

ORDINANCE NO. 07-343

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA AMENDING SECTION 9678 THROUGH 9678.2 (TEMPORARY USES) AND SECTIONS 9312.2 (COMMERCIAL USE TABLE) AND SECTIONS 9212.4, 9222.3, 9232.3, 9242.3, 9252.3 AND 9262.3 (RESIDENTIAL LAND USE DISTRICTS) RELATING TO TEMPORARY USES

THE CITY COUNCIL OF THE CITY OF AGOURA HILLS ORDAINS AS FOLLOWS:

SECTION 1. Sections 9678 through 9678.2 are amended in their entirety to read:

“9678. Temporary use permit; purpose.

The temporary use permit is established because certain temporary activities may be appropriate at specific locations, but would be inappropriate on a permanent basis. The intent of the temporary use permit is to provide for such temporary activities. It is further the intent to avoid incompatibility between such temporary uses and the surrounding area by regulating such short term land use activities to prevent or mitigate adverse effects associated with or resulting from such temporary uses. The maximum period for any temporary use permit shall be one (1) year, unless otherwise indicated in section 9678.1.

9678.1. Uses permitted subject to temporary use permit.

The following uses require a temporary use permit:

- A. Temporary structures such as model homes, real estate sales offices, construction trailers and mobile homes used as residence during construction. These structures are allowed up to one year during the construction of a project when a valid building permit is in force.
- B. Seasonal sales lots such as Christmas tree and pumpkin lots are allowed for up to three months.
- C. Non-profit or community special events such as carnivals, fairs and festivals and other similar events conducted by or for a recognized nonprofit or charitable community group not over seventy-two (72) consecutive hours..
- D. Outdoor sales and special events by existing businesses in the City including parking lot sales. Only merchandise customarily sold on the premises by an existing established business shall be displayed and sold. Such events shall not exceed six (6) calendar days or two (2) events per calendar year.
- E. Storage of materials incidental to the carrying on of a City of Agoura Hills public works project.
- F. Motion picture filming not exceeding seven (7) consecutive days.
- G. Temporary parking on undeveloped adjacent lots.

- H. Recreational, cultural or civic uses that are community service oriented and benefit the community as a whole may be permitted for periods longer than one (1) year subject to approval of the Planning Commission.
- I. Other temporary uses, which in the opinion of the director, are compatible with the intent and purpose of this Chapter.

(Ord. No. 142, § 8, 12-9-87; Ord. No. 217, § 1, 8-26-92)

9678.2. Application procedures.

Applications for a temporary use permit shall conform to the following:

- A. *Application--Filing.* Any person desiring a temporary use permit may file an application with the director, except that no application shall be filed or accepted if final action has been taken within six (6) months prior thereto by either the director or the planning commission to deny an application for the same or substantially the same permit.
- B. *Application--Contents.* An application for a temporary use permit shall include the following information and documents:
 - 1. The name and address of the applicant and the operator of the temporary use, if different, and if any persons designated by the applicant as his agents for service of process;
 - 2. The name and address of all persons owning a possessory interest in any or all of the property to be used for the temporary use;
 - 3. Evidence that the applicant of a temporary use permit:
 - a. Is the owner of the lot or parcel of land involved; or
 - b. Has written permission of the owner or owners to make such application;
 - 4. The location of the subject property (address or vicinity);
 - 5. The legal description of the subject property involved;
 - 6. The legal name of the organization that is conducting or sponsoring such temporary use and such other material as may be necessary to determine eligibility to file;
 - 7. The precise nature of the temporary use requested;
 - 8. A site plan of the proposed temporary use drawn to a scale satisfactory to, and in the number of copies prescribed by the director, indicating:
 - a. The area and dimensions of the proposed temporary use site;
 - b. The location, area and hours of operation for each activity associated with the temporary use permit;

- c. The locations and dimensions of all existing and proposed temporary buildings and structures including roads, streets, highways, parking and loading facilities, and signs, on the site where the temporary use is requested;
 - d. The location of all existing roads intended to provide access to major or secondary highways and parkways;
 9. The operating practices proposed to be used by the operator to mitigate noise, dust, contaminants, garbage, and vibration associated with and as a result of the proposed temporary use;
 10. Evidence that other permits and approvals required in compliance with the provisions of other applicable ordinances have been applied for or secured;
 11. Such other information as the director may require. The director may waive the filing of one or more of the above items where unnecessary to process the application of a temporary use permit.
- C. *Additional information.* In addition to the information required in the application, the applicant for a temporary use permit shall substantiate to the satisfaction of the director the following facts:
 1. That the operation of the requested use at the location proposed, and within the time period specified, will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare;
 2. That the proposed site is adequate in size and shape to accommodate such temporary use without material detriment to the use, enjoyment or valuation of the property of other persons located in the vicinity of the site;
 3. That the proposed site is adequately served by streets or highways having sufficient width and improvements to accommodate the kind and quantity of traffic that such temporary use will or could reasonably generate.
- D. *Fees required.* When a temporary use permit application is filed, it shall be accompanied by the filing fee as required by city council resolution.
- E. *Directors findings and determination.* The director shall not approve an application for a temporary use permit unless the director finds that the information set forth above is true. In addition, the director shall also find:
 1. That adequate temporary parking to accommodate vehicular traffic to be generated by such use will be available either on-site or at acceptable alternative locations.

2. That approval of a temporary use permit will not result in the use of a lot or parcel of land for a cumulative time period in excess of the maximum time period such temporary use may be authorized during any twelve-month period. The director shall deny an application for a temporary use permit where the information submitted by the applicant or otherwise obtained fails to substantiate such findings.

F. *Conditions of issuance.*

1. In approving an application for a temporary use permit, the director may impose such conditions as he deems necessary to insure that the permit will be in accord with the findings required by this section. These conditions may involve any pertinent factors affecting the operation of such temporary event or use including, but not limited to:
 - a. Requirement of temporary parking facilities including vehicular access and egress;
 - b. Regulation of nuisance factors such as, but not limited to, prevention of glare or direct illumination of adjacent properties, noise, vibrations, smoke, dust, dirt, odors, gases, garbage and heat;
 - c. Regulation of temporary buildings, structures and facilities including placement, height and size, limitations on commercial rides or other equipment permitted, the location of open spaces including buffer areas and other yards, and signs;
 - d. Regulation of operating hours and days including limitations on the duration of such temporary use to a shorter time period than the maximum period authorized;
 - e. Requirement of a performance bond or other surety to assure that any temporary facilities or structures used for such proposed temporary use will be removed from the site within forty-eight (48) hours following such event and the property will be restored to its original and neat condition. The director may designate a different time period and/or require cleanup of additional surrounding property at his discretion;
 - f. Requirement of a site plan indicating all details and data as prescribed in this article;
 - g. Requirement that the approval of the requested temporary use permit is contingent upon compliance with applicable provisions of other ordinances and other public agency requirements;
 - h. Such other conditions as will ensure that the operation of the proposed temporary use will be an orderly and efficient manner and in accord with the intent and purposes of this article.

2. In addition to such other conditions as the director may impose, it shall also be deemed a condition of every temporary use permit, that such approval shall not authorize the construction, establishment, alteration or enlargement of any permanent building, structure or facility.

G. *Parking facilities; conditions.*

1. In the granting of a temporary use permit, the director may authorize the temporary use of parking and related facilities established to serve permanent uses as follows, provided that such temporary usage is specifically authorized by the permit:
 - a. Joint usage of required automobile parking facilities established to serve a permanent use, provided owner or occupant of the permanent use or his authorized legal representative submits written consent, and it is determined by the director that such joint utilization will not have a substantially detrimental effect on the surrounding area;
 - b. Temporary occupation by a temporary use of a portion of parking facilities or structures established to serve a permanent use provided the owner or occupant of such use or his authorized legal representative submits written consent, and it is determined that such joint utilization will not have a substantially detrimental effect on the surrounding area.
2. The temporary reduction in required parking for such permanent use shall not be construed to require a variance with respect to the parking requirements of this article.

H. Appeals. An applicant or any interested person may file and appeal of the Director's decision with the Planning Commission within ten (10) calendar days of the rendering of such decision.

I. Revocation. A temporary use permit may be revoked pursuant to Section 9679."

SECTION 2. Section 9312.2 of the Agoura Hills Municipal Code is amended in its entirety to read:

"9312.2. Commercial Use Table I.

The following shall be Commercial Use Table I. Note: Since the mixed use district is the same as the business park office retail district, it is not provided for in this table.

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

	USE, SERVICE OR FACILITY	COMMERCIAL			BUSINESS PARK	
	Unless otherwise indicated, listings denote retail sales operations	CS	CRS	CR	BP-OR	BP-M
A.						
1.	Addressing and mailing service	B	B		X	X
2.	Advertising business office				X	X
3.	Alarm and warning systems sales and services	X	X			
3.5.	Alcohol, off-sale establishments	W	W	W	W	W
3.6.	Alcohol, on-sale establishments	K	K	K	K	K
3.65.	Alcohol, on-sale consumption as an incidental service to a bona fide eating establishment	X	X	X	X	X
4.	Ambulance service		K			K
5.	Animal hospital/veterinarian		X			X
6.	Antique store	X	X			
7.	Appliance store	X	X			
8.	Appliance repair shop	X	X			X
9.	Arcade, electronic, mechanical, video games, or internet arcade	K	K	K		
10.	Armored car service	X	X			X
11.	Art gallery	X	X			
12.	Art studio	X	X			X

13.	Assembly, light manufacturing					X
14.	Athletic equipment and sporting goods store	X	X			
15.	Auto sales; new and used		J			K
16.	Auto rental or lease agency	J	J		J, U	
17.	Auto wholesaler, office only (no on-site storage of vehicles)		X		X	
18.	Auto service station, primary	X	X		K, U	X
19.	Auto, minor service, repair, replacement					
	a. Automatic transmission	C	X			X
	b. Auto tire sales, service	C	X			X
	c. Auto seat covers, reupholstery shop	C	X			X
	d. Auto battery and ignition	C	X			X
	e. Auto radio, stereo, CB	X	X			X
	f. Auto radiator replacement, service		X			X
	g. Auto muffler, replacement, service		X			X
	h. Auto electric (starter-generator) replacement, service	C	X			C
	i. Auto brake replacement,	C	X			C

		service				
	j.	Auto minor repair, services, adjustments	C	X		C
	k.	Auto trailer hitch installation	C	X		C
	l.	Auto diagnosis and tune-up	C	X		C
	m.	Auto detailing (servicing and cleaning for resale)	C	X		X
	n.	Auto glass installation and sales	C	X		X
20.	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
21.	Auto storage, antique			J		X
22.	Auto parts and accessory store		X	X		X
23.	Auto wash, self service or automatic			X		X
(Ord. No. 207, § 1, 4-8-92; Ord. No. 229, § 1, 5-26-93; Ord. No. 04-325, § 1, 8-25-2004)						
B.						
1.	Bakery/pastry shop		X	X		
2.	Bakery, wholesale					X

3.	Bar/tavern	X	X		U	
4.	Bath house/sauna, turkish, steam			G	G, U	G
5.	Barbershop	X	X		E, U	X
6.	Beverage bottling works					X
7.	Bicycle sale, rent, service	X	X			
8.	Blueprinting/photostating service	X	X		X	X
9.	Boat sale, rent, service		I			
10.	Boat parts and accessories store	D	D			D
11.	Bookstore	X	X		U	X
12.	Bookstore, adult	Q	Q		Q, U	Q
13.	Building trades contractors office		X		X	X
14.	Building trades service yard		I			I
15.	Building material and lumber sales	C	I, J			I, J
16.	Business school	X	X		U	X
17.	Butcher and meat market	X	X			
18.	Butcher, wholesale, excluding slaughterhouse					X
C.						
1.	Cabinet shop		J			J
2.	Cafe/restaurant	X	X		U	X
3.	Candy store	X	X		U	X
4.	Cemeteries, crematories and columbarium and related facilities			K		
5.	Certified farmer's market		K			

6.	Child care center	Y	Y		U	X
7.	Church	K	K	K	K, U	K
8.	Clinic, child, family guidance	X	X		X	X
9.	Clinic, physical therapy	X	X		X	X
10.	Clothing and apparel store	X	X		G, U	G
11.	Coffee shop	X	X		U	X
12.	Coin operated amusement machine, incidental to a permitted use	X	X	X	X	X
13.	Coin operated dispense, collection of vending machines	X	X	X	X	X
14.	Community center/citizens improvement center	X	X	X	X	X
15.	Cold storage food locker		X			X
16.	Computer programming/software and system design	X	X		X	X
17.	Computer sales, rental, lease, and service, and training	X	X		X	X
18.	Condominium, commercial	X	X		X	X
19.	Convenience store/neighborhood market	X	X			K
20.	Costume shop, sale and rent	X	X			
21.	Curio/novelty shop	X	X		G, U	G
(Ord. No. 173, § 1, 8-22-90)						
D.						
1.	Dance hall, ballroom,	K	K	K	G, U	G

	discotheque					
2.	Dancing as an incidental use in a bar or restaurant	K	K	K	U	X
3.	Data processing service					X
4.	Delicatessen	X	X		U	X
5.	Delivery service				X	X
6.	Disinfecting/fumigating service					X
7.	Drafting service, including incidental white-printing	X	X		X	X
8.	Dressmaker	X	X		G, U	G
9.	Drive-in cafe	X	X			
10.	Drive-in dairy, excluding creamery	X	X			
11.	Drive-in food market	X	X			
12.	Driving school	J	J		J, U	J
13.	Drugstore	X	X		E, U	
E.						
1.	Electronic equipment store	X	X			X
2.	Electronic, mechanical or video games	X	X	G		X
3.	Equipment rental agency		J			J
3.5.	Emergency shelters	K	K			
4.	Eye glasses and frames, and contact lens sales and service	X	X		E, U	
(Ord. No. 240, § 12, 9-8-93)						
F.						
1.	Floor covering, drapery or upholstery store	X	X			X

2.	Florist	X	X		E, G, U	E, G
3.	Food market ancillary to service station	K	K		K	K
4.	Fortunetelling	H	H			
5.	Funeral establishment					X
6.	Furniture store	X	X			X
7.	Furniture cleaning, refinishing or reupholstery shop		X			X
8.	Furniture rental agency	X	X			X
G.						
1.	Garden equipment and tool sales	X	X			X
2.	Gardening/landscaping service yard and workshop		J			J
3.	Gardening/landscaping supply store	J	J			J
4.	Gift/card shop	X	X		E, G, U	X
5.	Golf, full range			X	G, U	G
6.	Grinding/sharpening service		X			X
7.	Grooming service, such as poodle grooming	X	X			X
8.	Gun shop/gunsmith		X			
(Ord. No. 229, § 1, 5-26-93)						
H.						
1.	Hardware store	X	X			
2.	Hay, seed, and grain store		X			J
3.	Hearing aids sales and service	X	X		U	X
4.	Hospital				U	K
5.	Hotel		K	X	U	K

6.	Hotel, restaurant equipment sales		X			X
7.	Household moving and storage service					X
I.						
1.	Interior decorator's office	X	X		X	X
2.	Interior decorator's service yard and workshop		J			J
3.	Internet Cafe	X	X		U	
(Ord. No. 04-325, § 1, 8-25-2004)						
J.						
1.	Janitor service		X		X	X
2.	Jewelry store, sales, repair	X	X		G, U	G
L.						
1.	Labor union temple		X			X
2.	Laboratory, medical, dental or optical		X		E, U	X
3.	Laboratory, research, analysis					X
4.	Laboratory, materials testing					X
5.	Lapidary shop	X	X			X
6.	Laundromat, self-service	X	X			
7.	Laundry or cleaning agency, retail (on-site cleaning permitted)	X	X		G, U	G
8.	Live entertainment	T	T	K	T, U	T
9.	Live entertainment, adult	Q	Q		Q, U	Q
10.	Laundry or cleaning pickup station	X	X			X

11.	Laundry or cleaning plant, wholesale facility					X
12.	Lawn mower engine and garden power tool repair	D	X			D
13.	Library	S	S		S	S
14.	Liquor store	X	X		G, U	G
15.	Live theater	K	K		Y, U	
16.	Live theater, adult	Q	Q		Q, U	Q
17.	Locksmith/key and lock	X	X		U	X
18.	Lodge/fraternal hall	M	M			M
19.	Lumber and building material sales	A	J			J
M.						
1.	Machine shop		J			X
2.	Mail order business, retail outlet	X	X			X
3.	Massage parlor	Q	Q		Q, U	Q
4.	Messenger service	X	X		X	X
5.	Military surplus store	X	X			X
6.	Motion picture theater	K	K		K, U	K
7.	Motion picture theater, adult	Q	Q		Q, U	Q
8.	Motel		K		K, U	K
9.	Motion picture filming, temporary	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
11.	Museum	X	X	X	X	X
12.	Music store, including instrument repair	X	X			

N.						
1.	Newspaper, magazine, book printing plant					X
2.	Newspaper/magazine stand	X	X		E, G	E, G
3.	Nursery, plants	J	J			J
O.						
1.	Office, business or professional	X	X		X	X
2.	Office, collection, counseling, personnel	X	X		X	X
3.	Office, bank, savings and loan, finance, loan, credit union	X	X		X	X
4.	Office, insurance	X	X		X	X
5.	Office, medical or dental	X	X		X	X
6.	Office, public relations or advertising	X	X		X	X
7.	Office, real estate	X	X		X	
8.	Office accountants, bookkeepers	X	X		X	X
9.	Office machines and equipment sales	X	X		X	X
10.	Ornamental rock sales and related storage		J			
(Ord. No. 130, § 5, 7-29-87; Ord. No. 207, § 2, 4-8-92)						
P.						
1.	Paint and wallpaper store	X	X			X
2.	Pest control service					I
3.	Pet store, no kennel	X	X			
4.	Photocopy service	X	X		E	X
5.	Photographic supply/camera store	X	X			

6.	Photographic processing plant, wholesale facility					X
7.	Photographic studio, including incidental processing	X	X		X	X
8.	Physical fitness studio	X	X	X	K	X
9.	Picture framing shop	X	X			X
10.	Pool table sale and repair service	X	X			X
11.	Portable swimming pool supply sales	J	J			J
12.	Power tool sales, repair	C	X			X
13.	Prescription pharmacy	X	X		E, U	
14.	Printing plant					X
15.	Print shop	X	X			X
16.	Psychiatric facility, outpatient		K		K, U	K
17.						
18.	Public and government uses within privately owned buildings, facilities and grounds	S	S		S	S
19.	Public utility and public service					
	a. Wireless telecommunication facilities				K, BB	K
	b. Other	K	K	K	K, U	K
(Ord. No. 252, § 1, 6-28-95)						
R.						
1.	Record store	X	X			X
2.	Recreation facility, indoor	X	X	K	K, U	K
3.	(Effective until 5/22/99)					

	Recreation facility, outdoor			AA	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.*					
3.	(Effective as of 5/22/99)						
	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			

(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)						
	Unless otherwise indicated, listings denote retail sales operations	CS	CRS	CR	BP-OR	BP-M
4.	Recreation vehicle storage		V			
5.	Recycling center	J, K	J, K			J, K
6.	Remote teller, for pedestrian use	B	B		B	B
7.	Research and development				E	X
8.	Residence of a caretaker, proprietor or owner of a permitted use		M			M
9.	Resorts			X	K, U	K
10.	Restaurant/cafe	X	X	X	X, U	X
11.	Retail store	X	X			
12.	Residential care facility for the elderly		K		K	
(Ord. No. 203, § 2, 9-25-91; Ord. No. 229, § 1, 5-26-93; Ord. No. 99-299, § 2, 11-17-99)						
S.						
1.	Saddlery shop	X	X			
2.	Sanitarium				K, U	K
*Editor's note--Ord. No. 97-269, § 1, adopted Mar. 5, 1997, an interim ordinance for a period of forty-five days, provided as follows:						
Section 1. All outdoor recreation facilities in the CRS (Commercial Retail/Service), CR (Commercial Recreation Land Use), BP-OR (Business Park-Office Retail) and BP-M (Business Park-Manufacturing) Zoning Districts shall include only miniature golf uses. Incidental outdoor recreation uses as described in Table I (R)3(a) of section 9312.2 of the Agoura Hills Municipal Code shall be prohibited during the term of this ordinance or any extensions thereof.						
Ord. No. 97-274U, § 4, adopted Apr. 16, 1997, provided that Ord. No. 97-269 be extended through and including January 1, 1998.						
Ord. No. 97-281U, § 5, adopted Dec. 17, 1997, provided that Ord. No. 97-274U be extended through and including January 1, 1999. Subsequently, Ord. No. 98-271, § 1, adopted Apr.						

22, 1998, amended subsection R.3 to read as herein set out, and § 3 of such ordinance provided that: Ord. No. 97-281U is repealed as of the effective date of this ordinance.

3.	School, business	X	X		U	X
4.	School, charm, culture	X	X		U	X
5.	School, college and university	K	K		K, U	K
6.	School, private K--6				K	
7.	School, trade	X	X		U	X
8.	School, self-defense, judo, boxing, gymnastics	X	X	X	U	X
9.	School, vocational	X	X		U	X
10.	Shoe repair shop	X	X		E, U	X
11.	Shoe shine parlor	X	X		E, G, U	E, G
12.	Shoe store	X	X			
13.	Soda fountain/ice cream parlor	X	X	X	E, U	
14.	Sporting goods and athletic equipment store	X	X	X		
15.	Stamp/coin store	X	X			
16.	Stationery store	X	X		E, U	X
17.	Stenographic service	X	X		X	X
18.	Storage building, mini		V			V
19.	Storage and warehouse uses:					
	a.	Wholesaling and warehousing				V
	b.	Automobile and recreational vehicle storage				V
	c.	Storage building, mini		V		V
	d.	Moving and storage service				J
20.	Studio; voice, music,	X	X	X		

	gymnastics					
21.	Studio; dance	X	X	X	K	K
22.	Studio; radio, television-- office only	X	X		X	X
23.	Supermarket/food store	X				
24.	Swimming pool, spa-- sales and service	D	J			
(Ord. No. 174, 8-22-90)						
T.						
1.	Tailor	X	X		G, U	G
2.	Taxicab service and storage facility		J			
3.	Taxidermist		X			K
4.	Telegraph office	X	X		X	X
5.	Telephone answering service	X	X		X	X
6.	Television and radio sales	X	X			
7.	Television and radio repair shop	A	X			X
8.	Temporary uses	R	R	R	R, U	R
9.	Ticket agency	X	X		E, G, U	G
10.	Tobacco shop	X	X		E, G, U	G
11.	Tool reconditioning		J			J
12.	Towing service, office only		X		K	K
13.	Toy store	X	X			
14.	Travel trailer/mobilehome, motor home, camper sales, rent, storage		V			
15.	Travel trailer, mobilehome, camper, motor home, repair or service		V			

16.	Travel agency	X	X		U	X
17.	Tree service		J			
18.	Trophy/emblem store	X	X			
19.	Truck sale or rent		J			
U.						
1.	Utility trailer rental, service, sales	J				
2.	Utility trailer or truck, rent or storage as ancillary to service stations				J, U	J
V.						
1.	Veterinarian/animal hospital		K			X
W.						
1.	Welding shop					J
2.	Watches, sale, repair	X	X		E, G, U	G
3.	Wholesale distributor's service					J
4.	Wholesale store		X			X
5.	Wig sales and service	X	X			
6.	Winery sales facility/tasting room	X	X			X
(Ord. No. 170, § 1, 5-9-90; Ord. No. 227, § 1, 3-24-93) “						

SECTION 3. Section 9212.4 (Residential-Rural District) of the Agoura Hills Municipal Code is amended in its entirety to read:

“9212.4. Uses subject to director's review and approval.

Once a conditional use permit is granted pursuant to section 9652 et seq., the following uses may be permitted subject to the approval of the director:

- A. Access to a lawfully permitted use in another land use district;
- B. Private equestrian and hiking trails;
- C. Private recreation clubs;
- D. Riding academies and stables;

- E. Temporary structures such as model homes, real estate sales offices, construction trailers and mobile homes used as residence during construction of a project when a valid building permit is in force;
- F. Temporary storage of materials and construction equipment related to a City public project; ;
- G. Utility facilities ancillary to residential development;.
- H. 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;.
- I. Motion picture filming not exceeding seven (7) consecutive days.”

SECTION 4. Section 9222.3 (Residential-Very Low Density District) of the Agoura Hills Municipal Code is amended in its entirety to read:

“9222.3. Uses subject to director's review and approval.

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

- A. Access to a lawfully permitted use in another land use district;
- B. Stands for the display and sale of any agricultural products lawfully produced on said lot;
- C. Private equestrian and hiking trails;
- D. Private recreation clubs; E. Riding academies and stables;
- E. Temporary structures such as model homes, real estate sales offices, construction trailers and mobile homes used as residence during construction of a project when a valid building permit is in force;
- F. Temporary storage of materials and construction equipment related to a City public works project;;
- G. Retaining walls two (2) feet or higher in height containing fill located within a required setback or within fifty (50) feet of an existing residence subject to the issuance of a site plan architectural review permit. This section shall apply only to retaining walls that face an abutting property;
- H. 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;
- I. Motion Picture Filming not exceeding seven (7) consecutive days.”

SECTION 5. Section 9232.3 (Residential-Low Density District) of the Agoura Hills Municipal Code is amended in its entirety to read:

“9232.3. 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. Access to a lawfully permitted use in another land use district;

- B. Temporary structures such as model homes, real estate sales offices, construction trailers and mobile homes used as residence during construction of a project when a valid building permit is in force;
- C. Temporary storage of materials and construction equipment related to a City public works project;
- D. Retaining walls two (2) feet or higher in height containing fill located within a required setback or within fifty (50) feet of an existing residence subject to the issuance of a site plan architectural review permit. This section shall apply only to retaining walls that face an abutting property;
- E. 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;.
- F. Motion picture filming not exceeding seven (7) consecutive days.”

SECTION 6. Section 9242.3 (Residential-Single Family) of the Agoura Hills Municipal Code is amended in its entirety to read:

“9242.3. 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. Congregate housing;
- B. Any on-or off-site transport, grading projects of more than twenty-five thousand (25,000) cubic yards;
- C. Temporary structures such as model homes, real estate sales offices, construction trailers and mobile homes used as a residence during construction of a project when a valid building permit is in force;
- D. Temporary storage of materials and construction equipment related a City public works project;
- E. 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.
- F. Motion picture filming not exceeding seven (7) consecutive days.”

SECTION 7. Section 9252.3 (Residential-Medium Density District) of the Agoura Hills Municipal Code is amended in its entirety to read:

“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.”

SECTION 8. Section 9262.3 (Residential-Medium High Density District) of the Agoura Hills Municipal Code is amended in its entirety to read:

“9262.3. 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. All on-or off-site transport, grading projects of more than twenty-five thousand (25,000) cubic yards;
- C. 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;
- D. Temporary storage of materials and construction equipment related to a City public works project;
- E. Motion picture filming not exceeding seven (7) consecutive days.”

SECTION 9. Section 9272.3 (Residential-High Density District) of the Agoura Hills Municipal Code is amended in its entirety to read:

“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.”

SECTION 10. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or applications, and to this end the provisions of this ordinance are declared to be severable. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof even if one or more sections,

subsections, sentences, clauses, phrases, parts or portions thereof is declared invalid or unconstitutional.

SECTION 11. An Addendum to the General Plan Environmental Impact Report (EIR) prepared pursuant to the California Environmental Quality Act (CEQA) Guidelines found that no significant environmental impacts are anticipated that were not contemplated in the prior General Plan EIR and no additional substantial mitigation planning is necessary for the adoption of this ordinance.

SECTION 12. The City Clerk shall publish and cause notice of this Ordinance to be given according to law.

PASSED, APPROVED, AND ADOPTED this 28th day of February, 2007, by the following vote, to wit:

AYES:	(5)	Kuperberg, Edelston, Koehler, Schwarz, Weber
NOES:	(0)	
ABSENT:	(0)	
ABSTAIN:	(0)	

Dan Kuperberg, Mayor

ATTEST:

Kimberly M. Rodrigues, City Clerk