September 15, the bird nesting season. If such project activity ceases for longer than 7 days, additional surveys shall be conducted prior to re-commencing the activity. If such species are identified, a no-disturbance buffer of 300 feet around active perching birds and songbirds shall be implemented. A no-disturbance buffer of 500 feet around active non-listed as threatened or endangered raptor nests, and 0.5 mile around active listed birds shall be implemented. The buffers shall be maintained until the breeding season has ended or until a qualified professional biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival.
- D. Based on the results of a phase I cultural resource report, all significant cultural resources on a site shall be either preserved in situ, or shall be recovered in a data recovery plan as recommended by a professional archaeologist (Society For California Archaeology's professional qualifications for principal investigator).
- E. If Native American or tribal cultural resources exist on the site, the applicant shall enter into a cultural resources treatment agreement with a local Native American tribe traditionally and culturally affiliated with Agoura Hills that is acknowledged by the Native American Heritage Commission, which shall address the following: (1) treatment and disposition of cultural resources; (2) designation, responsibilities, and participation of professional tribal monitors during grading, excavation and ground disturbing activities; (3) project grading and development scheduling; (4) terms of compensation for the tribal monitors; (5) treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on site; (6) tribal monitor's authority to stop and redirect grading in order to evaluate the significance of any potential resources discovered on the property, and to make

recommendations as to treatment; and (7) the applicant's agreement to relinquish ownership of all cultural resources, including all archaeological artifacts that are found on the project area, to the tribe for proper treatment and disposition; and the applicant's agreement that all tribal sacred sites are to be avoided and preserved. In compliance with state law, if human remains are unearthed, the project developer, pursuant to state health and safety code section 7050.5, will contact the county coroner and ensure no further disturbance occurs until the county coroner has made the necessary findings as to origin and disposition pursuant to public resources code section 5097.98. If the remains are determined to be of Native American descent, the coroner within 24 hours will notify the Native American Heritage Commission (NAHC). The NAHC shall then identify the person(s) thought to be the most likely descendent (MLD) of the deceased Native American, who will then help determine what course of action should be taken in dealing with the remains.

- F. No historic resource eligible for the state register of historical resources or the national register of historic places shall be removed, or its integrity affected to the extent that it is no longer eligible for listing, unless the resource has been adequately documented and treated pursuant to the requirements of the state register of historical resources or the national register of historic places and the secretary of the interior standards for the treatment of historic properties.
- G. The project shall comply with the state water resources control board (SWRCB)/regional water quality control board (RWQCB) national pollution discharge elimination system (NPDES) construction general permit/MS4 permit, and for which a Storm Water Pollution Prevention Plan (SWPPP) and Standard Urban Stormwater Mitigation Plan (SUSMP) have been prepared, if required per the MS4 permit.
- H. The project shall adhere to the SWPPP and SUSMP, if applicable, and to best management practices (BMPs) and low impact development standards (LIDs) in chapter 5 of title V and in accordance with the county LID standards.
- I. The project site shall not be located within a flood hazard zone or special flood hazard area unless the project is consistent with the standards of title III chapter 7, and without prior approval of a Conditional Letter of Map Revision (CLOMAR) or Letter of Map Revision (LOMAR) from Federal Emergency Management Agency (FEMA), as applicable.

**9530. - Reserved.**

**9531. - Application and approval process.**

- A. By right approval. Projects that comply with the requirements of this part are permitted by right.
- B. Form of application. An application for a project pursuant to this part shall be completed on a form provided by the community development department for an

administrative review. The administrative review application shall be reviewed by the community development director and shall be granted if the community development director finds that the application complies with all of the requirements of this part.

- C. Application submittal requirements. The requirements for submittal of an administrative review application pursuant to this part shall be listed on a form provided by the community development department.
- D. Notice of decision. A notice of decision for an administrative review application shall be mailed to the applicant (as shown on the application).
- E. Expiration of administrative approval. If commencement of construction has not occurred within three (3) years of the approval date for the administrative review application, the approval shall expire and become null and void.
- F. Upon written request by the applicant before the expiration of the administrative approval, a one year extension may be approved by the Planning and Community Development Director.

### **9532. - Affordable housing and regulatory agreement**

Affordable units shall be provided as part of each development project according to this part.

- A. Affordable units shall be provided as follows:
  - 1. At least ten (10) percent of the dwelling units of a development project on a site developed pursuant to this part shall be reserved for very low-income households; and
  - 2. At least ten (10) percent of the dwelling units of a development project on a site developed pursuant to this part shall be reserved for low-income households.
  - 3. In calculating the required total number of units for each affordability level, fractional units of 0.5 or above shall be rounded up to a whole unit.
- B. The affordable units shall be sold or rented at an affordable housing cost or affordable rent, as those terms are defined in California Health and Safety Code sections 50052.5 and 50053. If the units are rental units, the affordable units shall be deed-restricted for a period of not less than fifty-five (55) years. If the units are for-sale units, the units shall be sold in accordance with California Government Code Section 65915.
- C. The affordable units shall be:

1. Constructed on the project site concurrently with, or prior to, the construction of any market rate units.
  2. Dispersed throughout the development project and integrated with the market rate units so that there is at least one (1) affordable unit and one (1) market rate unit in each building of the development.
  3. Constructed with the same base design, appearance, materials and finished quality of the market rate units.
  4. Provided at the same range of number of bedrooms in different unit plan types as provided in the market rate units.
- D. A housing plan shall be provided with the administrative application for the development project setting forth in detail the manner in which the provisions of this section 9532 will be implemented.
- E. A legally binding agreement, in a form approved by the city attorney, shall be executed and recorded against the property to ensure the property complies with all of the requirements of this part, including, but not limited to, the requirement that affordable units shall be deed-restricted for the periods per section 9532.A.
- F. The property owner shall record the regulatory agreement prior to recording any final map for the property, or prior to the issuance of a building permit for the development project, whichever comes first. The regulatory agreement shall be binding on all future owners and successors of interests of the development project.
- G. The city manager is authorized to execute the regulatory agreement, and any regulatory document(s), on behalf of the city council for development projects approved pursuant to this part.
- H. Except as otherwise provided in this part, section 9133 inclusionary housing shall not apply to this part.

**9533. - Conflict resolution between the AH overlay district and Article IX (Zoning).**

The Affordable Housing standards supplement and are in addition to the development standards for the applicable zoning district in which a proposed project is located. Article IX of the Code of Ordinances establishes the Zoning Regulations of the City of Agoura Hills. Where conflict between these Affordable Housing standards and other provisions of Article IX exists, the provisions of this section shall govern."

**Section 8.** Zoning Code Amendment. A new Division 13 (MULTI-FAMILY OBJECTIVE DESIGN STANDARDS) is hereby added to Part 2 (SPECIAL REGULATIONS) of Chapter 6 (REGULATORY PROVISIONS) of Article IX (ZONING) of the Agoura Hills Municipal Code to read as follows:

## **“Division 13. - Objective Design Standards for Multiple Family Dwellings**

### Sections:

- 9663.1 Purpose, Intent, and Applicability
- 9663.2 Relationship to Other Standards and Requirements
- 9663.3 Definitions
- 9663.4 Environmental Considerations
- 9663.5 Community Character
- 9663.6 Site Design
- 9663.7 Building Design
- 9663.8 Sustainable Design
- 9663.9 Other Requirements

### **9663.1. - Purpose, Intent, and Applicability**

- A. This Chapter establishes objective design standards for new or redeveloped multi-family residential developments and/or mixed-use developments, either solely of residential use or as part of a mixed-use residential-commercial development that has at least a two-thirds residential component in terms of floor area. This includes but is not limited to duplexes, triplexes, townhouses, row houses, flats, and multi-story, mid-rise building types. The objective design standards draw from and complement existing design criteria set forth in land policy documents adopted by the city and primarily the City of Agoura Hills General Plan.
- B. These objective design standards are intended to achieve and maintain high-quality site planning and building design for neighborhood standards and districts where new development is proposed, and to facilitate development designed and constructed in a manner that conforms to community design priorities. The purpose of the objective design standards is to reduce barriers to the development of housing for very low-, low-, and moderate-income households by accelerating housing production through the clear communication of design objectives and streamlined review for qualifying multi-family and mixed-use development projects.
- C. This Chapter does not apply to single-family homes, historic properties, commercial-only projects, and any other non-residential developments.

### **9663.2. - Relationship to Other Standards and Requirements**

- A. **Standards for Applicable Zoning District.** These objective design standards supplement and are in addition to the development standards for the applicable zoning district in which a proposed project is located. Article IX of the Code of Ordinances establishes the Zoning Regulations of the City of Agoura Hills. Where conflict between these objective design standards and other provisions of Article IX exists, the provisions of this Article IX, Chapter 6, Division 13 shall govern.

- B. **Subdivision Regulations.** Article X of the Code of Ordinances establishes regulations for the subdivision of land. Where conflict exists between these objective design standards and the provisions of Article X, the provisions of this Article IX, Chapter 6, Division 13 shall govern.

### **9663.3. – Definitions**

The terms used in this Division 13 shall have the following meanings:

**Access, Primary.** The entrance to a building that is oriented toward the front lot line, an abutting public or private street, or common parking area.

**Access, Secondary.** An entrance to a building located and oriented toward a side or rear lot line.

**Active Open Space.** Any open space that is used for sports, exercise, or active play. It can include but is not limited to amenities such as playgrounds, exercise machines, and athletic fields.

**Architectural Articulation:** The breaking up of a flat and uniform building façade by using wall indents, changes in building materials, and detailed projecting features such as stoops, bay windows, awnings, and balconies.

**Earth Tone.** Colors found in nature that have a variety of hues that have brown undertones, including rust, marigold, burnt sienna brown, terracotta, sage, and turmeric. For the purposes of this definition, brown shall mean a hue with a hexadecimal RGB code of 964B00.

**Foundation Water.** Water that collects around the foundation and basement/crawlspace of structures from groundwater or drainage from stormwater runoff.

**Green Walls.** Vertical structures that have different types of plants or other greenery attached to them, with the greenery planted in a growth medium consisting of soil, stone, or water and as needed, having an integrated irrigation system.

**Habitat.** The natural home or environment of an animal, plant, and/or other organism and more specifically, any such environment in the City of Agoura Hills identified in the City of Agoura Hills General Plan, by the California Department of Fish and Wildlife (CDFW), and/or by the U.S. Department of Fish and Wildlife (USDFW).

**Historic Property.** Any real property and/or development on a real property that is included on the National Register of Historic Places, the California Register of Historical Resources, and/or any local City of Agoura Hills historic resources registry that may be established.

**Low Impact Development (LID) Infrastructure.** Systems and practices related to the control of urban runoff that use or mimic natural processes, with the purpose of increasing infiltration, facilitating evapotranspiration, and allowing for productive use and reuse of stormwater to protect water quality and associated aquatic habitat.

**Low-Income Household.** A household whose income is between 50 and 80 percent of the area median income, as defined by the U.S. Department of Housing and Urban Development, for the county in which the household is located.

**Moderate-Income Household.** A household whose income is between 80 and 120 percent of the area median income, as defined by the U.S. Department of Housing and Urban Development, for the county in which the household is located.

**Objective.** Involving no personal subjective judgement by a public official and being uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official.

**Passive Open Space.** Any open space area that is not specifically created for physical activities.

**Special Status Plant or Animal Species.** Shall include any state and/or federally listed plant or animal species, including those identified as candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS.

**Very Low-Income Household.** A household whose income does not exceed 50 percent of the area median income, as defined by the U.S. Department of Housing and Urban Development, for the county in which the household is located.

#### **9663.4. - Environmental Considerations**

##### **A. Habitat Protection**

1. The project shall not conflict with state or federal regulations pertaining to special status plant or animal species, unless the applicant/developer obtains the required permit(s) from the CDFW or USFWS. Where conflicts exist, federal law shall govern.
2. The project shall provide and maintain a minimum 100-foot buffer on site from any on-site or off-site special status plant species. A minimum 50-foot buffer shall be maintained from those special status plant species identified in local or regional plans, policies, or regulations. No soil disturbance, landscaping (except that related to restoration of such plant species), or placement of structures—including buildings, driveways, pedestrian paths, or infrastructure—shall be established within the buffer. Where conflicts exist, federal law shall govern.
3. The project shall not result in the taking of any migratory bird species protected by the Federal Migratory Bird Treaty Act without prior authorization by the USFWS. Nesting bird surveys shall be conducted by a qualified professional biologist no more than seven days prior to the beginning of any project-related physical activity, such as vegetation clearance, use and transport of equipment, mobilization, and construction, likely to impact migratory songbirds or raptors that occurs between January 1 and September 15, the bird nesting season. If such project activity ceases for longer than seven days, additional surveys shall be



conducted prior to re-commencing the activity. If such species are identified, a no-disturbance buffer of 300 feet around active perching birds and songbirds shall be implemented. A no-disturbance buffer of 500 feet around active non-listed as threatened or endangered raptor nests and 0.5 mile around active listed birds shall be implemented. The buffers shall be maintained until the breeding season has ended or until a qualified professional biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Where conflicts exist, federal law shall govern.

## **B. Visual Resources**

1. For properties that abut an open space resource as defined in the General Plan (Figure NR-1), no project shall obstruct the view of an open space resource from passersby on the site's adjacent rights-of-way by more than 25 percent of the length of the project site. Where a site is located along two or more public streets, an average of the overall frontage length shall be used. Open space resources shall be limited to include Ladyface Mountain, Strawberry Hill, Morrison Ranch Hills, Palo Comado Hills, and Simi Hills. The measurement shall be made from the nearest edge of the nearest vehicle travel lane from the project site.
2. For properties that abut a primary or secondary ridgeline as defined in the General Plan (Figure NR-1), no project shall obstruct the view of a primary or secondary ridgeline from passerby on the site's adjacent rights-of-way by more than 25 percent of the length of the project site. Where a site is located along two or more public streets, an average of the overall frontage length shall be used. The measurement shall be made from the nearest edge of the nearest vehicle travel lane from the project site.
3. New development shall not be constructed within 300 feet from the top of a primary and secondary ridgeline identified in Chapter 4 Natural Areas, Figure NR-1 (Open Space Resources) of the City of Agoura Hills General Plan.
4. To preserve public view to the resources identified in subparagraphs 1 and 2 above, the location and design of developments shall incorporate a minimum of two of the following approaches:
  - a. Clustering on-site development
  - b. Locating buildings lower on hillside slopes
  - c. Lowering roof pitches
  - d. Increased setbacks or increased building step-backs
  - e. Providing view corridors between proposed buildings, with any one corridor being not less than 20 feet wide
  - f. Providing views over the tops of proposed buildings

## **C. Open Space Resource Areas**

1. All projects adjacent to open space resource areas shown in the General Plan, Chapter 4 Natural Areas, Figure NR-1 (Open Space Resources) shall establish and maintain a transition zone of a minimum width of 100 feet between any

proposed dwelling unit and the designated open space area. The purpose of the transition shall be to protect the natural resources identified within the open space area and to allow for interconnection of adjacent open space areas, including any trails, trailheads, and parking areas identified in the General Plan, Chapter 3 Community Services, Figure CS-3 (Trails Network).

2. No fencing or other barriers shall be established that prevent public access to trailheads.

**D. Natural Drainage Ways and Water Quality Protection**

1. All projects shall comply with the State Water Resources Control Board (SWRCB)/Regional Water Quality Control Board (RWQCB) National Pollution Discharge Elimination System (NPDES) Construction General Permit/MS4 Permit, and for which a Storm Water Pollution Prevention Plan (SWPPP) and Standard Urban Stormwater Mitigation Plan (SUSMP) have been prepared, if required per the MS4 Permit.
2. All projects shall comply with Agoura Hills Municipal Code Section 5507 (Low Impact Development Requirements for New Development and Redevelopment).
3. All projects shall comply with Los Angeles County Waterworks District requirements.
4. Low-impact development (LID) infrastructure, designed and maintained to the satisfaction of the City Engineer, shall be used in parking areas, accessways, and landscaped areas to promote groundwater recharge and water quality protection.
5. Any necessary upgrades or construction of new storm water drainage facilities shall be designed in compliance with Los Angeles County Flood Control District (County Public Works Department) objective standards and in compliance with state and federal law.
6. No development shall occur within a Los Angeles County flood hazard zone or special flood hazard area unless such development is consistent with the standards of Title III, Chapter 7 Floodplain Management of the Agoura Hills Municipal Code, HMC, and without prior approval of a Conditional Letter of Map Revision/Letter of Map Revisions from Federal Emergency Management Agency, as applicable.

**9663.5. - Connectivity and Pedestrian Accommodation**

- A. Sidewalks, parkways, street trees, and landscaping on public property shall be provided consistent with standards established by the Public Works Department.
- B. Pedestrian pathways that are immediately accessible from a building when exiting or entering shall be provided between the public sidewalk and such primary building entry.

- C. Within a development, sidewalks and pedestrian pathways shall be provided to connect parking areas to buildings within the development, and to connect individual buildings within a development to each other. Sidewalks and pedestrian pathways shall also be provided to connect the site to any public trails adjacent to site.
- D. For on-site sidewalks and pedestrian pathways that connect public sidewalks and/or on-site surface parking areas to primary building entrances, and where such connections are 100 lineal feet or longer, shading shall be provided either in the form of native canopy trees planted on both sides of the pathways at intervals of no less than 30 feet or a trellis structure that covers the pathway.
- E. Where a parking structure is provided, pedestrian accessways shall be located a minimum of 10 feet distance from vehicular driveways and aisles.
- F. On-site interior sidewalks and pedestrian pathways that are not part of the public right-of-way shall be a minimum width of six feet for those serving a primary access and four feet for secondary access.
- G. Decorative paving materials shall be used on all interior pathways, with such paving materials consisting of stamped or scored concrete, interlocking unit pavers, tiles, stoneware, or grasscrete. Any such material used shall be slip resistant. The surface of pathways shall remain continuous even at driveways and maintain a continuous cross slope of no greater than two percent.
- H. All pedestrian pathways shall be lit by lighted bollards or similar low, ground-mounted lighting fixtures at intervals of a minimum of 200 feet. All lighting fixtures shall be shielded and downward facing.

#### **9663.6. - Site Design**

- A. **Building Layout and Orientation.** The primary orientation of a building or unit entrance in multi-family residential development or residential component of a mixed-use development shall be designed in accordance with the following standards:
  - 1. Buildings facing a public or private street shall have front entry features oriented to such street.
  - 2. The nonresidential components of a mixed-use development shall face primary street frontages and public sidewalks.
  - 3. Where a site is located along two or more public streets, the primary building entry shall be oriented toward the street with the highest classification. If a parcel fronts two public streets of equal classification, either frontage may be used to meet the standard.
  - 4. Buildings that are not adjacent to a public or private street shall have front entries that are oriented to interior common areas such as paseos, courtyards, and useable open space.

B. **Cul-de-sacs.** Any cul-de-sac or other dead-end street—either public or private—longer than 300 feet shall be connected to other internal or external streets by a pedestrian pathway.

C. **Parking and Driveways**

1. Parking areas shall be designed to provide direct and separate pedestrian and handicap access from all building to the parking areas. This can be accomplished by using design features such as ramps, walkways with district paving, plazas, arcades, courtyards, and/or special landscape treatment areas and street sidewalks as an extension of the pedestrian circulation system within the project.
2. Surface parking lots shall not be located between a building and a public street.
3. Where parking standards per Article IX, Chapter 6, Division 4 – Off-Street Parking, Loading, and Landscaping Parking require provision of 75 or more parking spaces, parking areas shall be divided into a series of connected small lots, with each lot containing no more than 75 spaces.
4. In all parking lots, the color and texture of paving materials for pedestrian pathways shall be different from the color and texture of paved vehicular areas. The purpose is to provide a clear distinction between pedestrian and vehicular travelways.

D. **Parking Structures**

1. Parking structures shall not occupy more than 40 percent of project site frontage onto a primary or secondary arterial street.
2. All parking structure walls facing a public right-of-way and any other parking structure wall greater than 25 feet in length shall include design features consisting of textured surfaces, articulation, murals, and/or landscaping covering a minimum of 50 percent of the wall surface area at full growth. The design of all parking structure walls shall include the same materials, colors, and surfaces as other buildings associated with the development. For the purpose of this subsection, articulation includes faux windows, arches, grillwork, building offsets, and stone/tile building materials.
3. Where landscaping is used on the parking structure surface, the landscaping shall be established and maintained to cover at least the lower 12 feet of the parking structure wall(s).
4. Mechanically or person-controlled entrances to structured parking shall be located a minimum of 20 feet from the back of sidewalk, and the use of controlled entrances shall be limited to the portion of structured parking that provides resident-only parking spaces. At controlled residential entrances, space shall be provided to allow a vehicle to turn around without backing into the street. Access to residential guest and delivery parking spaces shall be located in an area outside of any controlled entrance point.

- E. **Loading Areas.** Loading areas for the commercial components of mixed-use developments shall be located out of view of any public right-of-way and shall be shielded or enclosed to ensure compliance with the noise standards set forth in Article IX, Chapter 6, Division 6 (Noise Regulations).
- F. **Landscaping.** In addition to the open space requirements of each zoning district, all multi-family residential and mixed-use developments shall design landscaped areas subject to the following standards:
1. Landscaping shall be provided in all outdoor areas that are not specifically used for parking, driveways, walkways, patios, or required amenities. Existing native planting can be used to satisfy this standard.
  2. At least five different species of shrubs and groundcovers shall be used.
  3. Where not otherwise specified in this Article IX for the zoning district in which a project is located, trees within landscaped areas shall be provided at a minimum size of 24-inch box.
  4. Trees shall consist of both evergreen and deciduous varieties, the distribution of which shall be the applicant's choice.
  5. 75 percent of all landscape plantings shall consist of native, drought-tolerant species selected from those listed by the California Native Plant Society in the Calscape website specific to Agoura Hills.
  6. For established oak trees, no planting, soil disturbance, or irrigation shall occur within a distance of six feet or 25 percent of the total canopy width from the trunk in any direction, whichever is greater. For newly planted oak trees, no planting shall occur within four feet of the tree trunk."
  7. Landscape and irrigation plans subject to the California State Model Water Efficient Landscape Ordinance shall conform to the requirements of the California State Model Water Efficient Landscape Ordinance to achieve water efficient landscaping.

### **9663.7. - Building Design**

- A. **Building Design Reference Guide.** For the purpose of defining architectural styles as set forth in this Section, the reference guide shall be the most currently published version of *A Field Guide to American Houses: the definitive guide to identifying and understanding America's domestic architecture* by Virginia Savage McAlester.
- B. **Massing and Articulation**
1. Starting with the second floor, each building floor on the sides and front of a building shall be stepped back from the previous floor a minimum of six feet

starting with the first floor building plane, as shown on Figures 9663.7A and 9663.7B.

2. Intrusion into the step-back plane is allowed for up to 25 percent of the façade plane, up to the maximum allowed building height, as shown in Figure 9663.7C.

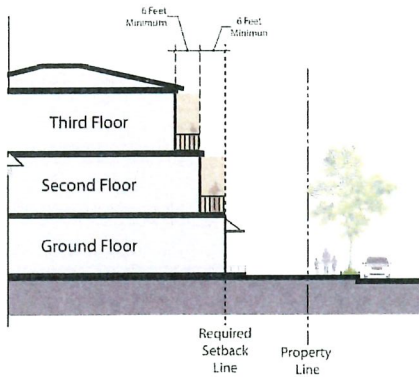


Figure 9663.7A

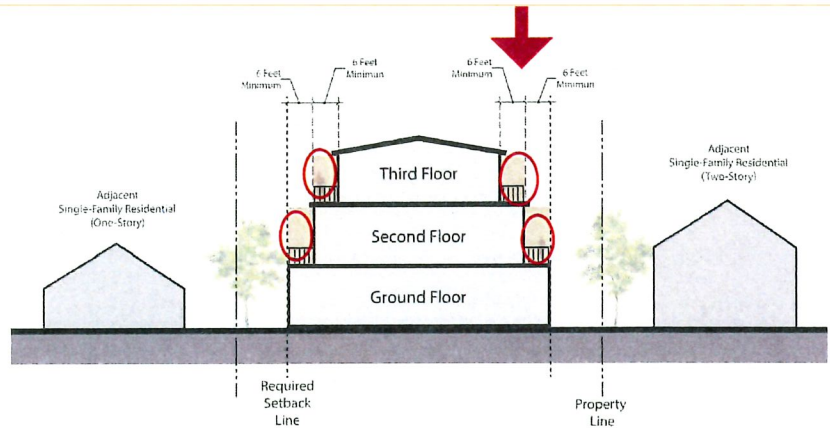
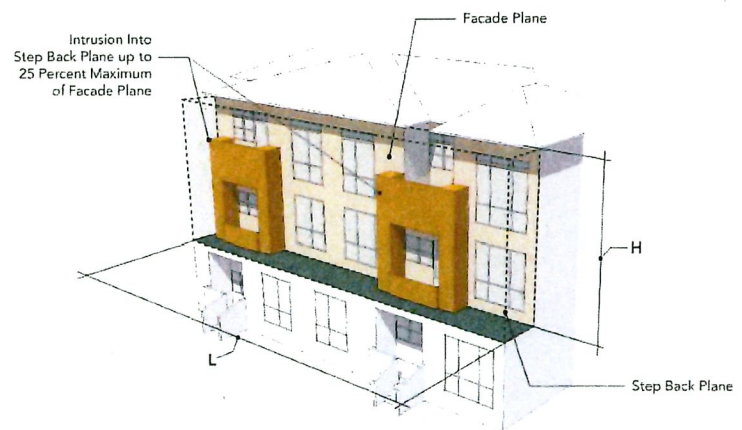


Figure 9663.7B

Figure 9663.7C



3. Intrusion into the step-back plane is allowed for up to 25 percent of the façade plane, up to the maximum allowed building height, as shown in Figure 9663.7C.

4. All building façades facing a public or private street shall be articulated for at least 80 percent of each façade length. All other building façades shall be articulated for at least 60 percent of each façade length. The massing of façades shall be broken up using a combination of at least three of the following approaches:

- a. Use of recessed and/or protruding window openings and entrances and similar relief.
  - b. Balconies.
  - c. Bay windows.
  - d. Recessed glazing and storefronts by at least six inches.
  - e. Vertical pilasters that reflect internal building structure and/or are integral to the selected architectural style.
  - f. At least two changes in color and texture along wall surfaces.
  - g. Indented portions of walls that articulate masses in the facade.
  - h. Trims, projections, and reveals along different levels of wall surfaces.
  - i. Cantilevers.
5. All side and rear building facades shall incorporate architectural detailing consisting of at least three of the approaches itemized in 3.a above.
  6. Bay windows shall project at least two feet but no more than three feet.
  7. Balconies shall have a minimum depth of four feet.
  8. The vertical emphasis of architectural design elements shall be minimized by use of a minimum of three of the following approaches:
    - a. Incorporate elements such as horizontal bands, reveals, trims, and overhangs along different levels of the wall surface.
    - b. Limit towers or pilasters to a maximum of one story in height.
    - c. Limit tower elements to one per building.
    - d. Vary the spacing and distribution of architectural elements and details along building facades.
    - e. Entry treatments should not extend above the first story of the building.
  9. Using the building design reference document identified in subsection 9663.7A, projects shall identify an architectural design style and include at least five of following features consistent with the descriptions of following elements of a single specific style, with roof type and characteristic pitch required to be at least one of the five features:
    - a. Roof type and characteristic pitch

- b. Roof rake, eave overhang and cornice detail
- c. Wall façade symmetry or asymmetry and detail
- d. Wall material and arrangement relative to roof
- e. Window type, relative proportion, shape, and detail
- f. Door type, relative proportion, shape, and detail
- g. Porch type, relative proportion, shape, and detail

### **C. Roof Treatments**

1. Visual interest shall be created through the integration of a minimum of two different roof forms (orientation, pitch, height) and designs along a building facade. Such roof forms shall be used on all sides of the building.
2. Mansard roofs shall be prohibited.
3. Flat roof areas shall not be used on more than 25 percent of the overall roof area and where used, shall match the color of the roofing material. Green roofs are exempt from this requirement and shall have no maximum limit on the overall extent of the flat roof area, and green roofs shall be of a color typical of healthy, low maintenance planting material.
4. Barrel-shaped red tile roof materials are prohibited.
5. Roof lines shall be vertically articulated along the street frontage by at least two of the following architectural elements:
  - a. Varying cornices
  - b. Clerestory windows
  - c. Varying roof height
  - d. Varying roof form
6. Roof-mounted mechanical units shall be incorporated into the design of roof through increased slope, screening, or enclosures. Roof-mounted equipment shall be fully screened. Screening and enclosures must match the materials, colors, and style of the building architecture.
7. Gutters and other means to collect rainwater from roof runoff shall be integrated into roofing design and in colors and styles consistent with the roofing materials.



8. Exterior roof ladders shall be prohibited. Access to the roof shall only be provided from the interior of a building.
9. Green roofs may be used as described in Section 9663.8 (Sustainable Design).

#### **D. Mixed-Use Ground Floor**

##### **1. Mixed Use Buildings with Ground-Floor Retail/Commercial Use**

- a. Floor-to-ceiling heights of ground-floor commercial spaces shall be at least 12 feet.
- b. Ground-floor entrances for commercial uses shall be designed to be level with the elevation of the adjacent public sidewalk or at least not more than two feet above or below the immediately adjacent sidewalk grade.
- c. Entries to stores and ground-floor commercial uses shall be distinct from the rest of the building façade using at least two of the following:
  1. Change in scale
  2. Contrasting materials, glazing and color
  3. Projecting or recessed forms and awnings
- d. Any street level façade where retail, recreational, or civic uses are planned shall consist of at least 60 percent window area. Tint lower than 70 percent visible light transmission (VLT), mirrored, or reflective glass shall be prohibited.

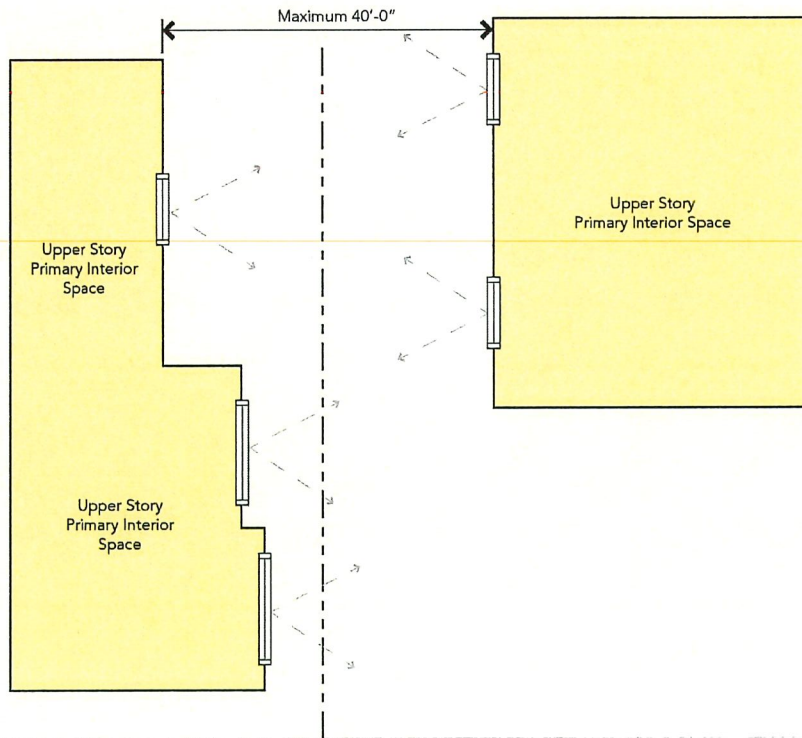
##### **2. Ground-Floor Residential Use**

- a. Within mixed-use developments, ground-floor residential uses immediately adjacent to the sidewalk shall be separated from the public sidewalk by a minimum of two feet and not more than three feet. If the ground floor residential uses are setback at least 10 feet, this requirement does not apply.
- b. Where ground-floor porches are provided, the depth of the porch shall be at least three feet.
- c. Residential uses on the ground floor along a primary roadway, other than residential entries and associated porches/stoops/patios, shall be prohibited.

#### **E. Doors and Windows**

1. Horizontal window bands greater than 40 feet shall be prohibited.
2. Windows within 40 feet and facing a residential use on an adjacent property, shall be placed to avoid direct lines of site to windows on the adjacent property.

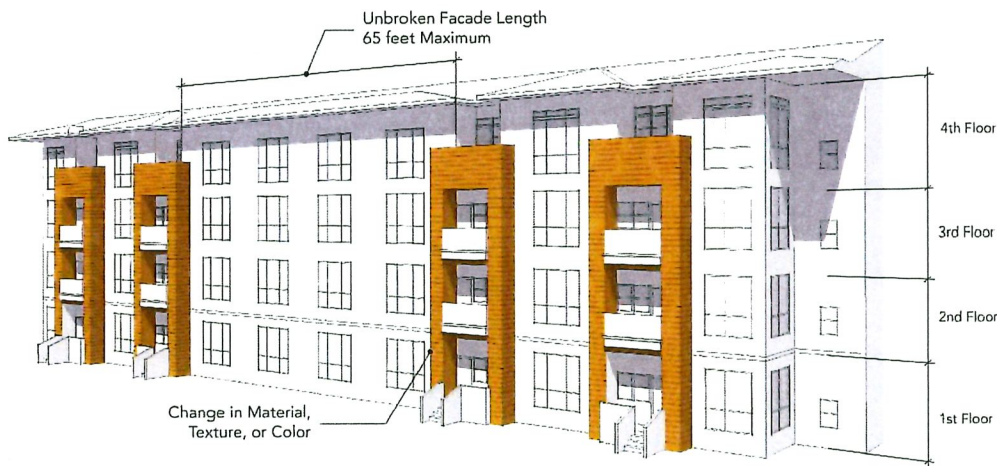
Exceptions are allowed where the windows on the proposed development are opaque or otherwise treated to obscure views (see exhibit).



3. Weather protection shall be provided at individual residential unit entries and primary entrances to commercial uses by providing a minimum of one of the following treatments:
  - a. Overhangs
  - b. Awnings
  - c. Porch roofs
  - d. Trellis
  - e. Canopy
  
4. Garage doors shall include at least one detail treatments such as:
  - a. Windows
  - b. Paneled surface
  - c. Use of a minimum of two colors
  - d. Use of a minimum of two textured surfaces

## F. Façade Materials Treatments

1. Material transitions along any façade shall only occur on the inside corner of plane change. When material changes need to happen in the same plane, trims, cornices, or other architectural elements shall be used to create a corner for material transition.
2. For buildings taller than two stories, the use of stucco shall be limited to a maximum of 60 percent of any façade that faces a street or open space.
3. For buildings that are two stories or taller, unbroken multi-story sections of the same material, texture, or color shall not be used for more than 65 feet of façade length and more than two-thirds of the number of floors in height, as illustrated in Figure 9663.7D.



*Figure 9663.7D*

4. The following materials are permitted for exterior façades and considered primary, secondary, or accent and can be used in relation to their designation (see Section 9663.3 - Definitions). Materials listed as prohibited or omitted altogether shall be prohibited.

Permitted Materials Table	
Brick	P
Stone/masonry	P
Stucco	P
Glass (transparent, spandrel)	P
Finished wood, wood veneer, engineered wood, and wood siding	P
Fiber-reinforced cement siding and panels	P
Concrete (poured in place or precast)	S
Ceramic tile	S
Glass	A
Glass block	A
Corrugated metal	A
Red Brick	A
Vinyl siding	N
Mirrored Glass	N
Gloss Tiles	N
T-111 Plywood	N
Exterior Insulation Finishing System (EIFS)	N

### KEY

P: Primary or Secondary Material

S: Secondary Material Only

A: Accent Material

N: Prohibited

5. At least two materials shall be used on any building façade, in addition to glazing, railings, and trim. A primary material must constitute at a minimum of 20 percent of any building façade, excluding windows and railings.
6. Buildings with false facades or false fronts, exclusive of parapets used to shield rooftop equipment, are prohibited.

### G. Color and Materials

1. An earth-tone color palette shall be required for all structures.
2. The use of fluorescent or neon colors is prohibited.

3. The number of colors appearing on the entire building exterior shall be limited to a maximum of four colors (or four tones of the same color), including trim and accent colors.
4. Buildings shall utilize a minimum of two colors on all facades, inclusive of trim. Changes in color due to a change in building material are not considered an additional color.

#### **H. Security Considerations**

New development shall use each of the following Crime Prevention through Environmental Design (CPTED) standards:

1. Lighting shall be provided within all parking lots, along pathways, at entrances, and within common open space areas so that these areas are visible to on-site residents at night. All lighting shall comply with the provisions of Section 9663.9.D (Lighting).
2. Building entrances shall be located to be visible from parking lots and sidewalks.

#### **I. Relationship to Adjacent Properties**

1. Fencing shall be used to enclose and/or screen private outdoor gathering spaces and utility and service use areas adjacent to buildings. Compliance with Section 9606.2 (Fences and Walls) shall be required.
2. All fences and walls designed for screening purposes shall be of a solid material. Gaps of up to one-quarter inch will be allowed at material joints.
3. Use of untreated chain link fence and barbed wire is prohibited. Vinyl and plastic fencing materials are prohibited unless they are made to simulate the appearance of wood.

#### **9663.8. - Sustainable Design**

- A. **Solar Access - Passive and Active Open Spaces.** All required passive and active open space areas shall be designed to allow for a minimum four hours of natural sunlight during the winter solstice for the City of Agoura Hills latitude of 34.1533 degrees north.
- B. **Water Conservation**
  1. All buildings shall meet or exceed the water efficiency standards defined by state and local codes at the time of construction.

2. Stormwater capture systems shall be incorporated into the building and site design, consisting of at least two of the following:
  - a. Rain barrels
  - b. Cisterns
  - c. Downspouts that drain into landscaped areas
  - d. Permeable paving materials

**C. Green Roofs and Walls**

1. Green roofs and green walls shall use regionally appropriate, native, and/or adaptive species and include key elements for successful establishment, such as sufficient structural engineering, efficient irrigation, appropriate waterproofing and root barrier, and effective drainage, as approved by the Building Official using standard reference materials.
2. Green roofs shall be designed to permit solar installation where needed to support the energy strategy.
3. Green roof species shall be selected with an emphasis on habitat creation, including a minimum of one of the following:
  - a. Pollinator species
  - b. Nesting species
  - c. Food sources

**9663.9. - Other Requirements**

**A. Utility and Mechanical Equipment**

1. All roof-top mounted utility and mechanical equipment shall be screened from the public right-of-way as set forth in Section 9663.7(B) above.
2. Utility and mechanical equipment shall not be located within any required active open space area.
3. Ground-mounted mechanical, electrical, and utility equipment shall be placed a minimum of 10 feet away from any pedestrian path and/or driveway.

**B. Mailboxes**

1. Mailboxes shall be placed either at an on-site location adjacent to or incorporated into a common area for all residents or at individual units.
2. In mixed-use developments, separate mailbox and package delivery/pick-up areas shall be provided for the residential and commercial components of a project.

**C. Service and Refuse Areas**

1. Trash enclosures shall be located a minimum of 20 feet away from any pedestrian path and/or driveway.
2. Trash enclosures shall not be located in any front yard, street side yard, parking space, required landscaped area, or open space areas.
3. Trash enclosures shall not be located within 20 feet of any adjacent property zoned for residential use.
4. Trash enclosures shall be designed to utilize the same materials and colors as the buildings they serve. Chain-link fencing with or without wooden/plastic slats is a prohibited material for the enclosure.
5. Every trash enclosure shall have a non-combustible, overhanging trellis or roof cover designed to prevent precipitation from entering trash bins.
6. Enclosures shall be designed and constructed to accommodate the collection of recyclable materials to the extent required by the responsible collection contractor.
7. Trash enclosures shall be buffered from adjacent parking with a minimum six-foot-wide landscape planter.

**D. Lighting**

1. Surface parking area lighting fixtures shall be fully shielded and mounted no more than 16 feet above the ground.
2. Pedestrian-oriented lighting in areas other than parking lots shall have a maximum height of 16 feet.
3. All lighting shall be directed downward or shielded to prevent light trespass onto adjacent properties. Light trespass onto adjacent properties shall not exceed one foot-candle at the property lines, measured at ground level.

4. Roof-mounted lights are prohibited."

**Section 9. Zoning Map Amendment.** The Zoning Map is hereby amended in accordance with Attachment X to graphically depict the Affordable Housing Overlay District, apply the Affordable Housing Overlay District to the Housing Element Site Inventory Sites, and amend the base zoning districts for certain Housing Element Site Inventory Sites, as follows:

- A. AIN: 2061-031-020 – (SITE A) FROM PLANNED DEVELOPMENT (PD) TO PLANNED DEVELOPMENT WITH AFFORDABLE HOUSING OVERLAY (AHO);
- B. AINS: 2061-032-021 AND -022 – (SITE B) FROM PD TO PD WITH AHO;
- C. AINS: 2061-029-005 AND -006 – (SITE C) FROM PD TO PD WITH AHO;
- D. AIN: 2053-001-004 – (SITE D) FROM BUSINESS PARK-OFFICE RETAIL WITH FREEWAY CORRIDOR OVERLAY (BP-OR-FC) TO RESIDENTIAL MEDIUM DENSITY (RM) WITH AHO;
- E. AIN: 2061-006-056 – (SITE E) FROM PD TO PD WITH AHO;
- F. AINS: 2055-005-904 AND 2055-005-903 – (SITE F) FROM RL – 20,000 WITH OLD AGOURA OVERLAY (OA) AND EQUESTRIAN OVERLAY TO RM WITH AHO;
- G. AIN: 2061-006-044 – (SITE G) FROM PD TO PD WITH AHO OVERLAY;
- H. AINS: 2061-013-024 – 025, 2061-013-001 – 005, 2061-013-036, AND 2061-013-039 – 040 – (SITE H) FROM BP-OR WITH FC OVERLAY TO RM WITH AHO;
- I. AINS: 2061-029-003 – 004 – (SITE I) FROM PD TO PD WITH AHO;
- J. AINS: 2061-006-042 AND 2061-006-048 – (SITE J) FROM PD TO PD WITH AHO;
- K. AINS: 2061-007-041, 2061-007-051 – 052, AND 2061-007-054 – 055 (SITE K) FROM PD TO PD WITH AHO;
- L. AINS: 2061-010-015 – 017, 2061-010-006 – 008 – (SITE L) FROM COMMERCIAL RETAIL SERVICE (CRS) WITH FC AND OA OVERLAY TO RM WITH AHO;
- M. AIN: 2061-033-015 – (SITE M) FROM PD TO PD WITH AHO;
- N. AIN: 2061-004-049 – (SITE N) FROM POM WITH FC OVERLAY TO RM WITH AHO;
- O. AINS: 2053-007-024 – 028 AND 2053-007-030 – (SITE O) FROM CS-MU TO CS-MU WITH AHO;
- P. AIN: 2051-006-141 – (SITE P) FROM CS-MU WITH OS-R AND DRAINAGE (D) OVERLAY TO CS-MU WITH OS-R AND D OVERLAY AND WITH AHO;
- Q. AIN: 2051-005-002 – (SITE Q) FROM CS-MU TO CS-MU WITH AHO;
- R. AINS: 2061-009-075 – 076 – (SITE R) FROM CRS WITH FC AND OA OVERLAY TO RM WITH AHO;
- S. AINS: 2061-029-001, 2061-028-005 – 006 – SITE S FROM BP-OR TO RM WITH AHO; AND
- T. AIN: 2061-004-022 – (SITE T) FROM POM WITH MIXED USE DISTRICT (MXD) AND FC OVERLAY TO RM WITH AHO.

**Section 10. Severability Clause.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or its application to any person



or circumstances, is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause, phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

**Section 10. Effective Date.** This Ordinance shall take effect thirty (30) days after passage.

**Section 11. Certification.** The Mayor shall sign and the City Clerk 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 \_\_\_\_\_, 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"

Zoning Map

VENTURA COUNTY

Santa Monica Mountains National Recreation Area

# CITY OF AGOURA HILLS ZONING MAP

## Legend

- City Limits
- County Boundary
- Parcels
- Very Low-Residential (<2du/ac) (RV)
- Low Density-Residential (1-2 du/a.) (RL)
- Single Family-Residential (2-8 du/a.) (RS)
- Medium Density Residential (5-15 du/ac) (RM)
- High Density-Residential (15-25 du/ac) (RH)
- Commercial Shopping Center (CS)
- Commercial Retail/Service (CRS)
- Commercial Recreational (CR)
- Commercial Neighborhood (CN)
- Commercial Shopping Center - Mixed Use (CS-MU)
- Business Park Office Retail (BP-OR)
- Business Park-Manufacturing (BP-M)
- Planned Office and Manufacturing (POM)
- School (SH)
- Open Water (OW)
- Utility (U)
- Local Park (P)
- Restricted Open Space (OS-R)
- Open Space - Deed Restricted (OS-DR)
- Specific Plan (SP)
  - PD (Refer to Ladyface Mountain Specific Plan)
  - PD (Refer to Agoura Village Specific Plan)
  - Affordable Housing Overlay (AH)

Westlake Village

LOS ANGELES COUNTY

Ladyface Mountain Specific Plan

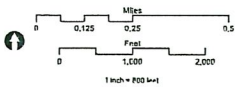
Agoura Village Specific Plan

Santa Monica Mountains National Recreation Area

LOS ANGELES COUNTY



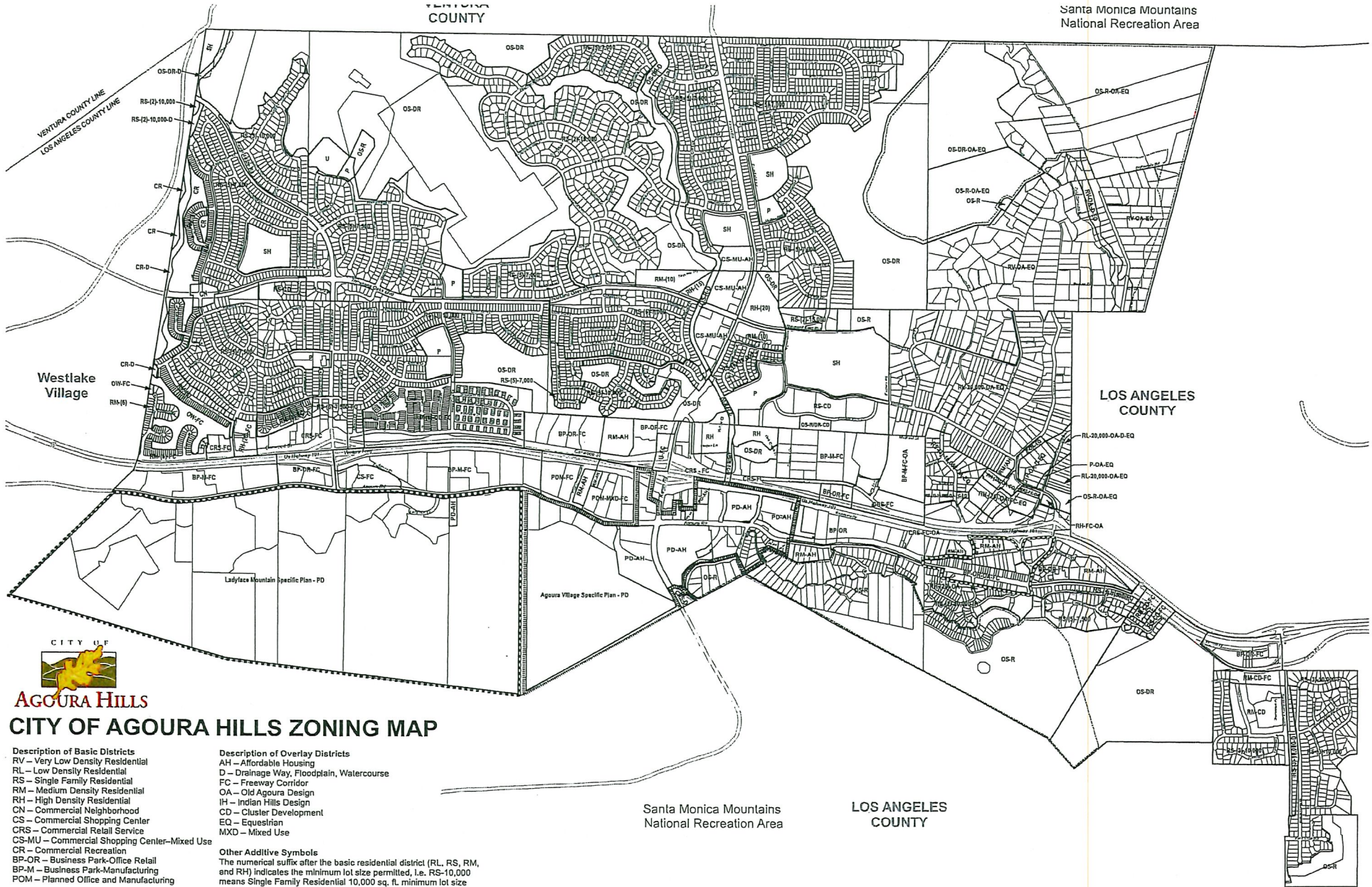
Date Revised: September 8, 2021  
Revised by Willdan Engineering





VENTURA COUNTY

Santa Monica Mountains National Recreation Area



Westlake Village

LOS ANGELES COUNTY



# AGOURA HILLS CITY OF AGOURA HILLS ZONING MAP

- Description of Basic Districts**
- RV – Very Low Density Residential
  - RL – Low Density Residential
  - RS – Single Family Residential
  - RM – Medium Density Residential
  - RH – High Density Residential
  - CN – Commercial Neighborhood
  - CS – Commercial Shopping Center
  - CRS – Commercial Retail Service
  - OS-MU – Commercial Shopping Center-Mixed Use
  - CR – Commercial Recreation
  - BP-OR – Business Park-Office Retail
  - BP-M – Business Park-Manufacturing
  - POM – Planned Office and Manufacturing

- Description of Overlay Districts**
- AH – Affordable Housing
  - D – Drainage Way, Floodplain, Watercourse
  - FC – Freeway Corridor
  - OA – Old Agoura Design
  - IH – Indian Hills Design
  - CD – Cluster Development
  - EQ – Equestrian
  - MXD – Mixed Use

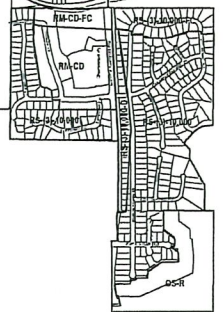
**Other Additive Symbols**  
 The numerical suffix after the basic residential district (RL, RS, RM, and RH) indicates the minimum lot size permitted, i.e. RS-(4)-10,000 means Single Family Residential 10,000 sq. ft. minimum lot size

- Description of Special Districts**
- P – Local Park
  - PD – Planned Development
  - SH – School
  - U – Utility
  - OW – Open Water
  - OS-R – Open Space-Restricted
  - OS-DR – Open Space-Dead Restricted

- The numerical suffix in brackets when affixed to the RL, RS, RM, and RH districts indicates the density per acre, i.e. RS-(4)-10,000 is 10,000 sq. ft. minimum lot size, four units per gross acre
- SEA #12 - Palo Comado
  - SEA #26 - Santa Monica Mountains
  - Old Agoura Commercial Center
  - PD (Refer to Ladyface Mountain Specific Plan)
  - PD (Refer to Agoura Village Specific Plan)

Santa Monica Mountains National Recreation Area

LOS ANGELES COUNTY



**ATTACHMENT 2**

**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
**2061-33-15	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
<b>Total</b>	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 LMSF, 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 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
**2061-33-15	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 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.

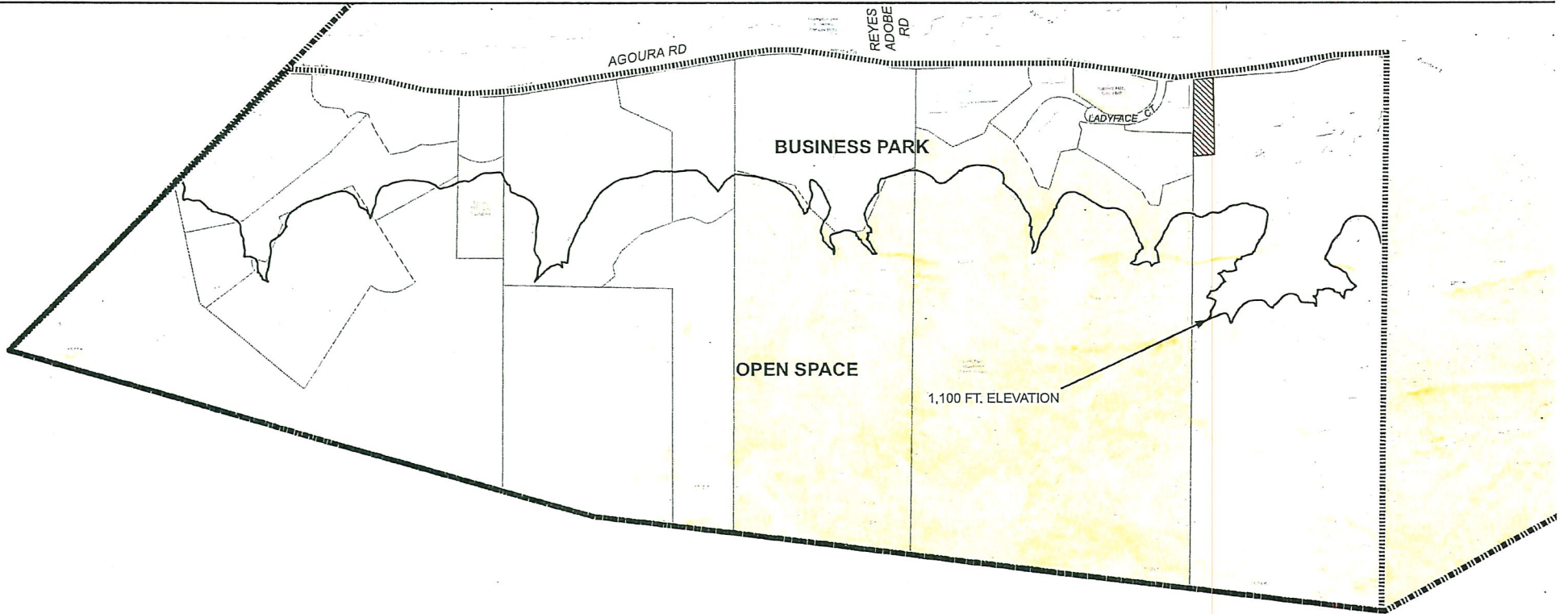
**D. EXISTING NON-CONFORMING LOTS, BUILDINGS, USES AND LAND**

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

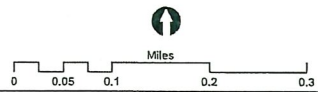
EXHIBIT B

Ladyface Mountain Specific Plan Map

## LADYFACE MOUNTAIN SPECIFIC PLAN: LAND USE PLAN



Source: 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

**ATTACHMENT 3**

**ORDINANCE NO. 22-463**



**ORDINANCE NO. 22-463**

**AN ORDINANCE OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING CHAPTER 4 (LAND USE AND DEVELOPMENT STANDARDS) AND CHAPTER 9 (PLAN ADMINISTRATION) OF THE AGOURA VILLAGE SPECIFIC PLAN TO ESTABLISH PROVISIONS REGULATING THE AFFORDABLE HOUSING OVERLAY DISTRICT (CASE NO. ZOA-2022-0002)**

WHEREAS, on October 22, 2008, the City Council of the City of Agoura Hills adopted the Agoura Village Specific Plan by Ordinance (Ordinance Nos. 08-356 and 08-357) with the purpose of creating a planned development area that articulates economic goals, and provides regulations and guidelines for new development and redevelopment.

WHEREAS, on July 8, 2009, the City Council of the City of Agoura Hills amended the Agoura Village Specific Plan by Ordinance (Ordinance No. 09-362) to permit off-sale alcoholic beverage establishments with a Conditional Use Permit.

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 Agoura Village 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. The Ordinance is consistent with Goal LU-14 (Mixed-Use) and its policies as it calls for the integration of residential units within a commercial setting that enhances pedestrian activity. The Ordinance is also consistent with Goal LU-27 (Community-Serving Shopping Centers), Policy LU-27.2 (Mixed-Use Development), which encourages the renovation of existing shopping centers by allowing multi-family housing on upper floors. 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) and encourage higher density mixed use commercial/residential in the AVSP and CS-MU districts (Policy H-3.3); streamline permitting process to reduce governmental constraints on development (Policy H-4.1).

**Section 4.** CHAPTER 4: LAND USE AND DEVELOPMENT STANDARDS is hereby amended in the Agoura Village Specific Plan to include the following, as shown on **Exhibit B**, with all other provisions to remain unchanged:

**“Affordable Housing Overlay**

Sites shown on Figure 4.2.A., are identified in the adopted Sixth Cycle Housing Element 2021-2029 as housing opportunity sites and are within the Affordable Housing Overlay District (AH) pursuant to the City of Agoura Hills Municipal Code. A site designated with the AH may be developed in the manner provided in the Municipal Code (Part 3 of Chapter 5 of Title IX (Affordable Housing Overlay District)), or in the manner provided in the AVSP. Sites proposed for development pursuant to the AH Overlay District are not subject to the provisions of the AVSP, unless specifically indicated in Part 3 of Chapter 5 of Title IX. Projects proposed pursuant to the AH Overlay District shall not be required to obtain an Agoura Village Development Permit but shall be subject to the approval process and permit requirements provided by Part 3 of Chapter 5 of Title IX (Affordable Housing Overlay District).”

**Section 5.** CHAPTER 9: PLAN ADMINISTRATION is hereby amended in the Agoura Village Specific Plan to include the following, as shown on **Exhibit B**, with all other provisions to remain unchanged:

**“Affordable Housing Overlay District**

Sites proposed for development pursuant to the AH Overlay District are not subject to the provisions of the AVSP, unless specifically indicated in Part 3 of Chapter 5 of Title IX. Projects proposed pursuant to the AH Overlay District shall not be required to obtain an Agoura Village Development Permit but shall be subject to the approval process and permit requirements provided by Part 3 of Chapter 5 of Title IX (Affordable Housing Overlay District).”

**Section 5.** 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 6.** Effective Date. This Ordinance shall take effect thirty (30) days after its adoption.

**Section 7. 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

AVSP Zone Text Amendment

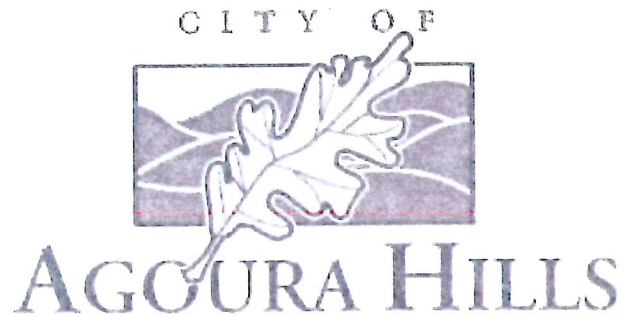
# CHAPTER 4: LAND USE AND DEVELOPMENT STANDARDS

## Introduction

In concert with design guidelines, streetscape beautification, and other public improvements recommended for the Specific Plan area described in Chapters 5, 6, and 7, standards for new development are intended to reinforce the desired urban image in the area. These standards are also intended to improve overall aesthetic appearance and to serve as the incentive for private investment in the Specific Plan area.

This chapter focuses on regulations and standards for proposed development within the Specific Plan area. These standards are mandatory requirements that must be satisfied for all new buildings, renovations or additions. Non-conforming lots, buildings, uses, and standards shall be governed by Zoning Ordinance Chapter VII (Nonconforming Lots, Uses, Buildings and Land).

Unless otherwise noted in the Specific Plan, permit requirements are as specified in the City of Agoura Hills Zoning Ordinance. When the Plan is silent, then the Agoura Hills Zoning Ordinance requirements remain in force. Where the Specific Plan and the Zoning Ordinance are in conflict, the Specific Plan shall take precedent. Application procedures and processing requirements are provided in Chapter 9, Plan Administration.



## Affordable Housing Overlay

Sites shown on Figure 4.2.A., are identified in the adopted Sixth Cycle Housing Element 2021-2029 as housing opportunity sites and are within the Affordable Housing Overlay District (AH) pursuant to the City of Agoura Hills Municipal Code. A site designated with the AH may be developed in the manner provided in the Municipal Code (Part 3 of Chapter 5 of Title IX (Affordable Housing Overlay District)), or in the manner provided in the AVSP. Sites proposed for development pursuant to the AH Overlay District are not subject to the provisions of the AVSP, unless specifically indicated in Part 3 of Chapter 5 of Title IX. Projects proposed pursuant to the AH Overlay District shall not be required to obtain an Agoura Village Development Permit but shall be subject to the approval process and permit requirements provided by Part 3 of Chapter 5 of Title IX (Affordable Housing Overlay District).

*Figure 4.2.A - AVSP properties located within the Affordable Housing Overlay*

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## **Allowable Land Uses**

A land use that is not listed in the Table 4.1 or is not shown on the corresponding district zoning plates for Zone A through F (and OS – Open Space District regulations for Zone G) is not allowed except as follows:

1. Required Findings: The Director may determine in writing that a proposed use is similar and compatible to a listed use and may be allowed upon making one or more of the following findings:
  - a. The characteristics of and activities associated with candidate uses are similar to one or more of the allowed uses and will not involve substantially greater intensity than the uses listed for that sub district;
  - b. The candidate uses will be consistent with the purpose and vision of the applicable sub district;
  - c. The candidate uses will be otherwise consistent with the intent of the specific plan;
  - d. The candidate uses will be compatible with the other uses listed for the applicable sub district.
2. The Director may refer the question of whether a proposed use is allowable directly to the Planning Commission or City Council for a determination at a public hearing.
3. A determination of the Director or Planning Commission may be appealed in compliance with the appeals procedure set forth in the City of Agoura Hills Municipal Code.

### **Affordable Housing Overlay District**

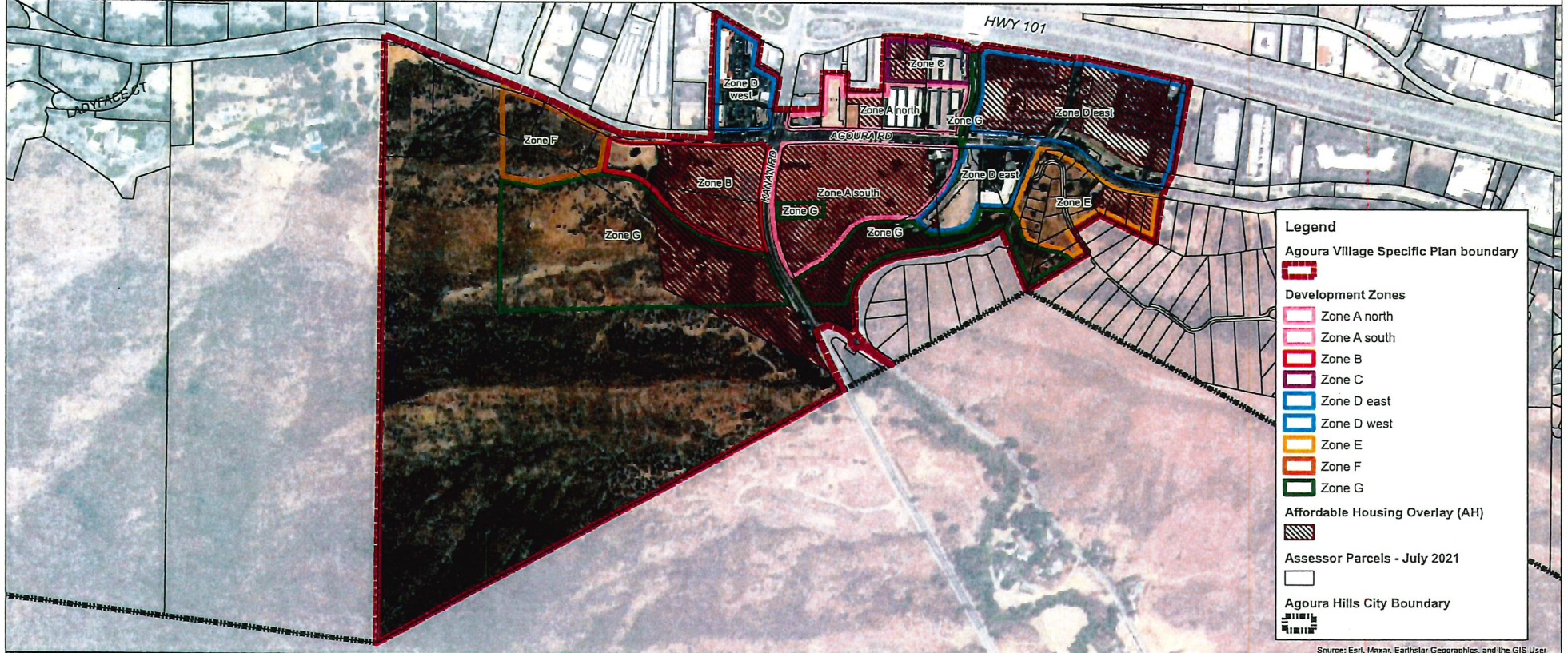
*Sites proposed for development pursuant to the AH Overlay District are not subject to the provisions of the AVSP, unless specifically indicated in Part 3 of Chapter 5 of Title IX. Projects proposed pursuant to the AH Overlay District shall not be required to obtain an Agoura Village Development Permit but shall be subject to the approval process and permit requirements provided by Part 3 of Chapter 5 of Title IX (Affordable Housing Overlay District).*

EXHIBIT B

AVSP Development Zone Map



# AGOURA VILLAGE SPECIFIC PLAN DEVELOPMENT ZONES AND AFFORDABLE HOUSING OVERLAY



**Legend**

- Agoura Village Specific Plan boundary
- Development Zones
  - Zone A north
  - Zone A south
  - Zone B
  - Zone C
  - Zone D east
  - Zone D west
  - Zone E
  - Zone F
  - Zone G
- Affordable Housing Overlay (AH)
- Assessor Parcels - July 2021
- Agoura Hills City Boundary

Source: Esri, Maxar, Earthstar Geographics, and the GIS User

