



"Gateway to the Santa Monica Mountains National Recreation Area"

Date: October 4, 2022

**RE: Technical Corrections to the 2021-2029 City of Agoura Hills
Housing Element to Support Plan Certification by HCD**

The following represents minor technical corrections proposed by the City to facilitate certification of the 2021-2029 Housing Element Update by the California Department of Housing and Community Development Department (HCD).

A summary of the minor technical corrections proposed is as follows:

- 1) **Pages V-15 & V-16: Section #6 Affordable Housing Density Bonus.** This correction is proposed to clarify that the City of Agoura Hills is committed to processing density bonus applications in accordance with State Density Bonus Law through a ministerial application process.
- 2) **Page V-18: Section #10 Agoura Village Specific Plan (AVSP).** This correction clarifies that a unique set of objective design and development standards (Affordable Housing Overlay Standards) have been adopted that are specific to the Agoura Village Specific Plan. The Affordable Housing Overlay (AHO) Standards (under Program 13) will be tested annually to ensure the standards facilitate development within the AVSP, as well as, Citywide on all sites identified in the Housing Sites Inventory.
- 3) **Page V-20: Program #13 Objective Design and Development Standards.** This correction clarifies that the City will monitor development applications to determine if the objective standards facilitate the development of housing projects. This monitoring will occur on an annual basis. In addition, every two years the City will meet with developers of housing projects to identify possible development constraints that inhibit the development of housing within the City.

A full text of the technical corrections is included in this memo. Minor technical corrections are shown in red underline below. Text that is proposed to be removed is shown as ~~red~~ ~~strikeout~~.

6. Affordable Housing Density Bonus. Section 9674 of the Agoura Hills Municipal Code sets forth the City's provisions to implement state density bonus law, providing a process for applicants of residential projects with five or more units to apply for a density bonus and additional incentive(s) if the project provides for one of the following:

- Minimum 5% of the total units for very low-income households; or
- Minimum 10% of the total units for lower income households; or
- Minimum 10% of the total dwelling units in a condominium for moderate income households; or
- 100 percent of units for very low-, low- and moderate-income households (with maximum 20 percent moderate); or
- A senior citizen housing development or mobile home park that limits residency based on age requirements for housing for older persons.

The amount of density bonus varies according to the amount by which the percentage of affordable housing units exceeds the established minimum percentage, but generally ranges from 20-80% above the specified General Plan density. Eligible projects may receive 1-4 additional development zoning concessions or incentives, depending on the proportion of affordable units and level of income targeting. In addition to the off-street parking concessions required under state law, the City offers the following development concessions and incentives in conjunction with the density bonus:

- A reduction in parcel development standards (coverage, setback, zero lot line and/or reduced parcel sizes),
- Approval of mixed-use zoning in conjunction with the housing project, and
- Other regulatory incentives or concessions proposed by the applicant or the City that would result in identifiable cost reductions.

Pursuant to state requirements and at the request of the developer, the City will also permit a reduced parking ratio for density bonus projects. To the extent the density bonus cannot be accommodated due to the City's development standards, the City will waive or modify applicable standards to accommodate the bonus.

The City is committed to processing density bonus applications in accordance with state density bonus law and will process density bonus applications ministerially and concurrently with development applications.

2021-2029 Objective: Encourage the use of density bonus (including associated zoning concessions and incentives) by advertising on the City's website and by providing information on available density and regulatory incentives in conjunction with discussions with development applicants. Update the City's local ordinance for consistency with the most recent state laws

(2023).

Page V-18:

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

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

Page V-20:

13. Objective Design and Development Standards. There are several scenarios in the future in which development projects in Agoura Hills will be required to undergo a “by-right”, non-discretionary approval process. These scenarios include: a) qualified projects being processed under Government Code section 65913.4 (SB 35); b) projects on sites identified in a prior housing element where at least 20% lower income units are included; and c) projects on sites being rezoned with the Affordable Housing Overlay as part of the Housing Element update with at least 20% lower income units. The creation of objective design and development standards is critical to a “by-right” approval process, since qualifying projects may only be required to meet objective, not subjective standards. The City has contracted with a consultant and ~~is in the process of establishing~~ has established clear and objective design and development standards to facilitate quality development that can be approved ministerially. The City conducted a community workshop in the Fall of 2021 to solicit input from the development community on these standards, with development standards scheduled for public review and adoption in conjunction with the Housing Element in July and August 2022. The Citywide Objective Design and Development Standards contain standards which apply to all zoning districts, while the

Affordable Housing Overlay District Standards contain zone-specific standards applicable to properties ~~Three separate sets of standards will be prepared corresponding to sites~~ in the housing sites inventory for: a) the eight sites within the Agoura Village Specific Plan; b) the three large shopping center sites on Kanan Road; and c) the nine other sites in the Housing Element sites inventory. The City will test each set of development standards to ensure projects can meet the permitted densities under zoning. In conjunction with developing objective development standards, Agoura Hills is creating an SB 35 checklist and written procedures for processing SB 35 applications.

The City will annually monitor development applications and entitlements to determine if objective development standards constrain the ability to develop housing projects.

In addition, every two years the City will meet with developers of housing projects to identify potential constraints to development and based on that consultation, amend the zoning ordinance to remove constraints that inhibit the development of projects at the capacity assumed in the housing element. Evidence considered in determining feasibility will be based on, among other things, the consultation and examples of past or current project applications.

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

Sincerely,



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