

REPORT TO CITY COUNCIL

DATE: NOVEMBER 8, 2023

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: NATHAN HAMBURGER, CITY MANAGER

BY: DENICE THOMAS, AICP, COMMUNITY DEVELOPMENT DIRECTOR
ROBBY NESOVIC, PRINCIPAL PLANNER
KATRINA GARCIA, ASSOCIATE PLANNER

SUBJECT: DISCUSSION OF A PRE-SCREEN APPLICATION PROPOSING TO AMEND CHAPTER 1 (INTRODUCTION), CHAPTER 3 (COMMERCIAL DISTRICTS), AND CHAPTER 5 (OVERLAY DISTRICTS) OF ARTICLE IX (ZONING) OF THE AGOURA HILLS MUNICIPAL CODE

The request before the City Council is to discuss a pre-screen application proposing to amend the Agoura Hills Municipal Code (AHMC) to specifically allow for the storing of exotic and collector motor vehicles within the Commercial Retail Service (CRS) zoning district and Freeway Corridor (FC) overlay district. The applicant for this pre-screen is Cory Antilla, on behalf of Bill Tucker and the case number is PSR-2023-0003.

The application was initiated because the property owner is interested in developing a vacant lot zoned CRS-FC on the south side of Canwood Street, east of Kanan Road and west of Derry Avenue, to be used as a private garage facility where auto enthusiasts can store their collector and exotic vehicles. Under the CRS regulations, antique auto storage facilities are allowed, however, the AHMC does not define "antique". The general assumption is that an antique is of substantial age. As such, the term "antique" would be too restrictive for the vehicles proposed to be stored at the site. Furthermore, the FC overlay district prohibits, in pertinent part, "...mini storage facilities and yards, truck and equipment rentals, and the like." The phrase, "and the like", would disallow all storage facilities, including the storage of exotic and collector motor vehicles, within the overlay district. For these reasons, the proposed use is not permitted within the CRS zone or the FC overlay district.

To allow the desired use within the CRS zoning district and the FC overlay district, the applicant's submittal details the proposed amendments to Article IX (Zoning) of the AHMC. The proposed amendments are shown in legislative format below, with underlined text representing words to be added to the adopted text and the words with ~~strikethrough~~ text representing words to be deleted from the adopted text.

9120.3. C.

L. Collector motor vehicle. "Collector motor vehicle" means a motor vehicle owned by an enthusiast who collects, purchases and/or acquires for their own use in order to preserve and maintain the vehicle for hobby and/or historical purposes.

9312.2. – Commercial use table I.

	USE, SERVICE OR FACILITY	COMMERCIAL						BUSINESS PARK	
		CS	CRS	CR	CN	CS-MU	POM	BP-OR	BP-M
	Unless otherwise indicated, listings denote retail sales operations								
P.									
<u>16.</u>	<u>Private garage, collector motor vehicle</u>		<u>GG, K</u>						

9312.3 Special conditions.

GG. Permitted if the entire operation, including parking and storage of vehicles including vehicle parts used in connection with the operation, is conducted within a completely enclosed building.

9333.8 Warehousing and storing limitation.

Except for miniwarehouses and private garage, collector motor vehicle, the amount of storage or warehousing related to the principal use shall not exceed fifty (50) percent of the gross floor area of any building. This provision shall not apply to permitted uses that involve outdoor storage that comply with the outdoor storage provisions of section 9301 et seq.

9542.1 Prohibited uses.

In addition to the prohibited uses in the underlying district, the following are prohibited in the FC overlay district:

A. Cabarets, adult book stores, adult entertainment, adult theater and similar adult uses, outdoor displays except new car franchise dealerships, mini storage facilities and yards except for private garages for collector motor vehicles, truck and equipment rentals, and the like.

The proposed amendments would make collector motor vehicle garages an allowable use anywhere with CRS zoning, as well as within the FC overlay.

FISCAL IMPACT

There is no additional fiscal impact to the City Council 2023-24 adopted budget. There is no general fund expenditure proposed.

RECOMMENDATION

Staff respectfully requests the City Council provide non-binding comments and direction to the applicant regarding this request for a prescreen review of a Zoning Ordinance Amendment.

Attachments:

- Exhibit A: Proposed modifications to Chapter 1 (Definitions)
- Exhibit B: Proposed modifications to Chapter 3 (Commercial Use Table)
- Exhibit C: Proposed modifications to Chapter 3 (Commercial Retail Services)
- Exhibit D: Proposed modifications to Chapter 5 (Freeway Corridor)

EXHIBIT A

Proposed Modifications to Chapter 1 (Definitions)

or hip roof. The measuring of building height to the midpoint of the roof is only possible in situations in which the full roof element exists on the corresponding building elevation.

- K. *Building line*. "Building line" means a line in the interior of a lot parallel to the property line and located at a distance equal to the required setback distance.
- L. *Building, main*. "Main building" means a building or buildings within which is conducted the principal use permitted on the lot as provided by this article.
- M. *Building official*. "Building official" means the officer or other designated person charged with the administration and enforcement of the building laws and regulations of the city of Agoura Hills.
- N. *Building site*. "Building site" means a legally created parcel or contiguous parcels of land in single ownership, which provides the area and open spaces required by this article, exclusive of all vehicular and pedestrian rights-of-way and all other easements that prohibit the surface use of the property by the owner thereof.
- O. *Building site coverage*. "Building site coverage" means the percentage of the building site covered by structures, open or enclosed.
- P. *Building site, through*. "Through building site" means a building site having frontage on two (2) parallel or approximately parallel streets.
- Q. *Business*. "Business" means management, operation, sale, purchase or other transaction involving the handling or disposition of goods, commodities or services.

(Ord. No. 11-388, § 1, 12-14-2011)

9120.3. C.

- A. *Cabaret*. "Cabaret" means any bar, cocktail lounge or restaurant, wherein entertainment, as described in sections 143.2, 143.3 and 143.4 of the Rules and Regulations, Chapter 1, Title 4, California Administrative Code (California State Department of Alcoholic Beverage Control) is provided, except that this subsection shall not be construed to authorize any entertainment, conduct or activity prohibited by said rules and regulations. "Cabaret" shall also include any establishment which provides any entertainment and/or activity described in the aforesaid rules and regulations, whether or not alcoholic beverages are dispensed.
- B. *Campground*. "Campground" means a lot or parcel of land designed or used for tent camping, including picnic areas, but excluding any structures for permanent human occupancy.
- C. *Carport structure*. "Carport structure" means a roofed area, or portion of a building, enclosed on two (2) or more sides primarily for the parking of automobiles belonging to occupants of the property.
- D. *Chapter*. "Chapter" means a chapter of this article unless some other ordinance or statute is mentioned.
- E. *Certificate of occupancy*. "Certificate of occupancy" means a required document issued by the building and safety division prior to the occupation or use of buildings erected or structurally altered.
- F. *Child or children*. "Child" or "children" shall mean a person or persons under eighteen (18) years of age, unless specifically provided in this article.
- G. *Church*. "Church" means a building, together with any accessory buildings or uses, where persons regularly assemble for religious worship and which building, together with its accessory buildings and uses, is maintained and controlled by an organized religious body.
- H. *Clinic, medical*. "Medical clinic" means an organization of doctors providing physical or mental health service and medical or surgical care to the sick or injured does not include inpatient or overnight accommodations.

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- I. *Club*. "Club" means an association of persons for some common purpose but not including groups organized primarily to render a service which is customarily carried on as a business.
 - J. *Cluster development*. "Cluster development" means an arrangement of dwelling units, attached or detached, which provides a number of dwelling units sufficient to meet density requirements, constructed on smaller lots in return for the restriction or dedication of the remaining acreage as permanent open space.
 - K. *Collector*. "Collector" means a medium-speed highway abutting similar land uses. The primary function is to collect and distribute trips within a hierarchy of roads and, secondarily, to carry short trips between adjacent neighborhoods. A collector has emergency parking only and has a significant amount of parallel and perpendicular pedestrian traffic.
 - L. Collector motor vehicle. "Collector motor vehicle" means a motor vehicle owned by an enthusiast who collects, purchases and/or acquires for their own use in order to preserve and maintain the vehicle for hobby and/or historical purposes.
 - ~~M.~~ *Commercial*. "Commercial" means operated or carried on primarily for financial gain.
 - ~~N.~~ *Commercial recreation*. "Commercial recreation" means any use or development either public or private, providing amusement, pleasure, or sport, which is operated or carried on primarily for financial gain.
 - ~~O.~~ *Commission or planning commission*. "Commission" or "planning commission" means the city planning commission.
 - ~~P.~~ *Common area*. "Common area" means an entire project area excepting all lots or units granted to or reserved for individual owners or tenants.
 - ~~Q.~~ *Community facility*. "Community facility" means a noncommercial use established primarily for the benefit and service of the population of the community in which it is located.
 - Q.1. ~~P.1.~~ *Community care facility, small* "Community facility, small" means the same meaning as set forth in California Health and Safety Code Section 1502, where six (6) or fewer persons live together.
 - Q.2. ~~P.2.~~ *Community care facility, large* "Community facility, large" has the same meaning as set forth in California Health and Safety Code § 1502, where seven (7) or more persons live together.
 - ~~R.~~ *Conditional use*. "Conditional use" means a use which requires a special degree of control because of characteristics peculiar to it, or because of technological processes or type of equipment, or because of the exact location with reference to surroundings, streets and existing improvements or demands upon public facilities.
 - ~~S.~~ *Condominium*. "Condominium" means a state of realty consisting of separate interests in residential buildings together with undivided interests common in other portions of same property unit as a separate interest, and common areas are entire condominium except units granted; thus, owners of condominiums are grantees of units. Each grantee owns separate interest in his unit and an interest as granted in common, in common area.
 - ~~T.~~ *Congregate housing*. "Congregate housing" shall have the same meaning as the term "congregate housing for the elderly" as defined in California Health and Safety Code Section 50062.5.
 - ~~U.~~ *Convalescent home, nursing home, rest home and home for the aged*. "Convalescent home," "nursing home," "rest home" and "home for the aged" each mean a facility licensed by the state department of public health, the state department of social welfare, or the county, which provides bed and ambulatory care for patients with post-operative convalescent, chronically ill or dietary problems, and persons unable to care for themselves; but not including alcoholics, drug addicts, or persons with mental or contagious diseases or afflictions.

V. ~~U.~~ *Conventional development.* "Conventional development" means a development, other than a condominium, apartment, or cluster development, with each dwelling unit situated on a residential lot of record and no lot containing more than one (1) dwelling unit.

W. ~~V.~~ *Cutting.* "Cutting" shall mean the detaching or separating, either partial or whole, from a protected tree, any part of the tree, including but not limited to limb, branch or root. Cutting shall include pruning.

(Ord. No. 11-383, § 1, 3-9-2011; Ord. No. 14-406, § 2, 5-14-2014; Ord. No. 434, § 6, 1-10-2018)

9120.4. D.

- A. *Damage, oak tree.* "Damage" means any action undertaken which causes injury, death or disfigurement to an oak tree. This includes, but is not limited to, cutting, poisoning, overwatering, relocating or transplanting a protected tree, or trenching, excavating or paving within the protected zone of a tree.
- B. *Day care for adults.* "Day care for adults" means any state-licensed facility providing care or supervision on a less than twenty-four-hour per day basis for adults over eighteen (18) years of age.
- C. *Day care for children, small family day care home.* A "small family day care home" means a single-family residence which regularly provides care, protection and supervision of a maximum of eight (8) children in the provider's own residence, including children under the age of ten (10) years who reside at the single-family residence, for periods of less than twenty-four (24) hours a day, consistent with regulations issued by the State of California.
- D. *Day care for children, large family day care home.* A "large family day care home" means a single-family residence which regularly provides care, protection and supervision for seven (7) to fourteen (14) children, inclusive, in the provider's own residence including children under the age of ten (10) years who reside at the single-family residence, for periods of less than twenty-four (24) hours a day, consistent with regulations issued by the State of California.
- E. *Day nursery, children.* "Day nursery, children" means any facility, institutional in character, providing nonresident day care and supervision for more than twelve (12) children under sixteen (16) years of age, as defined and licensed by the department of social welfare of the State of California. "Day nursery, children" includes all types of group day care programs including, but not limited to, day nurseries, nursery schools for children under the minimum age for admission to public schools, parent-cooperative nursery schools, play groups for preschool children, and programs giving afterschool care to school age children.
- F. *Deadwood.* "Deadwood" means limbs, branches or a portion of a tree that contains no green leaves during a period of the year when they should be present.
- G. *Density bonus.* "Density bonus" means a density increase of not less than ten (10) percent nor more than fifty (50) percent over the otherwise allowable residential density as provided in this article.
- H. *Density, gross.* "Gross density" means the total number of dwelling units permitted on an acre of land exclusive of all existing public streets and rights-of-way, but including all streets or rights-of-way to be developed.
- I. *Density, net.* "Net density" means the same as gross density except proposed streets and rights-of-way shall be excluded.
- J. *Development.* "Development" shall mean the activity of preparing land and constructing buildings or other facilities and improvements in order to establish a land use. Development also shall mean a lot or parcel of land with the completed buildings, facilities, and other improvements thereon.
- K. *Director.* "Director" means the director of planning and community development of the city or his duly authorized representative. "Director" also means the zoning administrator.

EXHIBIT B

Proposed Modifications to Chapter 3 (Commercial
Use Table)

ARTICLE IX - ZONING
 Chapter 3 - COMMERCIAL DISTRICTS
 PART 2. COMMERCIAL USE TABLES

PART 2. COMMERCIAL USE TABLES

9311. Purpose.

The purpose of the commercial use table is to designate the uses permitted within a building, except as otherwise noted in each of the commercial land use districts.

(Ord. No. 11-388, § 14, 12-14-2011)

9312. Commercial use, table I established.

The following table I indicates the described uses as a permitted use by an "•" in the district appearing at the top of the column. A letter designation in the column indicates that the described use is permitted in that district upon compliance and maintenance of the special condition referenced by the corresponding letter in section 9312.3. The special condition shall be in addition to all other requirements of this article and any other ordinance applicable to the described use.

(Ord. No. 11-388, § 14, 12-14-2011)

9312.1. Similar and like use.

If a use is (1) not listed in table I, (2) not shown as a permitted use in any other zone, or (3) the planning commission has not made an interpretation that said use is similar to another use pursuant to the provisions of change 9800, said use shall be prohibited.

(Ord. No. 11-388, § 14, 12-14-2011)

9312.2. Commercial use table I.

The following shall be commercial use table I:

TABLE I. PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS

	USE, SERVICE OR FACILITY	COMMERCIAL						BUSINESS PARK	
		CS	CRS	CR	CN	CS-MU	POM	BP-OR	BP-M
	Unless otherwise indicated, listings denote retail sales operations								
A.									
1.	Addressing and mailing service	B	B		B	B	•	•	•
2.	Advertising business office						•	•	•
3.	Alarm and warning systems sales and services	•	•		•	•			
4.	Alcoholic beverage establishments, off-sale	W	W	W	W	W	W	W	W

5.	Alcoholic beverage establishments, on-sale	W	W	W	W	W	W	W	W
6.	Ambulance service		K						K
7.	Antique store	•	•		•	•			
8.	Appliance store	•	•		•	•	•		
9.	Appliance repair shop	•	•		•	•	•		•
10.	Arcade, electronic, mechanical, video games, or internet arcade	K	K	K	K	K			
11.	Armored car service	•	•		•	•	•		•
12.	Art gallery	•	•		•	•			
13.	Art studio	•	•		•	•	•		•
14.	Assembly, light manufacturing						•		•
15.	Athletic equipment and sporting goods store	•	•		•	•	•		
16.	Auto sales; new and used		J				K		K
17.	Auto rental or lease agency	J	J		J	J	J	U	J,
18.	Auto wholesaler, office only (no on-site storage of vehicles)		•				•	•	
19.	Auto service station, primary	•	•		•	•		K, U	•
20.	Auto, minor service, repair, replacement								
	a. Automatic transmission	C	•		C	C			•
	b. Auto tire sales, service	C	•		C	C			•
	c. Auto seat covers, reupholstery shop	C	•		C	C			•
	d. Auto battery and ignition	C	•		C	C			•
	e. Auto radio, stereo, CB	•	•		•	•			•
	f. Auto radiator replacement, service		•						•
	g. Auto muffler, replacement, service		•						•
	h. Auto electric (starter-generator) replacement, service	C	•		C	C			•
	i. Auto brake replacement, service	C	•		C	C			C
	j. Auto minor repair, services, adjustment	C	•		C	C			C
	k. Auto trailer hitch installation	C	•		C	C			C
	l. Auto diagnosis and tune-up	C	•		C	C			•
	m. Auto detailing (servicing and cleaning for resale)	C	•		C	C			•
	n. Auto glass installation and sales	C	•		C	C			•
21.	Auto, major								
	a. Auto, major repair								C
	b. Auto, transmission rebuild								C
	c. Auto, radiators rebuild								C
	d. Auto, starter-generator rebuild								C
	e. Auto, body repair								C
	f. Auto, paint shop								C

	g.	Auto, machine shop							C
22.		Auto storage, antique		J					•
23.		Auto parts and accessory store	•	•		•	•		•
24.		Auto wash, self-service or automatic		•					•
(Ord. No. 207 § 1, 4-8-92; Ord. No. 229, § 1, 5-26-93; Ord. No. 04-325, § 1, 8-25-2004; Ord. No. 09-362, § 2, 7-8-09; Ord. No. 11-388 § 14, 12-14-2011; Ord. No. 14-409, § 7, 8-13-2014)									
B.									
1.		Bakery/pastry shop	•	•		•	•		
2.		Bakery, wholesale					•		•
3.		Banks and financial institutions	•	•		•	•	•	•
4.		Bar/tavern	W	W		W	W	W	U
5.		Bath house/sauna, steam			G			G	G, U
6.		Barbershop	•	•		•	•	•	E, U
7.		Beverage bottling works						•	•
8.		Bicycle sale, rent, service		I				•	
9.		Blueprinting service	•	•		•	•	•	•
10.		Boat sale, rent, service		I					
11.		Boat parts and accessory store	D	D		D	D	D	D
12.		Bookstore	•	•		•	•	•	U
13.		Bookstore, adult	Q	Q		Q	Q	Q	Q, U
14.		Building trades contractors office		•				•	•
15.		Building trades service yard		I				I	I
16.		Building material and lumber sales	C	I, J		I, J	C	I, J	I, J
17.		Butcher and meat market	•	•		•	•		
18.		Butcher, wholesale, excluding slaughterhouse							•
(Ord. No. 09-362, §2, 7-8-09; Ord. No. 11-388, § 14, 12-14-2011; Ord. No. 14-409, § 7, 8-13-2014)									
C.									
1.		Cabinet shop		J				J	J
2.		Candy store	•	•		•	•	•	U
3.		Cemeteries, crematories and columbarium and related facilities			K				
4.		Certified farmer's market	K	K		K	K		
5.		Child care center	Y	Y		Y	Y	•	U
6.		Church/temple	K	K	K	K	K	K	K, U
7.		Clinic, child, family guidance	•	•		•	•	•	•
8.		Clinic, physical therapy	•	•		•	•	•	•
9.		Clothing and apparel store	•	•		•	•	G	G, U
10.		Coffee shop	•	•		•	•	•	U
11.		Coin operated amusement machine, incidental to a permitted use	•	•	•	•	•	•	•
12.		Coin operated dispense, collection of vending machines	•	•	•	•	•	•	•
13.		Community center/citizens improvement center	•	•	•	•	•	•	•

14.	Cold storage food locker		•				•		•
15.	Computer programming/software and system design	•	•		•	•	•	•	•
16.	Computer sales, rental, lease, and service, and training	•	•		•	•	•	•	•
17.	Condominium, commercial	•	•		•	•	•	•	•
18.	Convenience store/neighborhood market	•	•		•	•	K		K
19.	Costume shop, sale and rent	•	•		•	•			
20.	Curio/novelty shop	•	•		•	•	G	G, U	G
(Ord. No. 173, § 1, 8-22-90; Ord. No. 07-343, § 2, 2-28-2007; Ord. No. 09-362, § 2, 7-9-09 Ord. No. 11-388 § 14, 12-14-2011 ; Ord. No. 14-409, § 7, 8-13-2014)									
D.									
1.	Dance hall, ballroom	K	K	K	K	K	G	G, U	G
2.	Dancing as an incidental use in a bar or restaurant	K	K	K	K	K	•	U	•
3.	Data processing service						•		•
4.	Delicatessen	•	•		•	•	•	U	•
5.	Delivery service						•	•	•
6.	Disinfecting/fumigating service						•		•
7.	Daytime pet care and overnight boarding		K				K		DD
8.	Drafting service, including incidental printing and copying	•	•		•	•	•	•	•
9.	Dressmaker	•	•		•	•	G	G, U	G
10.	Drive-in restaurant	•	•		•	•			
11.	Drive-in dairy, excluding creamery	•	•		•	•			
12.	Drive-in food market	•	•		•	•			
13.	Driving school	J	J		J	J	J	J, U	J
14.	Drugstore	•	•		•	•	J	E, U	J
(Ord. No. 09-361, § 2, 5-26-09; Ord. No. 11-388, § 14, 12-14-2011; Ord. No. 14-409, § 7, 8-13-2014; Ord. No. 14-412, § 2, 1-14-2015)									
E.									
1.	Electronic equipment store	•	•		•	•	•		•
2.	Electronic, mechanical, video games	•	•	G	•	•	•		•
3.	Equipment rental agency		J				J		J
4.	Emergency shelters	K	EE		K	K			
5.	Eye glasses and frames, and contact lens sales and service	•	•		•	•	E, U	E, U	
(Ord. No. 240, § 12, 9-8-93; Ord. No. 11-388, § 14, 12-14-2011; Ord. No. 14-409, § 7, 8-13-2014)									
F.									
1.	Film studio, motion picture						•		•
2.	Floor covering, drapery or upholstery store	•	•		•	•	•		•
3.	Florist	•	•		•	•	E,G	E, G, U	E,G

4.	Food market ancillary to auto service station	K	K		K	K		K	K
5.	Fortune telling	H	H		H	H			
6.	Funeral establishment								•
7.	Furniture store	•	•		•	•	•		•
8.	Furniture cleaning, refinishing or reupholstery shop		•				•		•
9.	Furniture rental agency	•	•		•	•	•		•
(Ord. No. 07-343, § 12, 2-28-2007; Ord. No. 11-388 § 14, 12-14-2011; Ord. No. 14-409, § 7, 8-13-2014)									
G.									
1.	Garden equipment and tool sales	•	•		•	•	•		•
2.	Gardening/landscaping service yard and work-shop		J						J
3.	Gardening/landscaping supply store	J	J		J	J	•		J
4.	Gift/card shop	•	•		•	•	•	E, G, U	•
5.	Golf, full range			•			G	G, U	G
6.	Grinding/sharpening service		•				•		•
7.	Grooming service, such as dog grooming	•	•		•	•	•		•
8.	Gun shop/gunsmith		•						
(Ord. No. 229, §1, 5-26-93; Ord. No. 11-388, § 14, 12-14-2011; Ord. No. 14-409, § 7, 8-13-2014)									
H.									
1.	Hardware store	•	•		•	•	•		
2.	Hay, seed, and grain store		•				J		J
3.	Hearing aids sales and service	•	•		•	•	•	U	•
4.	Hospital						K	U	K
5.	Hotel		K	•			K	U	K
6.	Hotel, restaurant equipment sales		•				•		•
7.	Hotel, single room occupancy							K, U	
(Ord. No. 11-388, § 14, 12-14-2011; Ord. No. 14-409, § 7, 8-13-2014)									
I.									
1.	Interior decorator's office	•	•		•	•	•	•	•
2.	Interior decorator's service yard and workshop		J				J		J
3.	Internet cafe	•	•		•	•	•	U	
(Ord. No. 04-325, §1, 8-25-2004; Ord. No. 11-388, § 14, 12-14-2011; Ord. No. 14-409, § 7, 8-13-2014; Ord. No. 14-409, § 7, 8-13-2014)									
J.									
1.	Janitor service		•				•	•	•
2.	Jewelry store, sales, repair	•	•		•	•	G	G, U	G
(Ord. No. 11-388, § 14, 12-14-2011; Ord. No. 14-409, § 7, 8-13-2014)									
L.									
1.	Labor union center		•				•		•
2.	Laboratory, medical, dental or optical		•				•	E,U	•
3.	Laboratory, research, analysis						•		•
4.	Laboratory, materials testing						•		•
5.	Lapidary shop	•	•		•	•			

6.	Laundromat, self-service	•	•		•	•			
7.	Laundry or cleaning agency, retail (on-site cleaning permitted)	•	•		•	•	G	G, U	G
8.	Laundry or cleaning pickup station	•	•		•	•	•		•
9.	Laundry or cleaning plant, wholesale facility						•		•
10.	Lawn mower engine and garden power tool repair	D	•		D	D	D		D
11.	Library	S	S		S	S	S	S	S
12.	Liquor store	W	W		W	W	W	W	W
13.	Live entertainment	T	T	K	T	T	T	T, U	T
14.	Live entertainment, adult	Q	Q		Q	Q	Q	Q, U	Q
15.	Live theater	K	K		K	K	K	Y, U	
16.	Live theater, adult	Q	Q		Q	Q	Q	Q, U	Q
17.	Locksmith/key and lock	•	•		•	•	•	U	•
18.	Lodge/fraternal hall	M	M		M	M	M		M
19.	Lumber and building material sales	A	J		A	A	J		J
(Ord. No. 09-362, § 2, 7-8-09; Ord. No. 11-388, § 14, 12-14-2011; Ord. No. 14-409, § 7, 8-13-2014)									
M.									
1.	Machine shop		J				•		•
2.	Mail order business, retail outlet	•	•		•	•	•		•
3.	Massage establishment	L	L		L	L	L	L	L
4.	Messenger service	•	•		•	•	•	•	•
5.	Military surplus store	•	•		•	•	•		•
6.	Motion picture theater	K	K		K	K	K	K, U	K
7.	Motion picture theater, adult	Q	Q		Q	Q	Q	Q, U	Q
8.	Motel		K				K	K, U	K
9.	Motion picture filming, temporary	H	H	H	H	H	H	H	H
10.	Motorcycle, sports cycles, trail bikes, jet skis, snowmobile and moped sales and rent, service, repair and dismantling	D	D		D	D	D		D
11.	Moving and storage service						•		•
12.	Museum	•	•	•	•	•	•	•	•
13.	Music store, including music sales and instrument sales and repair	•	•		•	•	•		
(Ord. No. 11-388, § 14, 12-14-2011; Ord. No. 11-392, § 6, 1-11-2012; Ord. No. 14-409, § 7, 8-13-2014)									
N.									
1.	Newspaper, magazine, book printing plant						•		•
2.	Newspaper/magazine stand	•	•		•	•	E, G	E, G	E, G
3.	Nursery, plants	J	J		J	J	J		J
(Ord. No. 11-388, § 14, 12-14-2011; Ord. No. 14-409, § 7, 8-13-2014)									
O.									
1.	Office, business or professional	•	•		•	•	•	•	•
2.	Office, collection, counseling, personnel	•	•		•	•	•	•	•
3.	Office, insurance	•	•		•	•	•	•	•

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4.	Office, medical or dental	•	•		•	•	•	•	•
5.	Office, public relations or advertising	•	•		•	•	•	•	•
6.	Office, real estate	•	•		•	•	•	•	
7.	Office accountants, bookkeepers	•	•		•	•	•	•	•
8.	Office machines and equipment sales	•	•		•	•	•	•	•
9.	Ornamental rock sales and related storage		J						
(Ord. No. 130, § 5, 7-29-1987, Ord. No. 207, § 2, 4-8-1992, Ord. No. 11-388, § 14, 12-14-2011; Ord. No. 14-409, § 7, 8-13-2014)									
P.									
1.	Paint and wallpaper store	•	•		•	•	•		•
2.	Pest control service				•		I		I
3.	Pet store, no kennel	•	•		•	•			
4.	Photocopy service	•	•		•	•	•	E	•
5.	Photographic supply/camera store	•	•		•	•	•		•
6.	Photographic processing plant, wholesale facility						•		•
7.	Photographic studio, including incidental processing	•	•		•	•	•	•	•
8.	Physical fitness club	•	•	•	•	•	•	K	•
9.	Picture framing shop	•	•		•	•	•		•
10.	Pool table sale and repair service	•	•		•	•	•		•
11.	Portable swimming pool supply sales	J	J		J	J	J		J
12.	Power tool sales, repair	C	•		C	C	•		•
13.	Prescription pharmacy	•	•		•	•		E, U	
14.	Printing plant						•		•
15.	Print shop	•	•		•	•	•		•
16.	<u>Private garage, collector motor vehicle</u>		<u>GG,</u> <u>K</u>						
<u>17.</u> 16.	Psychiatric facility, outpatient	K			K		K	K, U	K
<u>18.</u> 17.	Public and government uses within privately owned buildings, facilities, grounds	S	S		S	S	S	S	S
<u>19.</u> 18.	Public utility and public service	K	K	K	K	K	K	K, BB	K
(Ord. No. 252, §1, 6-28-95; Ord. No. 07-343, § 2, 2-28-2007; Ord. No. 11-387, § 5, 8-24-2011; Ord. No. 11-388, § 14, 12-14-2011; Ord. No. 14-409, § 7, 8-13-2014)									
R.									
1.	Recreation facility, indoor	•	•	K	•	•		K, U	K
2.	Recreation facility, outdoor			AA				G, U	G
	a. Miniature golf								
	Incidental and compatible outdoor recreational uses, such as batting cages, boats and miniature cars, may be permitted, along with the								

		miniature golf use if such uses are part of an integrated entertainment center							
	b.	Batting cage facility, primary use		AA, CC					
3.		Recreation vehicle storage		V					
4.		Recycling center	J, K	J, K		J, K	J, K	J, K	J, K
5.		Remote teller, for pedestrian use	B	B		B	B	B	B
6.		Research and development					•	E	•
7.		Residence of a caretaker, proprietor or owner of a permitted use		M			FF		FF
8.		Resorts			•		•	K, U	•
9.		Restaurant/ cafe	•	•	•	•	•	•, U	•
10.		Retail store	•	•		•	•		
11.		Residential care facility of the elderly		K				K	
(Ord. No. 203, § 2, 9-25-91; Ord. No. 229, §1, 5-26-93; Ord. No. 97-269, § 1, 3-5-97; Ord. No. 97-274U, § 4, 4-16-97; Ord. No. 98-271, § 1, 4-22-98; Ord. No. 00-305, §1, 1-10-2001; Ord. No. 99-299, § 2, 11-17-99; Ord. No. 00-305, § 1, 1-10-2001; Ord. No. 11-388, § 14, 12-14-2011; Ord. No. 14-409, § 7, 8-13-2014)									
S.									
1.		Saddlery shop	•	•		•	•		
2.		Salon: hair, nails	•	•		•	•	E, U	•
3.		School, business	•	•		•	•	•	U
4.		School, modeling, acting	•	•		•	•	•	U
5.		School, college and university	K	K		K	K	K	K, U
6.		School, private K-6						K	
7.		School, private high school						K	K
8.		School, trade	•	•		•	•	•	U
9.		School, vocational	•	•	•	•	•	•	U
10.		Shoe repair shop	•	•		•	•	•	E, U
11.		Shoe shine establishment	•	•		•	•	E, G	E, G, U
12.		Shoe store	•	•		•	•		
13.		Snack shops: ice cream, frozen yogurt, coffee, juice	•	•	•	•	•	•	E, U
14.		Sporting goods and athletic equipment store	•	•	•	•	•	•	
15.		Stamp/coin store	•	•		•	•		
16.		Stationery store	•	•		•	•	•	E, U
17.		Storage building, mini		V				V	V
18.		Storage and warehouse uses:							
	a.	Wholesaling and warehousing						V	V
	b.	Automobile and recreational vehicle storage						V	V

	c.	Storage building, mini		V				V		V
	d.	Moving and storage service						J		J
19.		Studio: voice, music	•	•	•	•	•	•		
20.		Studio: dance, yoga	•	•	•	•	•	•	K	K
21.		Studio: martial arts, gymnastics	•	•	•	•	•	•	U	•
22.		Studio: radio, television, recording	•	•		•	•	•	•	•
23.		Supermarket/food store	•			•	•			
24.		Swimming pool, spa - sales and service	D	J		D	D	J		
(Ord. No. 174, 8-22-90; Ord. No. 11-388, § 14, 12-14-2011; Ord. No. 14-409, § 7, 8-13-2014)										
T.										
1.		Tailor	•	•		•	•	G	G, U	G
2.		Taxicab service and storage facility		J						
3.		Taxidermist		•				K		K
4.		Telephone answering service	•	•		•	•	•	•	•
5.		Television and radio sales	•	•		•	•	•		
6.		Television and radio repair shop	A	•		A	A	•		•
7.		Temporary uses	R	R	R	R	R	R	R, U	R
8.		Ticket agency	•	•		•	•	G	E, G, U	G
9.		Tobacco shop	•	•		•	•	G	E, G, U	G
10.		Tool reconditioning		J				J		J
11.		Towing service, office only		•				K	K	K
12.		Toy store	•	•		•	•			
13.		Travel trailer/mobile-home, motor home, camper sales, rent, storage		V						
14.		Travel trailer, mobile home, camper, motor home, repair or service		V						
15.		Travel agency	•	•		•	•	•	U	•
16.		Tree service		J						
17.		Trophy/emblem store	•	•		•	•			
18.		Truck sale or rent		J						
(Ord. No. 11-388, § 14, 12-14-2011; Ord. No. 14-409, § 7, 8-13-2014)										
U.										
1.		Utility trailer rental, service, sales	J				J			
2.		Utility trailer or truck, rent or storage as ancillary to service stations							J, U	J
(Ord. No. 11-388, § 14, 12-14-2011; Ord. No. 14-409, § 7, 8-13-2014)										
V.										
1.		Veterinarian/animal hospital		K				•		•

(Ord. No. 11-388, § 14, 12-14-2011; Ord. No. 14-409, § 7, 8-13-2014)									
W.									
1.	Welding shop						J		J
2.	Watches, sale, repair	•	•		•	•	G	E, G, U	G
3.	Wholesale distributor's service						J		J
4.	Wholesale store		•				•		•
5.	Wig sales and service	•	•		•	•			
6.	Winery and beer sales facility/tasting room	W	W		W	W	W		W
7.	Wireless telecommunications collocation facility	BB	BB	BB	BB	BB	BB	BB	BB
8.	Wireless telecommunications facility	BB	BB	BB	BB	BB	BB	BB	BB
(Ord. No. 170, § 1, 5-9-90; Ord. No. 227, § 1, 3-24-93; Ord. No. 09-362, § 2, 7-8-09; Ord. No. 11-387, § 4, 8-24-2011; Ord. No. 11-388, § 14, 12-14-2011; Ord. No. 14-409, § 7, 8-13-2014)									
• Permitted Use									

9312.3. Special conditions.

The following special conditions apply to the uses indicated by the corresponding letter in table I described in section 9312.2:

- A. Permitted as an incidental sales operation in conjunction with a permitted retail sales use provided the entire sales operation takes place within a completely enclosed building.
- B. Permitted as an incidental service function intended to satisfy the normal operating needs of a permitted retail use on the property. An independent servicing facility oriented toward generating its trade from the general public is not permitted in this zone.
- C. Permitted as an incidental service in conjunction with a permitted retail sales or automobile service station operation provided all adjustments and installations are conducted completely within an enclosed building. Permitted as the principal use of the premises subject to issuance of a conditional use permit.
- D. Sale, installation and serving are permitted provided the use is conducted completely within an enclosed building. The reconditioning of used merchandise for resale is permitted as an incidental use. Reconditioning of used merchandise for resale as the principal use of the premises is permitted subject to issuance of a conditional use permit.
- E. Permitted as an incidental service in an office complex. The primary entrance to such facility shall be from within a main building or from an interior court.
- F. Permitted only if specific approval is granted by the planning commission. Such approval may specify location, time period, hours, lighting, parking and related conditions of operation.
- G. Permitted as an incidental service in a hotel or motel.
- H. Permitted subject to special permit procedures under other provisions of the Municipal Code.
- I. Permit provided storage is within an enclosed building.

-
- J. Permitted if the entire operation, including parking and storage of vehicles used in connection with the operation, is conducted within a completely enclosed building or within a walled area on the buildable area of the lot, pursuant to the outdoor display and storage provisions of chapter 6.
 - K. Permitted subject to the issuance of a conditional use permit by the planning commission.
 - L. Permitted subject to the provisions of section 9662 et seq. and provided the following condition is met: no more than two (2) massage establishments are allowed within a one-thousand-foot radius of one another.
 - M. Permitted subject to issuance of a conditional use permit by the zoning administrator.
 - N. Reserved.
 - O. Reserved.
 - P. Reserved.
 - Q. Such use is permitted by a conditional use permit subject to the required finding as stated in section 9673.7 being made.
 - R. Permitted subject to the issuance of a temporary use permit by the zoning administrator.
 - S. All government- and publicly-owned and/or operated uses within privately-owned buildings, facilities, and property will be regulated as provided for in this Code for the proposed use as if it were a permitted private use.
 - T. Permitted in bars and restaurants which are licensed to serve alcoholic beverages subject to the issuance of a conditional use permit by the planning commission.
 - U. A permitted use in the BP-OR only west of Palo Comado Canyon Road.
 - V. Permitted subject to conditional use permit from the planning commission if the following conditions are met:
 - 1. No similar use is within five thousand (5,000) feet of the subject parcel, or within six hundred sixty (660) feet of the freeway right-of-way; and
 - 2. Only within an enclosed building; and
 - 3. Must be for more than five (5) vehicles.
 - W. Such use is permitted by a conditional use permit subject to the required findings as stated in sections 9396.3 and 9673.2.E being made. Off-sale alcoholic beverage establishments prohibited in the FC overlay district, except as provided in section 9542.1.
 - X. Reserved.
 - Y. Reserved.
 - Z. Reserved.
 - AA. Permitted subject to issuance of a conditional use permit by the planning commission, pursuant to the provisions of chapter 3, standards for specific uses.
 - BB. Permitted subject to issuance of either a minor conditional use permit or a conditional use permit as specified in division 11 "wireless telecommunications facilities" of this part, beginning at section 9661 and subject to the required findings as stated in that division.
 - CC. A permitted use in the CRS-FC-OA zone west of Lewis Place, east of Cornell Road, north of Agoura Road and south of Roadside Drive.

DD. A permitted use in the BP-M zone for parcels located south of the 101 Freeway, subject to the issuance of a conditional use permit by the planning commission.

EE. Permitted if the following standards are met:

1. The maximum number of occupants to be served shall not exceed twenty (20);
2. A minimum distance of three hundred (300) feet shall be maintained from any other emergency shelter;
3. The maximum stay at the facility shall not exceed ninety (90) days in a three hundred sixty-five-day period;
4. Clients shall only be on site and admitted to the facility between 5:00 p.m. and 8:00 a.m.;
5. An interior waiting and intake area shall be provided which contains a minimum of two hundred (200) square feet. If not feasible to locate internally, an exterior waiting area shall be provided which contains a minimum of ten (10) square feet per bed provided at the facility; shall be in a location not adjacent to the public right-of-way; and shall be visibly separated from public view by a minimum six-foot-tall visual screening;
6. A minimum of one (1) employee per fifteen (15) beds, in addition to any security personnel, shall be on duty and remain on site during operational hours;
7. Security personnel shall be provided during operational hours and when people are waiting outside;
8. Exterior lighting shall be provided for the entire outdoor area of the site, consistent with the provisions of this article and the city lighting standards and guidelines;
9. Parking shall be provided at a ratio of one (1) space per two hundred fifty (250) square feet of building area, consistent with parking requirements for retail commercial uses in the CRS zone;
10. The operator of the facility shall provide, at the city's request, an annual report of the use of the facility and demonstration of compliance with the city's development standards for the use.

FF. Permitted only on property with an existing valid nonconforming use permit for mini self-storage, and subject to issuance of a conditional use permit by the zoning administrator.

GG. Permitted if the entire operation, including parking and storage of vehicles including vehicle parts used in connection with the operation, is conducted within a completely enclosed building.

(Ord. No. 130, § 4, 7-29-87; Ord. No. 229, § 2, 5-26-93; Ord. No. 252, § 2, 6-28-95; Ord. No. 00-305, § 2, 1-10-2001; Ord. No. 09-361, § 1, 5-26-2009; Ord. No. 09-362, § 2, 7-8-2009; Ord. No. 11-383, § 19, 3-9-2011; Ord. No. 11-387, § 6, 8-24-2011; Ord. No. 11-388, § 14, 12-14-2011; Ord. No. 11-392, § 7, 1-11-2012; Ord. No. 13-399, § 5, 2-27-2013; Ord. No. 14-405, § 3, 2-26-2014; Ord. No. 14-412, § 3, 1-14-2015; Ord. No. 16-422, § 3, 4-27-2016)

9313—9320. Reserved.

EXHIBIT C

Proposed Modifications to Chapter 3 (Commercial
Retail Services)

PART 4. CRS COMMERCIAL RETAIL/SERVICE DISTRICT

9331. Purpose.

The purpose of the CRS district is to provide areas for a diversity of general commercial, retail and service uses. It is intended that this district provide for the needs of the residents of the city and the surrounding area. The uses shall exhibit a high level of architectural and site design quality, providing a positive experience for visitors and community residents, and fostering business activity.

(Ord. No. 11-388, § 18, 12-14-2011)

9332. Uses established.

The limitations as to uses and structures in the CRS district shall be as follows:

9332.1. Permitted uses.

Subject to the provisions of section 9301 et seq. and 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 the commercial use tables (section 9311 et seq. of this chapter). The entire business operation shall be conducted within a completely enclosed building or within the buildable area of the lot.

9332.2. Prohibited uses.

Any use or structure not specified in section 9332.1 shall be prohibited in the CRS district.

9333. Development standards.

Subject to the provisions of sections 9903, 9391 et seq. and chapter 6, the following development standards shall apply in the CRS district.

9333.1. Minimum lot specifications.

All lots hereafter created shall contain the following:

- A. Minimum lot area: Ten thousand (10,000) square feet.
- B. Minimum lot width: One hundred (100) feet.
- C. Minimum depth: One hundred (100) feet.

9333.2. Building coverage.

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

9333.3. Building height.

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

9333.4. Yards.

The minimum yard requirements shall be as follows:

- A. Minimum front yard: Equal to height of building or minimum of twenty (20) feet;
- B. Minimum side yard: None except when adjacent to a residential district or public street: Ten (10) feet;
- C. Minimum rear yard: Equal to the height of the building or minimum of ten (10) feet.

9333.5. Required landscaping.

A minimum of ten (10) 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 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 inches in size per fifteen thousand (15,000) square feet of building shall be provided within said areas or at alternate locations as approved by the city;
- C. Landscaping shall minimize the visual dominance of the parking areas, shall complement on-site pedestrian circulation, and serve to reduce pavement temperature; and
- D. No other usage or storage shall be permitted within any required landscaping.

(Ord. No. 11-388, § 19, 12-14-2011)

9333.6. 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.

9333.7. Access.

Access shall be as approved by the planning commission.

9333.8. Warehousing and storing limitation.

Except for miniwarehouses **and private garage, collector motor vehicle**, the amount of storage or warehousing related to the principal use shall not exceed fifty (50) percent of the gross floor area of any building. This provision shall not apply to permitted uses that involve outdoor storage that comply with the outdoor storage provisions of section 9301 et seq.

9333.9. Required amenities.

- A. Clearly articulated pedestrian paths through parking lots to the businesses.
- B. Pedestrian pathways connecting adjoining neighborhoods and districts.

(Ord. No. 11-388, § 20, 12-14-2011)

9333.10. 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 into 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 in areas adjacent to the residential neighborhoods.

(Ord. No. 11-388, § 20, 12-14-2011)

9334—9340. Reserved.

EXHIBIT D

Proposed Modifications to Chapter 5 (Freeway
Corridor)

PART 5. FC FREEWAY CORRIDOR OVERLAY DISTRICT

9541. Purpose.

The purpose of the freeway corridor overlay district shall be to recognize the importance of the land use, architectural design, and appearance of development within the freeway corridor to the city's image, to establish special design guidelines for all development within said areas, and to establish findings that will ensure that future developments are compatible with the city's historic character.

The areas within the freeway corridor overlay district are "gateways"; they are seen first by visitors and residents as they pass through the city, and as they exit the freeway to enter the city. These areas are of crucial importance in establishing the city's identity and character in the minds of visitors and residents.

(Ord. No. 98-278, § 1, 1-14-98)

9541.1. Corridor standards.

All development in the FC overlay district shall provide for:

- A. The use of naturalistic and native landscaping, particularly native oaks, throughout the development;
- B. Preservation of key distant vistas, such as the Santa Monica Mountains and the Simi Hills;
- C. Preservation of local landmarks in terms of visibility, including Ladyface Mountain and Strawberry Hill;
- D. Preservation of designated open space corridors and trails;
- E. Installation and maintenance of landscaping, including street trees, center median treatment and parkway treatment;
- F. Use of compatible colors and materials to preserve and enhance the scenic quality of the freeway corridor;
- G. Total screening of all unsightly uses with berms, decorative walls and/or landscaping.

9542. Permitted uses.

Except for the following, all uses permitted in the underlying district shall be permitted in this district.

9542.1. Prohibited uses.

In addition to the prohibited uses in the underlying district, the following are prohibited in the FC overlay district:

- A. Cabarets, adult book stores, adult entertainment, adult theater and similar adult uses, outdoor displays except new car franchise dealerships, mini storage facilities and yards except for private garages for collector motor vehicles, truck and equipment rentals, and the like.
- B. Off-sale alcoholic beverage establishments. This section shall not apply to the wholesale sale of alcoholic beverages or to the sale of alcoholic beverages which are wrapped or otherwise enclosed in a sealed container and sold as part of a gift package or other goods, only where there is no public display

of alcoholic beverages where the sale of such items is incidental to the primary business on the premises, and where the sales of such items do not exceed fifteen (15) percent of the gross sales of the business at said location. This section shall also not apply to supermarket/food stores with a floor area greater than ten thousand (10,000) square feet.

(Ord. No. 130, § 1, 7-29-87; Ord. No. 150, § 1, 5-11-88; Ord. No. 09-362, § 4, 7-8-09)

9543. Distance limitations.

The FC overlay district shall be applied only to six hundred sixty (660) feet north and south of the right-of-way edge of the Ventura (101) Freeway.

9544. Development standards.

Whichever is greater, the development standards of the underlying district or the following shall apply:

9544.1. Relation to the freeway.

All development adjacent to the freeway in the FC overlay district shall provide for:

- A. A setback of all structures from the freeway right-of-way of one (1) foot for each two (2) feet of building height, with a minimum of twenty (20) feet, for one (1) story, and two (2) feet of setback per one (1) foot of building height for any building taller than twenty (20) feet.
- B. The installation and maintenance of landscaping and automatic irrigation system in the freeway right-of-way, subject to the approval of the city and California Department of Transportation. If such installation is not possible, then the equivalent landscaping shall be provided on the subject property.
- C. The provision of a six-foot high decorative wall or equivalent berming and planting for the full frontage of the freeway.

9545. Conditional uses.

The following development shall be subject to the issuance of a conditional use permit pursuant to Agoura Hills Municipal Code Sections 9545.1 and 9673, et seq.:

- A. The development either:
 - (i) Includes a freestanding structure with a total building area of sixty thousand (60,000) square feet or more; or
 - (ii) Includes structures with a cumulative total building area of one hundred thousand (100,000) square feet or more;

AND

- B. The development is located, in part or in full, in the CS, CR or CRS zones of the FC overlay district.

For the purposes of this section, in order for a structure to be considered "freestanding" it should have sufficient distance from an adjacent structure to provide separate visual identity.

(Ord. No. 98-278, § 2, 1-14-98)

9545.1. Findings.

In addition to the findings required by Agoura Hills Municipal Code Section 9673.2.E, the planning commission shall make the following findings before granting a conditional use permit:

1. The project is compatible with the city's semi-rural character and does not overwhelm the city's low-intensity development style.
2. The project's features and space enhance the site so that the buildings are integral parts of the community fabric. To the maximum extent feasible, taking into consideration more than just economic feasibility, the project is situated on the site to maximize the views of the city's points of natural scenic beauty, such as Medea Creek, Ladyface Mountain or Strawberry Hill.
3. Parking areas provide safe and convenient access. Parking areas are situated on the site and landscaped to avoid vast expanses of uninterrupted parking spaces. A parking study shall be prepared to determine parking adequacy.
4. The site design works with the characteristics of the existing terrain and maximizes preservation of open space to the maximum extent feasible, taking into consideration more than just economic feasibility. The existing terrain and natural contours have been incorporated into the site plan design to maximum extent feasible, taking into consideration more than just economic feasibility. Where features of special interest such as hillsides, streams, or oak trees exist on the project site, they have been integrated into the design. The planning commission has the discretion to impose conditions as it may deem to be necessary to minimize and mitigate grading, the use of retaining walls, and the use of large flat pads.
5. The project design avoids or mitigates significant impacts to sensitive or endangered plants and animals and sensitive plant communities such as oak woodlands or riparian habitat.
6. The development design conveys the high quality image envisioned in the general plan. Views of the site from the freeway, city gateways, and abutting residential areas compliment and enhance the city's low intensity and semi-rural character. Line of sight studies shall be prepared to determine the visual impacts of the project.
7. Building facades are articulated on all sides: There are no long, unbroken facades. The building facades are of natural, non-reflective or low-reflective materials such as wood, stone, brick, or textured concrete. The building's predominant colors are subtle, neutral, or earth tone. Variations in roof lines are used to add interest to and reduce the massive scale of large buildings. Roof features compliment the character of adjoining neighborhoods.
8. Landscaping compliments the natural setting of the region.
9. Traffic, light, noise, and other environmental impacts shall be mitigated to the maximum extent feasible, taking into consideration more than just economic feasibility. A project shall not be approved if, after implementation of any required traffic mitigation measures, the project's traffic will significantly reduce the existing level of service on any local street in a residential neighborhood. A traffic study shall be prepared to determine impacts and identify mitigation measures.
10. If any point on any lot line of any parcel on which the development is proposed to be located is within five hundred (500) feet of any point on any lot line of any residentially zoned property (including property in any open space district in which residential uses are permitted or conditionally permitted), the project is compatible with residential uses. This finding is imposed in recognition of the impact of such developments on residential uses, including impacts on local street traffic, noise, light, security, view corridors, and other environmental impacts. The planning commission has the discretion to

impose such conditions as it may deem to be necessary to ensure compatibility with residential uses, including but not limited to conditions relating to:

- (i) The size, scale and configuration of the development;
- (ii) Glare on residential properties from outdoor lighting;
- (iii) Noise from loading docks, parking areas, and other outdoor areas of the development;
- (iv) Security in the neighborhood;
- (v) Traffic and circulation in the neighborhood;
- (vi) Landscaping and other design features to buffer the aesthetic impacts on residential properties;
and
- (vii) Other environmental impacts.

(Ord. No. 98-278, § 2, 1-14-98)

9546—9550. Reserved.