

June 4, 2008

PAGE
NO.

Mike Kamino, Dir. Planning &
Community Dev't.

PREPARED BY

DATE

Re: Residential Neighbourhood Compatibility
Ordinance & Design Guidelines.

I wish to be on record in support of the "anti-mansionisation" ordinance

As a resident of Old Agoura I am, of course, concerned about the change in character so many larger houses bring to this neighbourhood, as well as the dwindling of precious land for animals, especially horses. My primary concern, however, is with our larger neighbourhood, the planet. At a time when our consumption of energy has been shown to be seriously & rapidly affecting our climate I would strongly discourage any activity that promotes even greater consumption of energy & resources. Ever larger houses are not a socially responsible trend & should not be encouraged. The City of Agoura Hills has been able to follow a community plan that balances the ^{interests} ~~good~~ of the people with an eye to the future. Please take the responsible forward looking course, weighing the rights of the individual self expression with wise stewardship of precious resources.

Beta Ozar

Beta Ozar
28020 Beckin's Drive
Agoura Hills, CA 91301

CITY OF AGOURA HILLS
2008 JUN -4 PM 4:43
CITY CLERK

Laurie Turner
6001 Lapworth Dr.
Agoura Hills, CA 91301

CITY OF AGOURA HILLS

2000 JUN 30 AM 8: 04

CITY CLERK

Mike Kamino, Director of Planning
and the Planning Commissioners
City of Agoura Hills

Dear Mr. Kamino and Planning Commissioners:

I have enclosed a newspaper article which addresses the over-development of a semi-rural community in Thousand Oaks and the desire of the residents of that area to retain the rural nature of their community. This article could easily have been written about our small rural community of Old Agoura. It is my belief that we need new ordinances to protect Old Agoura from being inundated by oversized homes and also to spell out clearly for potential home buyers and developers what can and cannot be built in Old Agoura. Without specific ordinances there will surely be lawsuits such as the one in this article. Without specific ordinances neighbors will be pitted against each other with the type of rancor and ill-will demonstrated in this article. This is not the type of feeling we want for our community in Old Agoura. But it is difficult to truly welcome your neighbors when they have built a house adjacent to yours that is four times the size of your house and towers above your home destroying your privacy and views. Please stop this over-development of Old Agoura now. I encourage you to adopt the proposed FAR and make this an ordinance so that the arbitrary nature of the present system is eliminated.

Sincerely,


Laurie Turner



SUNDAYSTAR

East County

www.VenturaCountyStar.com

B

June 22, 2008

Assistant Managing Editor: DeAnn Justesen, 437-0207; dajustesen@VenturaCountyStar.com

6,400-square-foot house opposed

Residents prefer about one-third that size in a T.O. neighborhood

By Rachel McGrath
Correspondent

Homeowners locked in a fierce battle to preserve the rural character of one of the oldest neighborhoods in Thousand Oaks are a step closer to achieving their goal, amid accusations of racism and threats of a lawsuit.

Residents of a 40-acre area bordered by Rancho Road and Hillcrest

Drive in the center of the city have waged a concerted campaign since the fall to prevent what they and city officials describe as inappropriate infill development, which would have resulted in lots being subdivided and large homes built.

In October 2007, the City Council approved a moratorium on land subdivisions in the neighborhood while

a review of current zoning regulations was carried out. Last month, the Planning Commission turned down a proposal for a 6,400-square-foot house.

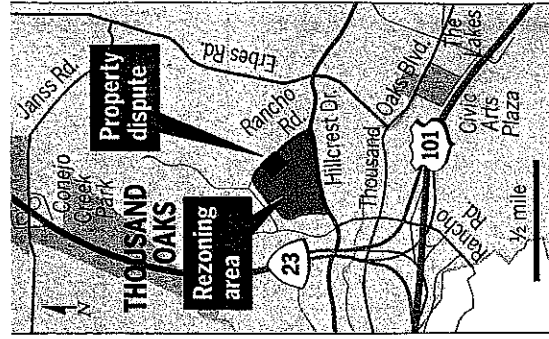
The moratorium stemmed from an application by property owner Pasha Moshiri to subdivide his three-quarter acre parcel at 718 N. Rancho Road into a half-acre lot and a quarter-acre lot with a custom home on each.

Neighbors opposed the plan, saying it would negatively affect the rural character of their neighborhood, even though Moshiri's proposal was in line with the neighborhood's zoning of Rural Exclusive, which allows a min-

imum lot size of 10,000 square feet, about one-quarter acre.

Gerry Zucca, who lives at 720 N. Rancho Road, said Moshiri's original planning application served as a wake-up call to residents about how Moshiri's lot and other parcels in the neighborhood could be subdivided.

"It's not about stopping him. It's about stopping that type of development," Zucca said. "It's been the whole neighborhood together on this, and we want to keep it rural, the way it is."



See **THOUSAND OAKS** on B2

Star staff

CITY OF AGOURA HILLS

Regarding City of Agoura Hills Neighborhood
Compatibility Ordinance

2008 JUN -1 AM 9:00

CITY CLERK

06-04-08

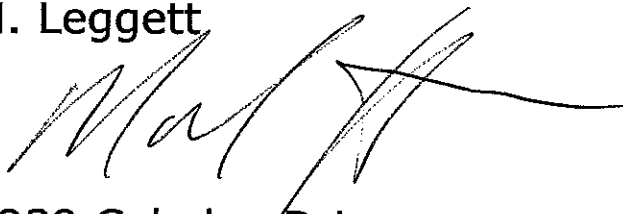
Dear Mr. Mike Kamino

I am in support of any ordinance that will reign in the ever increasing size of homes being built in Old Agoura and preserve the equestrian nature of the area.

We should beware of 6,000-plus square foot homes going up here. The developers building and selling these homes have been spreading the notion that preventing them from building yet another monster-house will negatively impact everyone else's property values. This is greed and arrogance and misinformation on their parts.

Keeping the equestrian style of this neighborhood intact will maintain property values, not mansion-izing.

M. Leggett



5939 Colodny Drive
Old Agoura

Laurie Turner
6001 Lapworth Dr.
Agoura Hills, CA 91301

CITY OF AGOURA HILLS
2008 APR 21 PM 4: 50
CITY CLERK

April 21, 2008

Cyrena Nouzille
John O'Meara
Stephen Rishoff
Illece Buckley Weber
Curtis Zacuto

Dear Commissioners:

I attended the Neighborhood Compatibility Commission "workshop" on April 17 and was very disappointed by the meeting format and especially by Mr. Rishoff's insistence that the Commission be polled then and there as to how they stood on the Floor and Area Ratio and Slope charts. In my opinion this was totally inappropriate for a "workshop" agenda and only served to further polarize the two competing sides which I see as the "land speculators" vs. the "anti-Mc Mansionites".

I was pleased, however, that the Commission authorized the scheduling of a second "workshop". I would like to suggest the following as a possible format for the next meeting:

First 45 minutes: Group people into 4 or 5 groups according to how they stand on the issue. (Group those with similar opinions together) Randomly appoint a Commissioner to each group. Each person is to be allowed to participate (ie, one person cannot dominate the group). The role of the Commissioner is to listen. Each group summarizes their opinions on large chart paper using the following guidelines:

1. With regard to the Neighborhood Compatibility Ordinance, what would you like to see happen if there was not any opposition to your opinion?
2. What things could you live with as currently presented (areas of compromise)?
3. What things would be absolutely intolerable (deal breakers)?

The next hour: All parties should return to the conference room and the Commissioner and one member from each group should present their chart and explain their group's opinions. Questions and comments could be taken from the floor.

Thank you for your consideration of a different "workshop" format.

Sincerely,
Laurie Turner

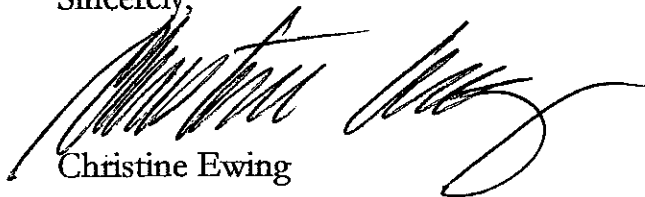
Mike Kamino
Director of Planning and Community Development
City of Agoura Hills

June 2, 2008

Dear Mike;

I live in Old Agoura and I support what the Old Agoura Home Owners Association recommends regarding the new ordinance. There are far too many homes going in that are too big for the lot with designs that don't fit the area. Using pavers instead of concrete is a good idea. Keeping the area equestrian is crucial. Although it is difficult to decipher the regulations on size in relation to the lot, I don't think it is fair to include a swimming pool into the square footage of the house. It is really hot out here and we need pools for that reason. To prevent a person from not being able to put in a pool because the equation doesn't work is unfair, especially if their home is not new construction.

Sincerely,



Christine Ewing

ATTN: MS Joyce Parker-Bozylinski

April 18, 2008

Doug Hooper
Assistant Director of Community Development
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

Dear Mr. Hooper,

Please share the following letter with the City Planning Staff and the Planning Commission Members.

* I would like to comment on the proposed ordinances changes that were presented at the April 17, 2008 Planning Commission Meetings.

First some facts about my situation: Purchased a gated, flag lot with home in 4/2007, L.A. County Tax Assessor Parcel Number 2055-006-033. Lot size of 18,750 sq. feet (per tax assessor), Home size is 2025 sq. feet (per tax assessor), two car garage, zoned for two horses (per selling agent), single family residence of 3 bedrooms and 2 baths, family room, kitchen, and dining room. Small three sided horse barn and a 10x15 store room/tack room.

Some of the proposed ordinances that I like:

1. The Equestrian Overlay Zone defining how much space that should be allotted to each horse. Some consideration may be made for properties that are zoned for greater than 3 horses as the same turn out may be used for more than one horse.

Some of the proposed ordinances that I do not like:

1. Portion of the proposed ordinance that has to deal with "Old Agoura Design Overlay District" than has to do with the Floor Area Ratio. This does not work for my situation as the driveway of the flag lot is currently concrete and the driveway behind the gate is concrete. I also have a covered patio that has a brick floor (brick laid on sand base). Due to the current calculations I would not be able to add a bedroom or bath and/or pool.

I would have to change my driveway from concrete to pavers or rocks to accommodate the proposed ordinance in order to add on to the house.

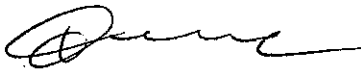
2. The "Old Agoura Design Standards" are not acceptable to me as "Old Agoura" is a unique neighborhood in which various housing styles and types are both accepted and encouraged.

If these could remain as guidelines that may be given out to prospective buyers by the real estate agents, to me, that would be ideal. This way the potential buyers could have an idea of what the planning commission will be looking at and judging against when the potential buyers are considering the land/housing purchase in "Old Agoura".

I would like to invite any of the Planning commission of City Planning Staff to visit my home to further discuss and view one of the properties in "Old Agoura".

Lastly, I have full faith in the current planning commission and future planning commissions to act on what is best for "Old Agoura".

Sincerely,

A handwritten signature in black ink, appearing to read "Duane", with a long horizontal flourish extending to the right.

Duane Griffin
Pamela Griffin
5316 Lewis Road
Agoura Hills, CA 91301

818-879-8035

Mike Kamino

From: Michelle Meehan [michellemeehan@gmail.com]
Sent: Wednesday, April 30, 2008 11:08 AM
To: Mike Kamino
Subject: Neighborhood Compatibility Ordinance, Case No. 08-ZOA-03

Dear Mr. Kamino,

I am writing to voice my concerns over the proposed Neighborhood Compatibility Ordinance, Case No. 08-ZOA-03. I live in Old Agoura at 5435 Lewis Road in a single family home of approximately 1800 sq ft on a lot of approximately 12,000 sq ft. I live on a flag lot with a driveway that is approximately 150 feet long and 15 feet wide. With the proposed ordinance, I would only be allowed approximately 2400 sq ft of structures, which I read to include all impermeable surfaces including driveways and patios. Currently, our driveway alone is over 2250, and that is just the portion of the driveway needed to access our property! Even without any driveway, our house at a relatively small size of 1800 sq ft would only leave 600 sq ft for any driveways, garage, patio, pool etc.

I believe this proposed ordinance to be extremely restrictive, especially considering the fact that my lot and many others on my street like it are too small to keep horses on anyway (isn't the minimum lot size 13,500 for keep horses, or something similar?). I understand the need to reduce the building of McMansions in the area, but for those of us in lots that are closer to the quarter acre size, this ordinance just doesn't make sense. If we can't have horses in our yard, can't we at least enjoy a nice patio and a pool? And have a driveway? I understand wanting to prevent giant homes like 4000 sq feet on a 1/4 acre lot, and I agree with that, but I think the restriction on other structures such as pools and patios and driveways is excessive.

I would attend the meeting tomorrow, but I have 2 small children and my husband works all night (at fire station 65 on Cornell), so I cannot be there. I hope you will consider our opinions on this matter.

Thank you,
Michelle Meehan and Brett Meehan
5435 Lewis Road
Agoura Hills

Mike Kamino

From: Ng4re@aol.com
Sent: Tuesday, April 29, 2008 11:44 PM
To: Mike Kamino; fixequip@yahoo.com; cnouzille@mac.com; Doug Hooper; rontron3@hotmail.com
Cc: nona@agourahorseproperty.com
Subject: RE: Neighborhood Compatability Ordinance - testimony for May 1, 2008 meeting

To: Planning Commissioners and Staff,

Hi y'all, I may not be able to attend the May 1 Meeting. Could the following be read at the workshop? Please let me know.....
 Thanks, Nona

Dear Commissioners, City Staff and Fellow Residents,

After reading the draft of the proposed changes to the Old Agoura Overlay, I have the following thoughts:

1) The space of 1500 square feet minimum is referenced in many places in the draft. It is not clear whether this is the minimum space *per horse*. Hopefully this is intended to read 1500 square feet *per horse*. I understand that in a relatively urban neighborhood where the cost of land is at a premium, compromises will need being made. However, it should not be at the health and welfare of the horses. Most experts agree that the minimum grazing area of one horse is at least an acre. It would not be coincidental if a horse truly needed a minimum of one acre for exercise, play, rest, and socializing. Young horses need to run for proper bone development. To ask them to be confined to a smaller area is already unnatural. My point is that we are already compromising the health and welfare of the animal. To confine one horse to an area of 1500 square feet day in and day out is unnatural and cruel. The intention of course is that we take our horses out of that space to ride them, lunge them, or turn them out into a larger area. My concern is if we say to an owner that he is legal if he has a 1500 square foot space for horses, he or she will be justified in thinking that that amount of space is adequate. I believe that if the minimum lot size is 20000 square feet, and zoning allows 4 horses on that size lot, the minimum turnout should be 1500 x 4 or 6000 square feet whether the owner wants one horse or four. On one acre the minimum space should be 12000 square feet for a turnout and so on. I wish we can even make this requirement retroactive and require those folks who confine their horses to a 12 x 24 foot stall (288 square feet), and who have no turnout space, to increase the area for the horse or not keep them on their property. In conclusion, I think we are better off NOT setting a minimum at all, lest that minimum becomes the standard - that standard being wholly inadequate.

2) I personally don't mind the FAR as proposed. To those that say we are reducing the value of our properties by these restrictions, I say if you really want to lower the values, take away the trees, take out the open space, take out the horses, or anything else that might get in the way of building the 7000+ dream home plus the sport court and the pool and the guest house. I think there needs to be a balance, and the ambience and the beauty of the area will diminish once we make it a free-for-all. The fact is, some lots, due to their dimensions and topography, can support all those things and still be horse friendly. On most however, it is not possible. To maximize its value, I say keep the house to a more modest size in order to leave ample room for horses. When you want to sell, you may not attract the buyer who wants 8 bedrooms, but you will attract one who will pay a premium because the lot is horse friendly. I have quite a bit of personal experience with the resale market. You will save on construction costs, not piss off the neighbors whose view would be blocked, attract a growing number of people who want to live with their horses, and make almost as much money. So what if its not as *much* money!

3) Kudos to allowing variances to encroach on front yard set-backs if it is for the low profile barn. Side yard and rear yard set-backs should also be fair game if the property backs to an open space, barrack, etc. and/or if it will encourage the owner to not place the house in the middle of a lot such that anywhere someone

may want to put a corral will be to close to the habitable structure.

4) I don't think we can put standards in place to define good taste. I've seen a few Western ranch style homes that are tacky and trashy, and a few Mediterranean style homes that are original and authentic looking. I ditto Robert Evren's testimony in this regard, and I think the planning commission and public testimony have in place enough safeguards to keep Old Agoura from looking like a tract of McMansions. We have made a few "mistakes" and now we have the opportunity to learn from them.

Bottom line, even if there is no change in the ordinance, yet the commissioners have a guideline that keeps it ALL ABOUT THE HORSES, I think we'll see the improvement we want.

Thank You,

Nona Green
6128 Chesebro Rd.
Old Agoura
818 426-2292

Need a new ride? Check out the largest site for U.S. used car listings at [AOL Autos](#).

Laurie Turner
6001 Lapworth Dr.
Agoura Hills, CA 91301

CITY OF AGOURA HILLS
2008 APR 21 PM 4: 50
CITY CLERK

April 21, 2008

Cyrena Nouzille
John O'Meara
Stephen Rishoff
Illece Buckley Weber
Curtis Zacuto

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1. With regard to the Neighborhood Compatibility Ordinance, what would you like to see happen if there was not any opposition to your opinion?
2. What things could you live with as currently presented (areas of compromise)?
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The next hour: All parties should return to the conference room and the Commissioner and one member from each group should present their chart and explain their group's opinions. Questions and comments could be taken from the floor.

Thank you for your consideration of a different "workshop" format.

Sincerely,
Laurie Turner

Mike Kamino

From: juju [juju@adelphia.net]
Sent: Monday, April 07, 2008 10:11 AM
To: Mike Kamino
Subject: res neigh. compat. ordinance postponement

the residential neighborhood compatibility ordinance should have more homeowner consideration. I request a delay in the workshop to a later date so that the homeowners can get involved and these ideas can be discussed openly and fairly with ALL of those who may be affected by any city changes.

Keith and Fawn Weaver
5636 Fairview Place
Agoura Hills, CA 91301
818.865.0694

CITY OF AGOURA HILLS

2008 APR 15 PM 1:22

CITY CLERK

April 12, 2008

Mr. Mike Kamino, Director
Planning and Community Development
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

RE: 08-ZOA-03 – Neighborhood Compatibility Ordinance

Dear Mr. Kamino:

As homeowners in Old Agoura, we value the distinct equestrian and rural character that attracted us to the area. While we appreciate the effort to preserve a truly special place, the proposed Neighborhood Compatibility Ordinance goes too far and likely presents a number of unintended consequences. Accordingly, we oppose the proposal (as currently drafted) in favor of a revised ordinance that strikes a better balance between character preservation and development.

The structural components that are factored into the Floor Area Ratio (FAR) are over-broad, as it covers less-obvious items like pools and spas, sports courts, and gazebos as suggested by the draft proposal. As horse lovers and owners of a modest-sized home on a lot between 40,001 and 80,000 square feet, we would find ourselves extremely limited in our ability to create the ideal environment on our property for the family size we ultimately seek (2 adults and 3 children). The limits (if passed) could obligate us to relocate as our family reaches our desired size, which may result in a more transient community which that ever-larger impacts on communities and may not have been contemplated by the drafters.

The goal of preventing “mansions” should not penalize those property owners currently without amenities (e.g., a pool and spa) or in need of a reasonable expansion of their property. As an example, our home is nearly 3,000 square feet, but each of the three bedrooms and bathrooms (including the master) are fairly small and the storage space is quite limited. Also, we have an above-ground pool that we would like to replace with an in-ground pool and spa at some point. We would also like to build a small guest unit to provide more living space while maintaining the unique characteristics of our home. While our remodeling vision does not include a palatial estate, our more practical objectives would easily be problematic or disallowed under the draft proposal.

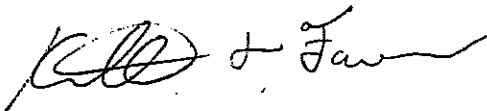
This ordinance may preclude adequate investment in properties that slip from country charm to neighborhood blight as property values and construction costs will make even the most embraced projects unfeasible. Currently, there is a property on the market that has fallen into this circumstance. If you were to factor the sales price, lot and structure square footages, the current average cost of construction, as well as what you would be allowed to build (new or remodel) under this ordinance, you would find yourself summing up a total cost that greatly exceeded the value upon completion. This reality dissuades significant and important investments in our community, which could artificially cap or limit property values and harm the overall character.

A possible solution to this "mansionization" problem is to limit the size of habitable structures (only the main residence and a guest unit). This can be aggregated habitable structure square footage (i.e., house and guest house) or separated out by type of structure per lot size. This standard should not include any other structural amenities.

Despite the aforementioned, we do support the concept of advancing minimum horse keeping requirements, design guidelines, and preventing the proliferation of excessively large mansions that compromise Old Agoura's rich character and history. Having said that, we certainly don't want to handcuff property owners and hamper values.

Thank you for your consideration.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Keith & Fawn". The signature is fluid and cursive, with the first name "Keith" being more prominent and the second name "Fawn" following it.

Keith and Fawn Weaver

cc: Planning Commissioners

Keith and Fawn Weaver
5636 Fairview Place
Agoura Hills, CA 91301
818.865.0694

CITY OF AGOURA HILLS

2008 APR 16 PM 1:22

CITY CLERK

April 12, 2008

Mr. Mike Kamino, Director
Planning and Community Development
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

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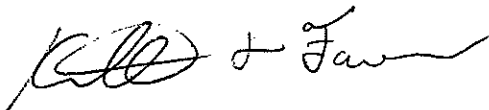
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Thank you for your consideration.

Respectfully yours,

A handwritten signature in cursive script, appearing to read "Keith & Fawn".

Keith and Fawn Weaver

cc: Planning Commissioners

Old agoura residential design guidelines

Dear Mr. Kamino,

Since the comments from participants at tonight's workshop will be limited to three minutes, I have prepared this statement that covers many of the items relevant to the proposed ordinance. This is in addition to the comments that are on the memorandum line by line. I have also enclosed two examples on individual pages. I would like you to present them on the overhead projector for discussion.

I open this message with some questions followed by more specific issues.

What precipitated the revision to the existing Old Agoura building criteria?

Who wrote these guidelines?

Was there any input into these guidelines other than that provided by the OAHA?

Who determined the size of the allowable base size of the homes, and why were these sizes chosen?

Who determined the percentages used in the FAR and Slope factor charts, and why were they chosen?

Who chose the maximum home size for each lot range and why were these sizes chosen?

The answers to these questions relate to the validity of these proposed changes to the ordinances.

THERE ARE SEVERAL ISSUES INVOLVED WITH THIS PROPOSAL.

ONE The document is significantly flawed as written. These flaws need to be identified, corrected, and the ordinance amended as necessary.

ANOTHER is the abundance of subjective verbiage in the document such as "the rhythm of the neighborhood", "designs dictated by the local climate", stone veneers that are "honest in their application"

ANOTHER Is the application of a general ordinance to cover the widely varying situations found in Old Agoura.

The Situations include , but may not be limited to, the following:

- One acre and larger lots,
- Half acre lots
- Lots smaller than half an acre
- Up sloped lots in the above size ranges
- Down sloped lots in the above sizes
- Flag lots in all of the above sizes and slopes

I believe that it will be virtually impossible to craft one ordinance that will fairly cover all of these situations while trying to include provisions for horse keeping in every situation which in some cases would cause excessive grading and certainly would not meet the idea of integrating the home into the existing terrain as expressed in the design guidelines proposed in the Old Agoura Residential Design Guidelines.

Old Agoura is rural in nature and is zoned for horse keeping. Historically, it was a place where individuals could build their homes in a rural setting and keep horses if they desired to do so. They were not encumbered with CC&R's or ordinances that specified size, color, materials, or style. They were not constrained with lot coverage, or oak tree issues. They were essentially free to build their dream in a quiet rural setting. There were large parcels of land that were subdivided easily and many non conforming lots were created. Large and small houses existed side by side, some with horse keeping facilities many without.

Equestrians are already accommodated in the existing zoning and lot coverage ordinances. The lot coverage ordinance, as currently written, is sufficient to insure that a large part of each lot will be left undeveloped. If that area can be used for horses, and the owner wants to keep horses, they can do so. This new ordinance will force each property owner to accommodate for horses which may have significant impact on the design of their home and landscaping. This flies in the face of the historical reasons for living in Old Agoura. It forces conformity into a non conforming area and it very negatively impacts the value of every property in Old Agoura.

I would like to illustrate the economic effects of the enactment of the Neighborhood compatibility ordinance.

Example of a 20,000 sq. ft lot

Base house size = 2,000 sq ft house

20% of difference between 10,000 and 20,000 = 2,000

Total possible = 4,000 sq. Ft.

18% slope = -80 sq ft

Three car garage 24 x 32 = 768 -460 -308 sq ft

Three stall barn -132 sq ft

Sub total = 3,408 sq. Ft.

Backyard covered patio 10x20 = 200 -200 sq ft,

Total = 3,208 sq ft.

Same example but flat one acre lot and 4 stall barn

5,200 sq ft house = $4,356 \times .02 =$ + 87 sq ft.

4 stall barn = -276 sq. Ft.

3 car Garage 768 - 460 = -308 sq ft.

Sub total = 4,616 sq ft

RECENT APPROVED HOMES ON ONE ACRE AVERAGE = 5,600 SQ. FT.

DIFFERENCE BETWEEN NEW ORDINANCE AND EXISTING = 984 SQ. FT.

ESTIMATED PRICE PER SQUARE FOOT = \$450

VALUE OF NEW ORDINANCE HOUSE = \$2,,077,200

VALUE OF OLD ORDINANCE HOUSE = \$2,520,000

If you assume that the value of the land is roughly 30% of the value of the total project, the value of the existing ordinance land is \$756,000 and the value of the proposed ordinance land is \$623,160. The land will be devalued by approximately \$132,840 or roughly 17.5 percent. This number will change as the average price per square foot of resales increases.

These examples do not take into consideration lot coverage issues, new set back proposals, height restrictions, the inclusion of all hardscape into the lot coverage calculations, the inclusions of mandatory areas for horse keeping etc. There is no exclusion for the State mandated Second Unit or covered backyard patios. All of these things further reduce the potential home size and negatively impact the value of the home. Some might argue that having sufficient room for horses increases the value of the property, and in some instances they are correct. Some lots simply are not suitable for these facilities. This ordinance systematically discriminates against the potential resident that wants a house larger than 5,000 square feet on one acre, as no home of that size would ever be built without a minimum of a three car garage. Even on a flat acre, the deduction for the third garage reduces the home size to 4,979 square feet.

Many of the remaining home sites are either flag lots that require a long hard surfaced driveway, and large required fire department turn around areas. When you add these required areas to the required horse keeping areas, the lot coverage specifications may severely impact the size of the home. Consider further that mandatory horse keeping areas on sloped sites may require substantially more grading with large expensive retaining walls, than would otherwise be desired.

If a careful survey of Old Agoura is taken, I think you will find several distinct areas. I can think of about four that are as follows:

The relatively flat land along Chesebro that was the most available for development and is closest to the natural riding area of the Park and was serviced with the county maintained paved road. Lots of equestrian oriented homes are located in this area.

The Fairview, West Balkins, Lapworth area, that was developed later than the Chesebro area when the road was paved into that area. Larger homes were built in this area as it was developed later and there are only a few homes there that currently keep horses.

The Area comprised of Foothill, Easterly Dr., and Lewis Rd. North of Driver. This area is relatively flat except for parts of Foothill. Some lots have room for horses and some absolutely do not. I think more horses are kept in this area than in the Fairview area.

The area South of Driver Road is a mixed area. The topography allows for horses, but the lot sizes are generally smaller. Some horses are kept in this area. There is even a small section of tract homes there.

My point is that it is virtually impossible to apply one general rule to the specifics of a community that has been developed in an uncontrolled way that mixes various lot sizes, topography, various home sizes, and various needs wants and desires of the home owners all under one commanding principal that requires each home to set aside room for horses.

Old Agoura never was an exclusively equestrian area. It is, and was always, a rural area where people could exercise freedom of choice about what they built free from the restraints of controlling Covenants Conventions and Restrictions usually found in more controlled communities.

The restraints being placed on all owners in this area are totally at odds with the historical desires of the original owners. This ordinance, and the existing ordinance is slowly creating a conforming, homogeneous, controlled area from what was anything but a conforming area. The new homes will be conforming to themselves and the older homes will remain the eclectic collection of large and small homes living in harmony in a rural setting. New large homes do not threaten their neighbors simply because they are new and may be larger than their neighbors. The owners still want to enjoy the same things that the current owners enjoy.

If changes are deemed necessary to the current ordinance, they should be carefully crafted and fairly applied without discrimination between the various areas in Old Agoura. Average existing home size should not be a criteria for the construction or remodel of homes in any area of Old Agoura.

Sincerely,

Ron Waters

-----Original Message-----

From: RON WATERS [mailto:galaxy430cat@gmail.com]

Sent: Thursday, April 17, 2008 11:30 AM

Subject: PLANNING DEPARTMENT WORKSHOP MEMORANDUM 17 APRIL 08 WITH COMMENTS

17 April, 2008

DEAR SIRs,

The attached document is the Planning department's memorandum with comments that need to be addressed at the meeting tonight. As you will see, there are many relevant issues that will take considerable time and effort to consider. In accordance with the hearing notice sent to all owners, these comments comply with the legal requirement to raise issues that may be challenged in court in the future, by me or others. At this time, I certainly do not intend to challenge anything in court, but since your notice mentioned that issues must be brought before the Commission in order to be considered in future litigation, I thought it prudent to make this statement.

I am requesting that Mike Kamino provide sufficient copies of these comments to all of the Planning Commissioners, and the general public that would like to review and comment on them. They should also be published on the web site for those that can not, or did not attend the meeting.

The goal is to achieve a consensus of all of the home owners in Old Agoura with full understanding of the impact of the ordinance changes. In addition, it is hoped that the ordinance will be carefully crafted without errors, and fairly applied.

Ron Waters.

COMMENT COPY

AGOURA HILLS

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT MEMORANDUM

DATE: April 17, 2008

TO: Planning Commission

FROM: Planning Staff

SUBJECT: Planning Commission Study Session on Residential Neighborhood Compatibility Ordinances, Neighborhood Compatibility Design Guidelines and Old Agoura Design Guidelines.

The purpose of the study session is for staff to provide information to the Planning Commission on the draft Residential Neighborhood Compatibility Ordinances and related guidelines.

Staff has drafted two separate ordinances to address neighborhood compatibility, one that would apply to all properties located in the RS (Residential-Single Family District) zone except those in Old Agoura and another one that would apply to properties in Old Agoura in the RR (Rural Residential District) RV (Residential Very Low Density District), RL (Residential Low Density District) and OS (Open Space District) zones. Different ordinances or tools are needed to address the unique characteristics of both areas. The RS zone consists of existing subdivisions or neighborhoods that were typically built at the same time using similar development standards, lot configurations, and architectural styles. The issue in these neighborhoods is additions and remodels that are out of character with the other homes in the surrounding neighborhood.

The Residential Neighborhood Compatibility Ordinance and related guidelines are intended to guide the applicant in design, the planning staff in analysis, and the decision-makers (Planning Commission and City Council) in judging a project's compatibility with the neighborhood. The draft ordinance and guidelines recognize that the issue of

neighborhood compatibility is best dealt with on a case-by-by case basis and provisions are built in to allow flexibility in the design and development standards to achieve compatibility.

In Old Agoura, the area is characterized by a mixture of custom designed homes built on lots with a variety of lot sizes and shapes. The issue of large homes in Old Agoura is both a neighborhood character issue and an issue of preserving viable space for horse keeping. In addition, the "neighborhood" in Old Agoura represents the entire residential community of Old Agoura as opposed to one subdivision.

In addition to the Code changes, staff will be instituting changes to application requirements that would require notices of the proposed project to be placed on the property early in the process, increased public notification, and to allow the **Director** to require story poles be utilized to show the outline of a proposed structure should the Director determine that they would be helpful in the review of a project. The proposed changes also provides greater clarity as to the review authority, whether Planning Commission or Director.

Comment [RWT]: Story poles are not accurate on an upgraded lot. A computer generated rendering on the topo map is far more useful.

This staff report is organized into two separate sections with a discussion on the changes proposed in the RS zone presented first and then a separate discussion on the changes proposed in Old Agoura. An underline/strikeout version of each of the revised Code sections is included as attachments to the staff report with the underlined text shown as additions and the strikeout text shown as deletions.

The Municipal Code sections proposed for amendment include Sections 9211-9220 (RR Residential-Rural District), Sections 9221-9230 (RV Residential-Very Low Density District), Sections 9231-9240 (RL Residential-Low Density District), Sections 9241-9250 (RS — Residential Single Family District), Sections 9481-9489.2 (OS Open Space District), Sections 9551-9560 (OA Old Agoura Design Overlay District), 9605-9605.5 (Yard Standards), 9677-9677.9 (Site Plans/Architectural Review), and 9804-9804.9 (Public Hearing Procedures). A new section is also being added: Equestrian Overlay District Sections 9590 — 9592.

RS (Residential Single Family District)

The existing single family neighborhoods outside of Old Agoura have been fairly stable. However, recent trends towards remodeling and substantial additions have raised issues of neighborhood compatibility. Staff believes the current ordinance provisions which address additions, should be re-examined, and modified to further address neighborhood compatibility.

Staff first studied the option of creating development standards but determined that the standards staff was considering might function better as guidelines. This would allow the Planning Commission an opportunity to review each project in the context of the neighborhood in which it was located as opposed to having "one size fits all" regulations. In order to provide this flexibility to the Planning Commission, staff is proposing the adoption of Neighborhood Compatibility Guidelines in lieu of incorporating these provisions into the Zoning Code as standards.

The changes to the Zoning Code that staff is proposing are that **larger** additions and all new second story additions be reviewed by the Planning Commission as part of a Site Plan Review instead of the Director. In addition, staff is proposing expanding the notification requirements from adjacent properties to all properties within 300 feet of the project site.

Comment [RW2]: What exactly is larger

RS (Residential Single Family District)

Staff is proposing to add text to the Section 9241 (Purpose) of the Residential Single Family District to clarify that the intent of the Code is not only to "encourage the development of conventional single-family detached residential development" but to "ensure that new homes or additions to existing homes blends in with the neighborhood character".

In order to ensure that proposed projects are compatible with the existing neighborhood and that the neighbors have a greater voice in the proposed project, the Planning Commission was made the reviewing body for most projects (Section 9243.9). The proposed ordinance makes the Commission the reviewing authority for the following:

- 1) A new single-family dwelling on a vacant lot
- 2) A new single-family dwelling that is proposed to replace an existing residence
- 3) Any 2nd story addition to an existing 1-story single-family dwelling
- 4) Any 2nd story addition greater than 25% of the total square footage of an existing 2nd story or greater than 75% of the existing first story

The Director of Community Development would be the reviewing authority for one story additions greater than 30% of the original gross floor area and second story additions up to 25% of the second story but in no case shall the total square footage of the second story exceed 75% of the existing first story. First story additions that are less than 30% of the original gross floor area would be exempt from the site plan review process.

Staff is also proposing new findings, in addition to the current Site Plan Review findings, that would address neighborhood compatibility. These include the following findings:

- 1) The mass and bulk of the design is reasonably compatible with the predominant adjacent structures and the surrounding neighborhood character.
- 2) The proposed buildings and structures are designed with quality architectural details.
- 3) New construction is not be disproportionately larger than, or out of scale with, the neighborhood character.
- 4) The project is consistent with the City's Neighborhood Compatibility Guidelines.

Noticing Requirements

The noticing requirements (9804.4.D — Public Hearings) for a Site Plan Review for additions and new homes in existing neighborhoods was expanded from adjacent properties to 300 foot radius of the property boundaries. This will allow more people to receive notice of the proposed addition or new home and participate in the review process.

Yard Standards

The proposed change to Yard Standards (9605.1.D) and Site Plans/Architectural Review (9677.1, 9677.2 and 9677.4) are clean up items to make those sections of the Code consistent with the new proposed text in the RS Zone relative to review authority for Site Plan Reviews and second story additions.

Comment [RW3]: What are these changes?

Neighborhood Compatibility Guidelines

Neighborhood Compatibility Guidelines were created that address setbacks, height, second story design, roof pitch, wall heights, window placement and other design elements that would address compatibility with adjacent structures. These guidelines would be placed in the City's existing Architectural Design Standards and Guidelines.

These guidelines encourage applicants to notify nearby property owners and any homeowner's association of their plans early in the process. The guidelines also recommend that the key elements that establish the rhythm of the neighborhood be maintained consistent with the existing neighborhood including maintaining a front yard setback that is equal to the average front setback within the block and making the building height and roof pitch compatible with the size of the lot and established building heights in the neighborhood.

Comment [RW4]: What is the definition of the rhythm of a neighborhood?

Typically, it is second story additions that have the biggest impact on a neighborhood both in terms of privacy and scale of a structure. The guidelines, therefore, recommend

design features for second story decks and second story additions that reduce visual impact and address privacy issues.

Old Agoura

Currently, there are only a few vacant properties remaining in Old Agoura that are available for development. The ones that remain are usually highly constrained due to topography and the existence of natural resources such as Oak trees, protected habitat, and creeks. Therefore, it is important to have additional criteria to address these remaining lots to preserve the community character of Old Agoura. In addition, the trend toward building substantial additions as well as tear downs and rebuilds continues in Old Agoura. These typically result in much larger structures than what existed before and encroachments into areas formerly devoted to equestrian use and thus potentially impacting the character of Old Agoura incrementally.

Comment [RW5]: The existing ordinance more than adequately covers the protection of oak trees. The community is entirely eclectic with no predominant style.

Comment [RW6]: Not every lot that is to be redeveloped ever had horse facilities.

The following changes area proposed in the Old Agoura neighborhood.

Equestrian Overlay District

A new Equestrian Overlay District is proposed. The purpose of the "EQ" overlay would be to protect the existing equestrian and rural atmosphere within the Old Agoura area. One goal of creating the equestrian additive is to reinforce the image to new buyers and real estate professionals that the area is intended for equestrians. In addition, it would provide a stronger basis for requiring an area on each lot to be reserved for horse keeping purposes. The Ordinance also proposes to strengthen the existing provisions on horse keeping by adding a minimum square footage requirement for the horse keeping area. Currently, the Code only states that properties should not be rendered horse useless but there are no criteria for establishing a horse keeping area. The proposed ordinance is intended to help address the horse keeping issues that the Planning Commission often times deals with on projects in Old Agoura.

Comment [RW7]: This area is not intended for equestrians. It is rural and horse zoned. It does not preclude non-horse owners.

Comment [RW8]: The lot coverage criteria in the current ordinance more than covers this subject and leaves the property available for uses other than equestrian.

In developing the minimum horse keeping area, staff first considered establishing the required size using a percentage of the lot size. For instance, using 5% of the lot area would mean that a one acre lot would need to maintain a 2,178 square foot area. However, after further studying it was determined that 1,500 square feet should be the minimum square footage based on the minimum facilities that would be needed to maintain one horse.

Comment [RW9]: Since many of the lots are difficult lots, the additional grading required to create this area is not compatible with minimizing the impact of the home on the natural environment.

The following minimum horse keeping requirements were developed with the assistance of equestrians in Old Agoura.

- 1) Stall: 12 feet by 12 feet (144 square feet) per horse

- 2) Paddock (corral): A 24 feet x 48 feet (1,152 square feet) paddock area with length for running should be provided for each horse. Paddocks refer to small, non-grazable holding pens or exercise areas, often adjacent to horse stall
- 3) Access for feed delivery and manure management
- 4) A minimum area of 150 square feet for hay and tack storage.

The EQ Overlay would be placed on all OS, RR, RV, RL and RS property in Old Agoura. The minimum horse keeping area shall be optional for lots under $\frac{1}{4}$ acre or lots with an average slope over 35%. A map is attached to the draft ordinance showing the location of the EQ overlay zone.

One option staff considered was to place the equestrian additive zone only on certain streets or areas in Old Agoura that are considered the most viable for horse keeping such as Chesebro Road. Any property that had an equestrian additive zone would be required to provide the horse keeping area based on lot size. Properties without the equestrian additive zone would still be required to maintain a horse keeping area but a minimum 1,500 square feet could be utilized. However, it was determined that establishing a minimum horse keeping area (1,500 square feet) for all lots and placing the Equestrian Overlay Zone on all residential lots in Old Agoura would provide the best protection against incremental changes to the equestrian character of Old Agoura.

Comment [RW10]: I think this is a far better idea than trying to make horse keeping areas out of areas that do not have and never have had horses.

Another section of the Equestrian Overlay Zone that the Planning Commission may wish to discuss is what types of improvements would be allowed within the 1,500 square foot equestrian area for those property owners who do not want to maintain horses. The proposed language would allow site improvements consisting of landscaping and irrigation; detached trellises, patio covers or gazebos; above-grade/portable spas; barbeques and firepits; temporary (as defined by the building code) non-habitable accessory structures that are no more than one hundred twenty (120) square feet in size and private sewage disposal systems shall be permitted within the 1,500-square-foot area.

Comment [RW11]: Again, this is a Rural area zoned for horses. It does have a certain equestrian character, as there are far more residences without horses than with them.

Old Agoura Design Overlay District

Modifications to the Old Agoura Design Overlay District include adding language regarding the equestrian nature of the area to the "Purpose" section (9551) and under "General Design Standards, Commercial/Residential" (9554) text has been added requiring all development to be consistent with the Old Agoura Design Guidelines. While the text in Section 9553-9553.7 is shown as an insertion in the attached ordinance, that text is not new but has been moved from another location in the Overlay District.

To assist the Planning Commission in their review of new and remodeled homes in Old Agoura, the draft ordinance proposes maximum structure size based on the size and slope of a parcel. A Floor Area Ratio (FAR) Chart and Slope Factor Chart are proposed

that would apply to all OS, RR, RV, RL, and RS zoned properties in Old Agoura. This chart would be used to determine the maximum size of structures allowed on each parcel based on lot size and slope (generally, the larger the lot the greater the allowed FAR). The FAR would be reduced further based on percentage of slope. Regardless of the size of the lot, the maximum size house allowed would be 8,000 square feet.

Comment [RW12]: The maximum sizes and percentage increases should be reconsidered with the input of owners other than those in the OAHQ.

The following table provides the maximum size of the structure based on lot size.

Lot Size	Maximum Allowed Structure Size
10,000 square feet or less	20 percent of lot area
10,001 to 20,000 square feet	2,000 square feet plus 20 percent of lot area over 10,001 square feet
20,001 to 40,000 square feet	4,000 square feet plus .06 percent of lot area over 20,001 square feet
40,001 to 80,000 square feet	5,200 square feet plus .02 percent of lot area over 40,001 square feet
80,001 to 90,000 square feet	6,000 square feet plus .03 percent of lot area over 80,001
90,001 to 130,000 square feet	6,300 square feet plus .009 percent of lot area over 90,001 square feet
130,001 and above	6,660 square feet plus .012 percent of lot area over 130,001 square feet

Exemptions from FAR calculations include the following:

- a. Space for a two car garage (230 square feet per space up to a maximum of 460 square feet for a single-family residence).
- b. Attic space under six feet in height.
- c. A basement with no exposed sides in which the finished floor of the level above the basement level, at any point, is not more than three feet above adjacent natural or finished grade, whichever is lower. Such floor area may abut lightwells which may occupy not more than forty percent (40%) of the lineal perimeter of that level of the building.
- d. Roofed porches attached to the primary residence, and facing the street, with no enclosure between the height of three feet and seven feet except for the building face to which it is attached.

Comment [RW13]: Three car garages should be allowed minimum size of 24x36 without penalty.

Comment [RW14]: Basements should be allowed without penalty as they do not impact mass or scale.

Comment [RW15]: Backyard covered patios and wrap around porches should be allowed without penalty to help meet the rural architecture of Old Agoura as described in the attached guidelines provided by OAHQ. Are open beamed patio covers included as covered porches?

- e. As an incentive for building horse keeping areas, unenclosed roofed structures for the keeping or maintaining of horses up to three hundred (300) square feet in area and one detached one story barn for the keeping or maintaining of horses up to five hundred (500) square feet in area shall be excluded from the calculation of lot coverage for properties.

Comment [RW16]: Horse keeping stalls should never impact the size of the home. If anything, more than two stalls should result in a bonus as an incentive to build them.

To determine the maximum size of all structures allowed on a lot, the following calculation would be performed:

Comment [RW17]: Second units, or granny flats have not been excluded. If a home is built, or already exists, that needs, or wants, a second unit, and it is over the allowable square footage in this ordinance, the ordinance will be in conflict with the State law allowing these units.

Step 1 = Determine where the lot falls in the "Lot Size" column

Step 2 = Determine base house size allowed in the corresponding "Maximum Allowed Structure Size" column

Step 3 = Subtract the size of the lot from the base lot size in the "Lot Size" column

Comment [RW18]: This instruction is incorrectly written. It should be subtract the minimum lot size in the range of sizes applicable to the lot from the actual lot size.

Step 4 = Multiple the percentage identified in the "Maximum Allowed Structure Size" column by the base lot size determined in Step 1 and add the resulting number to the base house size determined in Step 2

The following example is provided for a 21,780 square foot lot (1/2 acre):

Step 1: Lot Size falls in the 20,001 to 40,000 square foot range

Step 2: Base house size allowed in that range = 4,000 square feet

Step 3: Size of lot subtracted from base lot size = 21,780 sq. ft. (lot size) — 20,001 (base lot size) = 1,779 sq. ft.

Step 4: Percentage allowed over 20,001 is .06 = .06 x 1,779 sq. ft. = 106.74 sq. ft.

4,000 sq. ft. + 107 sq. ft. = 4,107 square feet allowed for structures

Comment [RW19]: This presumes that anybody would ever build a 4,000 square foot home with only a two car garage. Subtract 308 square feet for the required garage, and that results in a home of 3,792 sq. ft. More is subtracted if there is a slope, and more yet if they build a three stall barn.

The slope factor was developed to address hillside lots. The slope factor table further reduces the size of structures based on the slope of the parcel. Once the maximum size of all structures has been determined using the FAR Chart, that number is multiplied by the related slope factor and the resulting number represents the maximum square

footage allowed for structures.

The concept is to recognize that these areas reduce the buildable area of the lot and have a greater visual impact from the street. Essentially the house appears larger because the flat area on which a house can be built is much smaller than the actual lot. Also in most instances, the floodway and/or steeper areas of the lot are towards the rear of the lot which means the homes get built closer to the street.

Comment [RW20]: This concept is applicable to up sloped lots but not necessarily to down slope properties

% Slope	Slope Factor	% Slope	Slope Factor
15 or less	1.00	31	0.78
16	0.99	32	0.76
17	0.98	33	0.73
18	0.97	34	0.70
19	0.96	35	0.67
20	0.95	36	0.64
21	0.94	37	0.60
22	0.93	38	0.57
23	0.92	39	0.54
24	0.91	40	0.50
25	0.90	41	0.45
26	0.88	42	0.40
27	0.86	43	0.35
28	0.84	44	0.30
29	0.82	45+	0.20
30	0.80		

Using the same size house as noted above, the following example for 21,780 square foot lot with an average slope of 17% is provided:

4,107 square feet x .98 = 4,025 square feet allowed for structures

In order to allow for creative design solutions and to address unique lot configurations, the proposed Code changes do allow the Director or Planning Commission, through the

approval of a site plan review permit, to approve an adjustment to the floor area ratio or slope factor if **all** of the following findings can be met:

- 1) The project, through elements of architectural and landscape design, will uphold the policies of this chapter, and will be harmonious with the better aspects of the built and natural setting;
- 2) The project will maximize potential for sensitive use and effective preservation of open space;
- 3) The project will not be detrimental to the public health, safety, or general welfare;
- 4) There are special conditions or unique characteristics of the subject property and its location or surroundings, such as minimal views or the potential for reducing effectively viewed bulk, which justify exceeding the provisions of one or more of the provisions set forth in this chapter to permit project development;
- 5) Any potential for the project to present visibly **excessive** bulk from any vantage point, near or far, is mitigated by permanent **screening** or siting characteristics. Landscaping can not be utilized for permanent **screening**, and
- 6) The project does not create an avoidable or unreasonable impairment of **the view** from any other property in the vicinity.

Comment [RW21]: The following criteria are for the most part very subjective. It is unlikely that any project could meet every criteria, even if they meet most of them.

Comment [RW22]: What constitutes excessive bulk?

Comment [RW23]: What can be used as screening if not landscaping?

Comment [RW24]: What constitutes impairment of view. The existence of any house may meet that criteria if an affected owner was happy with a vacant hillside.

As stated earlier, the draft ordinance and related guidelines provide the flexibility necessary to help achieve neighborhood **compatibility** and is not a "one size fits all" approach. **Incentives** are also proposed in the draft ordinance to assist in achieving compatibility. The Planning Commission can use the above findings as criteria to grant adjustments to floor area ratio or slope factor. It should be noted that a variance would not be required for these findings to be made.

Comment [RW25]: Neighborhood compatibility is inherently unfair, as the development of Old Agoura occurred in increments, and as each time period passed homes grew larger. Thus homes in the older sections are smaller on average than homes in newer sections.

Comment [RW26]: What incentives?

OS, RR, RV, RL, Zones

For the following Zones: OS - Open Space District, RR - Rural Residential, RV - Residential Very Low Density, and RL - Residential Low Density the height and setback requirements for some of the zones have been modified to ensure consistency among the zones. In the OS, RL and RV zoning districts the maximum allowed height of structures has been reduced from 35 feet to 30 feet and for the RL and RV zones the required front yard setback has been increased from 25 feet to 30 feet. Reducing the height of homes is another tool to reduce the overall bulk and mass of a structure. Currently 35 feet is the allowed height of commercial buildings in the City and may not be needed for single family homes. Increasing the front yard setback will also move the building further away from the street which will help reduce the visual mass and bulk of the structure from the street.

Staff is not proposing to eliminate lot coverage requirements in lieu of the FAR chart. The purpose of the FAR and Slope Density Chart in the Old Agoura Design Overlay is to

address the mass and bulk of structures whereas lot coverage which is found in each of the zones (RR, RV and RL) is intended to address things like runoff and the ambience of the area. Structures, patios, swimming pools and paved driveways impact the rural character and ambience of the area. To address this issue in the RV and RL zones, the maximum building coverage would remain the same (25% in RV and 35% in RL) but all impervious surfaces including driveways and patios will be included when determining building coverage. Currently driveways and patios are excluded when determining building coverage.

Old Agoura Design Guidelines

In addition to the proposed Code changes, staff is proposing the adoption of new Old Agoura Design Guidelines (Attachment B). These design guidelines can be used by the Planning Commission as part of their review of new homes in Old Agoura. While most of the lots in Old Agoura are already developed, there are still several vacant lots throughout the area. Also in the future as some of the smaller homes are sold and the price of land increases, there will be greater pressure to tear down the home and built larger homes so staff believes some guidelines are needed to ensure that the new or remodeled homes are designed consistent with the semi-rural character of Old Agoura.

As a complement to the Old Agoura Design Guidelines, a photo booklet entitled "Old Agoura, Elements of Style" (Attachment C) has been prepared that visually represents many successful architectural styles and elements. While this booklet will not be part of the adopted design guidelines, it will be kept on file at the City and will be placed on the City's web site. The booklet provides photos that define the style and ambience the design guidelines are trying to create.

The Old Agoura Design Guidelines provide a history of the Old Agoura area as well as establishes goals for development to help retain and promote the Old Agoura ambience. Standards are also provided for the following elements: neighborhood scale, horse keeping, site planning, heritage tree protection, minimizing lot coverage, architectural style, roofs, color, hardscape and driveways, storm water drainage, fences, landscape areas and outdoor lighting.

Applications Currently Under Review

As part of the Old Agoura Overlay changes, staff is recommending a provision that would exempt projects that have applications on file with the City. Staff is seeking feedback from the Planning Commission on this provision. There are several options for exempting projects including date of application submittal or date the application is deemed complete. However, since the file is not deemed complete until all the various requirements including but not limited to geology review have been completed, a project

Comment [RW27]: Flag lots must not be assessed in the same way as other lots as they require long driveways just to get to site. Some flag lots will require paved, not porous surfaces to meet fire department regulations. Patios do not require building permits and can be installed after construction if necessary. In some cases walkways are fire department required for proper access completely around the house. They should not be included in lot coverage calculations.

Comment [RW28]: If these guidelines are adopted as part of this ordinance change they must be refined, concise, and not subjective.

Comment [RW29]: If you carefully review this guide, it certainly represents a rural life style, but it absolutely does not give the owner any guide to acceptable construction style, with the exception of one or two houses. Most of the pictures are of wood sided homes or out structures with exposed wood eaves that are not acceptable to the fire department. If the guide is going to be included in this ordinance, it should give instruction to the applicant with specific design elements acceptable to the planning commission that meets the current building codes.

can be in the pipeline for months and in some cases over a year before they are deemed complete. At that point, an applicant may have invested a lot of money in the review process. Another option is to select a date such as the date of the study session or the first hearing in order to prevent people from submitting applications while the neighborhood compatibility ordinance is under review.

Comment [RW30]: Until the proposed ordinance changes are adopted, all applications should be exempted from the provisions. It is unfair to make applicants wait for the adoption of the ordinance changes to begin the process of designing a home, and it is equally unfair to subject them to currently undefined changes that could cause significant economic hardship if applied at a later date.

SUMMARY

In summary, staff is seeking direction from the Planning Commission on the ideas presented in this report. A public hearing is scheduled for the May 1, 2008 Planning Commission meeting. At that time, staff can return with additional information requested by the Commission at the workshop or can be continued to a later date if needed. As with all zoning ordinance amendments, the Planning Commission's recommendations would be forwarded to the City Council for another public hearing prior to ordinance adoption.

RECOMMENDATION

Staff recommends that the Planning Commission hold a study session and provide direction to staff on the proposed Neighborhood Compatibility Ordinance.

Prepared by: Joyce Parker-Bozylinski, Special Projects Planner

ATTACHMENTS:

- A. Neighborhood Compatibility Guidelines
- B. Old Agoura Design Guidelines
- C. "Old Agoura, Elements of Style"
- D. Proposed RS Code Amendments
- E. Proposed Old Agoura Amendments
- F. General Code Amendments

ATTACHMENT A

Neighborhood Compatibility Guidelines
City of Agoura Hills Zoning Code Amendment 08-ZOA-03
Architectural Design
Standards & Guidelines
City of Agoura Hills
California

Neighborhood Compatibility Standards for
Single Family Homes in Existing Neighborhoods

The following standards are intended to ensure that new homes or additions to existing homes are harmonious with and enhance the surrounding neighborhood character. Neighborhoods that were constructed as part of a residential tract or by the same builder generally have common features, such as similar lot sizes, setbacks, architectural styles and details. To meet the intent of the Neighborhood Compatibility Standards, a new or modified structure should be designed so that it is similar to the neighboring structures.

For purposes of these Guidelines, *Neighborhood Character* "Neighborhood Character" means a combination of unique features that make up a distinct character of a given neighborhood including but not limited to the following: architectural style, mass and bulk, height number of stories, and roof design, scale orientation, setbacks open space, architecture style, texture, color and building materials.

1. Early Neighbor Notification. Applicants are encouraged to notify owners of property located within 100 feet of the property and any homeowners' association within 30 days of application submittal.
2. Setbacks. The minimum front yard setback should be equal to the average of the front yards of existing buildings within the block face.
3. Heights. Building heights should be compatible with the size of a lot, as well as the context of the surrounding neighborhood. The height of a structure should be compatible with the established building heights in the neighborhood.
4. Roof Pitch. Roof lines influence the overall mass and scale of a structure. A maximum roof pitch of six (6) feet of height for each twelve (12) linear feet of roof should be provided.
5. Plate Height. Plate heights taller than 10 feet unnecessarily add to the volume of a structure. Eight foot plate heights, the most common for single family homes, are encouraged.
6. Eaves. Adjusting the height of an eave may be used to lower the mass and scale of a structure by lowering the building plate.

7. Second Story Wall Height. All second story wall heights greater than six feet, as measured from the second story finished floor, should have building wall offsets at least every twenty-four feet, with a minimum four foot depth and ten foot width. The offsets should comprise the full height of the wall plane.
8. Entry Feature Height. The height of entry features should match the height of eaves in the neighborhood. The height should not exceed a maximum of fourteen feet.
9. Second Story Decks. All new or expanded second story decks or balconies with views into neighboring residential side or rear yards should address privacy protection to the greatest extent possible. The Director may refer second story decks or balconies to the Planning Commission if issues of privacy are present.
10. Second Story Design. A special sensitivity must be shown in the design of two story homes and additions, as they have a greater visual impact on the neighborhood. The construction of two-story buildings or additions can be compatible provided the design incorporates features which reduce the visual prominence of the second floor. Design features which generally reduce visual prominence include:
 - Provision of second floor offsets to avoid an unrelieved two-story wall
 - Placing the second floor towards the back of the house to avoid a two-story profile at the street
 - Placing the second floor in the middle of the footprint to provide a one-story transition to adjacent homes
 - Where appropriate to the architectural style, consider architectural features that indicate where a first story ends and a second story begins when the structure is viewed from the street. Examples of appropriate floor delineations for some architectural styles include adding rooflines.
 - Where appropriate, some portions of the second story roof should be brought down to the gutter or eave line of the first story roof to reduce the apparent volume of the building.
 - First and second floor plate heights should be consistent with those established on other homes in the neighborhood.
 - Long, uninterrupted side walls should be avoided. Second stories should be setback further from the side property line than the first floor.
 - Windows on side elevations should be fixed and obscured to a height of six feet above the second floor, should have permanent exterior louvers to a height of six feet above the second floor or should have sill height of five feet or greater mitigate intrusion into a neighbor's privacy.

ATTACHMENT B

Old Agoura Design Guidelines

OLD AGOURA RESIDENTIAL DESIGN GUIDELINES

INTRODUCTION

The City of Agoura Hills (City) General Plan seeks to preserve the small-town feel of Agoura Hills and the open character of the rural landscape that gives the City its unique identity. The Old Agoura and Equestrian Overlays, in turn, protect the low-density semi-rural residential neighborhood of Old Agoura with its large parcels and equestrian nature.

These Old Agoura Design Guidelines will assist in designing structures that use modern techniques, styles and materials, while retaining the natural beauty of the land and the ranching character of this heritage community. As a complement to the Old Agoura Design Guidelines, a photo booklet entitled "Old Agoura, Elements of Style" has been prepared that visually represents many successful architectural styles and elements. It is available at City Hall for viewing and on the City's web site at www.ci.agoura-hills.ca.us.

Old Agoura is a unique community in the City of Agoura Hills. It strives to maintain its eclectic, harmonious and non-suburban presence along the Ventura Freeway. In order to forge a future that is tied to the past, a brief history of Agoura Hills is presented below.

HISTORY

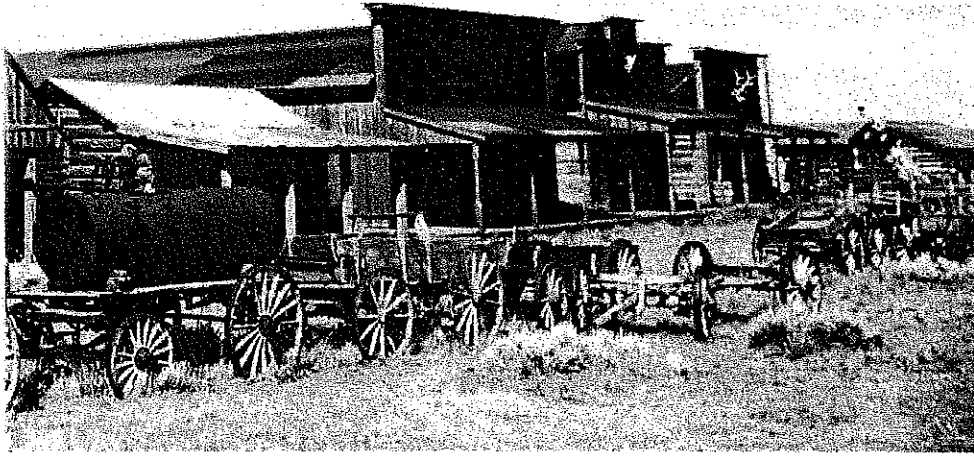
Agoura's hills are occupied by wide stretches of rolling terrain, cut by meandering creeks and studded with oak trees, a habitat type commonly referred to as an "Oak Savanna." The area was originally settled by the Chumash Indians, who were displaced by the Spanish well before California became a state in 1849.

In 1862, Congress passed The Homestead Act, whereby settlers could own 160 acres by living on it, building a home and raising a family. European

homesteaders, such as Miguel Leonis and Pierre Agoure, a French shepherder, settled in the area and developed livestock and agricultural ranches. Agoure's Ranch totaled over 16,800 acres of grazing land and covered much of present day Agoura. The name was later was altered to Agoura.



Standing miles NW of Oak, in Calabasas in the southwest corner of the San Bern, is the lovely home of one of the most colorful and legendary figures of early Los Angeles. Built in 1862 and restored to its original minty by the Leonis Adobe Association, it is a superb example of gracious living when the San Bern ranching country and Los Angeles still in its dusty settlement.



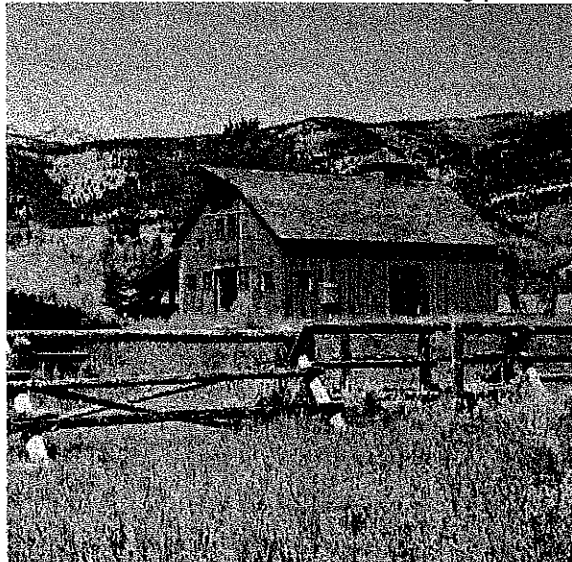
Supply routes opened through the area via El Camino Real and the Juan Bautista de Anza land route, some of which is now the 101 Ventura Freeway. Agoura had one of the wells used to provide water for travelers, and by the turn of the century, Agoura's Vejar Junction had become a stagecoach and freight wagon stop, an important status prior to the completion of the railroad.

George Lewis and family moved to their newly built ranch house in Agoura in 1901. In 1924, Ira and Leon Colodny purchased the George Lewis Ranch in what is now known as Old Agoura.¹

Ranching activities continued to flourish in the Conejo Valley giving us notable names such as Jordan Ranch, Ahmanson Ranch², and Morrison Ranch. As late as the 1960s, the Agoura was still characterized by a low density, rural lifestyle with barns, wooden fences, and hitching posts in town. Cheeseboro Canyon Park was originally a cattle ranch and some of its old structures have survived.

In the early 1970s, as housing tract developments sprang up in other parts of Agoura, Old Agoura strove to maintain its unique characteristics. Even today, there are no streetlights or sidewalks in Old Agoura. The City of Agoura Hills Municipal Code and General Plan state that Old Agoura residents maintain the right to own and keep horses and other livestock³.

Now, in the 21st century, Old Agoura continues to celebrate its roots as one of the original rural ranching communities in the Conejo Valley.



¹ Further information is available at the City of Agoura Hills website; <http://ci.agoura-hills.ca.us/info.html>

² Ahmanson Ranch is now referred to as the Upper Las Virgenes Canyon Open Space Preserve.

³ Agoura Hills General Plan, Community Design Element, December 1992, p. XI-3



GENERAL DESIGN GUIDELINES

The goal of the Old Agoura Design Guidelines is to encourage the design of a home and an environment that is rural in its roots. Even the most contemporary of homes can feature elements that are rural and which pay homage to classic and historic styles. Looking to the past provides insight and inspiration for future development in Old Agoura.



The character of historic Agoura can be preserved through development and design that reflect the original quality of life. When beginning plans to build or remodel in Old Agoura, the following goals should be considered paramount.

1. Preserve Agoura's hills by situating buildings to use the existing contours of the land, incorporate surrounding oak trees and creeks, and minimize grading and destruction of the natural landscape and view sheds; conform to the land, not impose upon it.
2. Integrate into the surrounding neighborhood, considering compatible scale, style, color, and feel.
3. Respect Old Agoura's history and create architecture that incorporates both the essence of the historical periods of the area and the designs dictated by the local climate.
4. Use natural and traditional materials with an emphasis on excellent design and handcrafted detail.
5. Design or preserve horse keeping areas so that the land is never made untenable for horses.

SPECIFIC DESIGN GUIDELINES

Proposed new development and remodels in Old Agoura shall substantially conform to the following standards:

Maintain Neighborhood Scale

A new or remodeled home should not be out of proportion with adjacent houses. A home should be designed to fit the lot and surroundings and with internal design integrity. Mansions and grand facades fly in the face of the neighborhoods humble beginnings.

Horse Keeping

in Old Agoura, the site plan should begin with horse facilities. The house and other structures are planned around it. Details for minimum horse-keeping facilities per horse would consist of a 12 ft x 12 ft stall or shelter (or 144 square ft with a 10 ft minimum interior clearance) and a basic pipe corral paddock, minimum size 12 ft x 24 ft.

However, for the large majority of horses that are not worked daily, a minimum 24 ft x48 ft turnout should be provided, with length for running and kicking up their heels. Larger or multiple turnouts should be planned if more animals are on a property. High use areas should be located on higher ground away from streams, with a 1-2% minimum slope for drainage. Paddocks should have sand or gravel substrate for filtration and not be built on areas with a greater than 10% slope. For pasture areas, avoid steep slopes (over 30%) that are susceptible to erosion; geologists recommend that horse facilities, including barns, turnouts and pasture, not be placed on areas over 10% because of potential slope failure.

A good reference book for best management practices related to runoff from horse keeping areas is "Stable and Horse Management in the Santa Monica Mountains, A Manual on Best Management Practices for the Reduction of Non-point Source Pollution⁴." A copy is available for viewing at the City's public counter.

Access for feed delivery and manure management should be as close to street as possible, with separate entry gates if needed. A plan for horse keeping facilities should include an area for hay & manure storage, accessory areas, such as horse trailer storage, wash racks, tack rooms, tools, etc. Some items found on site may serve multiple functions, such as septic tanks and leach fields being located under corral or pasture areas. Access can also be solved via turnout areas with wide gates. Barns may be used as storage for an owner who does not intend to keep horses, but future owners should maintain the area so it is convertible. Landscaping such as, but not limited to trees, vineyards, and trellises, should not be placed so as to prevent future conversion to horse keeping areas.

Site Plan

Site design should respect the natural features of the site including landforms and trees. Natural obstacles such as a creek or large tree can provide a special challenge but also produce creative solutions.

Heritage Tree Protection

The City has one of the most stringent oak tree ordinances in the region and, as a result, some of the most beautiful treescapes. If you are fortunate enough to have one of these majestic citizens in your yard, you must adhere to a set of carefully crafted rules that safeguard its health.

⁴ Resource Conservation District of the Santa Monica Mountains, 1999

Over-watering and disturbance of the drip line and root system areas could impact oak trees. A copy of the ordinance is available from the City. Many larger trees in Old Agoura are declared heritage specimens and are registered with a numbered plaque or tag on their trunks⁵.

Minimize lot coverage

The design of a home need not maximize the allowable lot coverage. It should provide ample open space around a structure. The relative placement of horse keeping areas, house, garage, accessory structures and driveway play a major role in shaping the character of a house. Consideration should also be given to the existing structures and views of the neighbors.

Style

Break up the visual mass of a structure with deliberate architectural elements. Create free-flowing space to the outdoors with the use of windows, porches, balconies, trellises, and terraces. Preferred basic features include:

- Wrap-around porches, balconies;
- Rear or side yard-facing garage doors or detached garages;
- Front door or entryway distinctly visible from the road giving a sense of human scale;
- Generous roof overhang (where appropriate to architectural style);
- Use of natural materials to enhance clean, uncluttered architecture.

Comment [RW31]: This design element is commendable and completely at odds with the proposed ordinance that penalizes the owner with hardscape constraints, and livable space reductions for covered patios.

When creating architectural details, and especially when utilizing the technology of stone veneer, it is important that they be used in a manner that is honest in their application and consistent with their function in construction technique.

Comment [RW32]: I do not understand what "honest" means. A clarification might be useful here.

Roofs

Roofs should have variation in texture. Roof overhangs of good proportion and balance provide a fundamental appeal as well as respect for the local climate. Excessively steep roof pitch is discouraged.

Comment [RW33]: I have no idea what a "variation in texture" means. Please clarify.

Color

Bright colors and reflective surfaces are strongly discouraged. The use of regional earth tones, such as browns, tans, and beiges, is preferred.

Hardscape & Driveways

Colors and textures should be chosen to best approximate the natural environment of the homesite. Permeable surfaces should be installed whenever possible and the amount of paving should be kept to a minimum. Use as much porous material as possible in order to reduce runoff and augment ground water recharging. Preferred materials are:

- Decomposed granite or other natural appearing aggregates such as gravel
- Natural flat stone
- Interlocking concrete manufactured pavers
- Grasscrete to reduce the hardscape ratio

If concrete is used, bring out its more natural looking applications by using:

- Stained or stamped concrete
- Exposed aggregate concrete

⁵ The County of Los Angeles, for those residences outside of the City has further requirements with regard to the preservation of sensitive species (oaks, sycamores, etc.). Please refer to the County of Los Angeles Department of Regional Planning for further design guidelines.

While the use of asphalt is generally discouraged, a better application is "chip seal," where loose rock is pressed into the surface to provide a gravel look.

Storm Water Drainage

There are very stringent and well-defined laws that govern how we deal with water drainage. Basically, one cannot alter the natural or traditional path of water across their property without a legally approved engineering plan. A drainage plan is a required part of any new construction project.

Comment [RW34]: This provision is completely unnecessary as it is fully addressed in the existing codes.

Fences

In an effort to keep the neighborhood more "neighborly," most residents choose to keep their front yards open and unfenced. White or natural wood, equestrian style fencing is preferred in all yard areas visible from the road. The use of wrought iron with sharp-pointed posts or stakes is discouraged, as is the use of chain link fencing.

Landscape Areas

Landscape for wildfire fuel modification, water conservation, summer heat and winter cold snaps. Old Agoura has a number of microclimates and many fruit and other frost sensitive trees and plants will be severely damaged during the cold spells, especially in the lowlands along creek beds. Take a look at what has thrived in the surrounding yards of the older homes over the years.

Outdoor Lighting

All outdoor lighting should be the minimum intensity possible for the task required. All lighting should be non-blinding, indirect, or diffused. All lights should be *off* unless they are being used. Motion sensor switches function well for this purpose.

Finally, the Old Agoura Design Guidelines encourage you to remember what attracted you to this heritage neighborhood in the first place — the special sense of openness and tranquility. As you build or remodel, strive to preserve that.

Sources:

American Country West, Mary Emmerling, Clarkson. N. Potter, Inc., New York: 1985.

Architecture from Prehistory to Post Modernism, Trachtenberg and Hyman, Harry N. Abrams, Inc., The Netherlands: 1986.

Architectural Digest, Paige Rense, ed., Conde Nast Publications, Inc., Vol. 58, No. 6, Los Angeles: June 2001.

Juan Bautista de Anza National Historic Trail, Don Garate, Southwest Parks and Monuments Association, Tucson: 1994.

ROSENHEIM & ASSOCIATES, INC.

21550 OXNARD STREET • SUITE 780 • WOODLAND HILLS, CA 91367 • TEL 818-716-2689 • FAX 818-593-6184

April 14, 2008

Mr. John O'Meara
Chairman, Agoura Hills Planning Commission
30001 Ladyface Court
Agoura Hills, CA 91301

RE: Residential Neighborhood Compatibility Ordinance

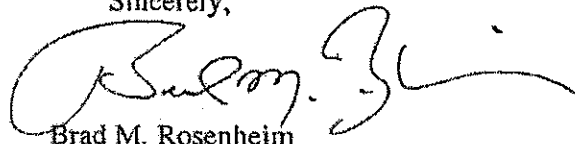
Dear Chairman O'Meara,

Thank you for the opportunity to comment on the proposed Residential Neighborhood Compatibility Ordinance. As you are no doubt aware, the nature of neighborhood compatibility is very sensitive as it reaches into the subjective realm of "community standard" while limiting a homeowner's ability to use one's property in a manner that they might otherwise perceive to be reasonable. Furthermore, in reviewing the staff report it is clear that the issues being addressed are very complicated and as written, the implications difficult to assess. For these reasons I strongly encourage the commission to act cautiously and to insist on the highest degree of community outreach possible. To that end, I request that the commission set a series of public workshops, to be publicized by the city's various Homeowner Associations in conjunction with the city, in an effort to educate and inform homeowners of the implications of the proposed ordinance.

As an element of the outreach effort I would strongly suggest that city staff provide real world scenarios by evaluating projects that have already been built in the city (additions and new homes) and using them as demonstrations of conforming or non-conforming projects (relative to the proposed ordinance). For laypeople, this will provide real world examples of what is perceived as acceptable/unacceptable by the city and I believe, allow for more meaningful input from citizens to the commission and ultimately the city council.

I agree that "mansionization" may have deleterious impacts on a neighborhood and I applaud the commission for taking a close look at this issue. However, with recent changes in the economy I do not believe there is undue pressure on the city to act immediately. Homeowners in Agoura Hills must be assured that their interests are being heard and that the city will proceed with prudence and careful deliberation on such an important and potentially impactful matter.

Sincerely,



Brad M. Rosenheim

Mike Kamino

From: RON WATERS [galaxy430cat@gmail.com]
Sent: Saturday, April 19, 2008 1:39 PM
To: Joyce Parker-Bozylinski; Mike Kamino; TNTGEC@aol.com; Robyn Britton
Subject: Re: Fw: My email address

Good Morning Joyce,

My wife and I are going to be out of the country from the 9th to the 24th of May. If possible, please do not schedule any workshops during that time. As soon as you know the dates that will be proposed for the workshops, please let me know, so that we can work our schedule around those dates.

I spent some time thinking about the application of one ordinance, or guideline, to the many lot sizes, topography, and zoning situations in Old Agoura. Rather than trying to craft one ordinance to cover all of these areas it might be more useful to make several guidelines that could then be applied more specifically to these unique circumstances. Certainly this will be more difficult, however in the long run the results might be more fair.

It was obvious from the comments expressed in the meeting, that re-models must be treated differently from new construction, as they have many existing conditions that can not be removed or easily brought into conformity with an ordinance designed for new construction where accommodations can be located with more discretion given to meeting specific ordinance specifications.

The criteria for flag lot coverage needs to be addressed to accommodate long hard surface driveways and fire department mandated turnaround areas. These required hard surface areas should be excluded from the hard surface calculations.

The concept of adding a slope criteria to reduce the size of a home may be valid for an upslope lot where size and mass are very visible from the street, however it should not be applied to down slope lots as their mass is diminished not increased by the slope.

Sloped lots that have room for a nice house, but do not have room to create large turnout areas for horses without extensive grading and retaining walls should be excluded from the requirements of setting aside land for horses, as they impact the natural siting of the house and disturb the environment excessively. This would need to be determined on a case by case basis after the desires of the owner have been met for the house. To site the horse facilities first then leave whatever is left over for the house disregards the primary reason for the construction of a home, and that is to have the house that fits the needs and capabilities of the home owner first, everything after that criteria is met is optional. There will only be a few circumstances that require this consideration.

Construction of covered stalls, or shade areas for horses should never impact the square footage allocations for the house. In an equestrian community there is no reason to penalize the owner for the creation of large horse facilities, if there is sufficient room for them.

Two car garages on any new home are totally unacceptable. Detached garages are generally not acceptable as they expose the owners to the elements and expose the owners to security issues as they move from the garage to the home. Using the allowance for a 500 square foot barn to serve as a second garage, defeats the purpose of having a real horse oriented barn. Three car attached garages of 24x36

should be allowed without penalty. If a garage is extra deep, and does not add visible mass, the extra square footage should be allowed without penalty. Many owners want workshop areas for their various personal projects, these areas need to be accommodated. They are not living areas, they are work areas. Covered patios, whether covered with solid roofs, or beamed roofs, that are not visible from the street, should be allowed without penalty, to encourage the enjoyment of our environment without exposure to the harmful effects of the sun, or being drenched by rain while trying to use a barbecue.

I would like to see a change in the way developments are processed in the City. It is very expensive to change grading plans, oak tree studies, septic system system plans and approvals, landscaping plans etc, when a project is brought before the Planning Commission and major changes are required. I would propose a preliminary review by the Commissioners prior to the finalization of the other required plans. These preliminary plans should include the floor plan, the elevations, the location of the home on a topographic map, and a preliminary grading plan. It should include a computer generated picture of the home as seen from the street, and any other views that might be brought into concern by the planning department. Neighbors would then have an opportunity to express their comments and the owners would have a more clear direction before finalizing these expensive associated plans. Generally the grading plan, landscape plan, oak tree study, and septic plan, are not subjects for concern by the Commission.

Care must be taken in accommodating second units. I have asked Mike Kamino to provide me with the current City law on this issue. Once I have that I can make some comments on that issue. As you have written the proposal, a second unit could not be built after a home has reached it's maximum footage, or it's maximum coverage. That could place the city in a situation that could result in a law suit.

I hope that these ideas will help generate the guidelines and ordinances necessary to help satisfy the needs of all the owners in Old Agoura.

Sincerely

Ron Waters.

On Fri, Apr 18, 2008 at 2:02 PM, Joyce Parker-Bozylinski <jparkerbozy@yahoo.com> wrote:
FYI

Joyce Parker-Bozylinski, AICP
jparkerbozy@yahoo.com
P.O. Box 1348
Thousand Oaks, CA 91358
(805) 241-5680 Phone
(805) 241-8491 Fax

4/21/2008

To: JESS THOMAS, PRESIDENT
OLD AGOURA HOME OWNERS ASSOCIATION

RE: April, 08 "THE GAZETTE"

FROM: RON WATERS
28025 BALKINS DR.
AGOURA HILLS, CA.
91301

Mr Thomas,

I have spent the past few days throughly studying the proposed ordinance changes that are to be presented in the upcoming planning commission workshop on the 17th of April. I have read every word and reviewed every attachment. I suggest that you do the same. My understanding of these proposed changes does not coincide with the statements that were made in the most recent edition of "The Gazette".

The most recent Old Agoura Home Owners Association news letter (The Gazette) is dated APR. '08. In that letter, on the front page, in the second paragraph statements are made that the proposed changes only apply to "very large homes approved on very steep slopes", and that "all the homes and remodels in Old Agoura approved by the Planning Commission over the past few years would still be approved..." These are inaccurate statements. These proposed changes apply to every home site in Old Agoura irrespective of the slope of the lot and the size of the home. The most recent home approved on Colodny absolutely would not be approved under these guidelines, and it is on a gently down sloping one acre lot. See the example below.

Further the article states that property values will not be affected. I will be sending a letter to Mike Kamino to be included in the work shop meeting of the 17th of April, 2008 that illustrates the economic impact of these proposed changes on various sized lots. There is a significant economic impact that accompanies these changes. The OAHA has exposed themselves to a significant risk by making the statement that we should not worry about property values declining with the enactment of these changes. If any owner relies on this statement and finds out later that their property value has been negatively impacted, the association could be sued. This is not a good thing. The OAHA has done, and is doing, good work for the property owners, and I personally would not like to see it involved in legal proceedings resulting from this statement.

Several homes have recently been approved in the past several years with houses in the 5,600 foot range including large tack rooms, large barns, covered patios, and three car garages. The following is an illustration of the application of the proposed ordinance changes as they apply to a one acre flat lot with a four stall barn, and a three car garage. This assumes that all the modified setback criteria are met, and there are no covered patios in the back of the house.

makes false or inaccurate statements their position will be weakened in the eyes of the City and the general public.

If the majority of the home owners in Old Agoura are fully informed of the exact impact of these ordinance changes, and they feel they are acceptable, then they should be enacted once the errors in the proposal are addressed and corrected. Fair, honest, and accurate interpretations of the proposed changes must be prepared and disseminated by your organization, anything less is dishonest and deceitful.

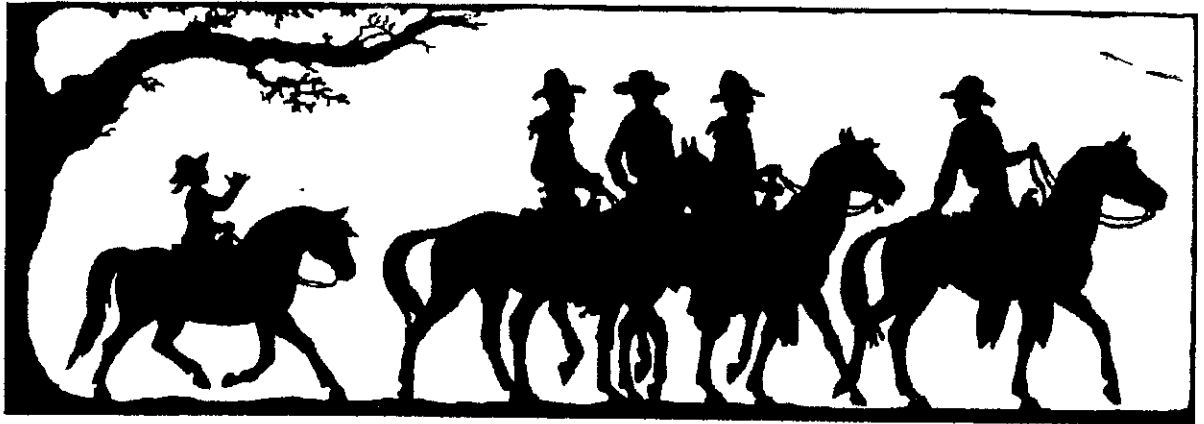
A copy of this letter will be sent to the City of Agoura Hills to each Council member, and to each Planning Commissioner, and to Mike Kamino the Planning Director along with a copy of the paragraph I have referenced in this letter.

I would hope that the OAHA would accurately and fairly represent the true impact of the proposed ordinance changes to their members and to the owners in Old Agoura that are not members of your organization.

I look forward to your comments.

Sincerely,

Ron Waters



Published by the *Old Agoura Homeowners Association*
Jess Thomas, President directors@oldagoura.org

APR. '08

In this issue:

General Meeting: Watch for the OAHA sign at the corner for date and time.
Agenda will include: Heschel School Update
 Membership and Fundraising Drive
 Election of Officers
 Neighborhood Compatibility Ordinance

Two Public Hearings before the Planning Commission are scheduled for the Neighborhood Compatibility Ordinance. A workshop will be held on April 17th at 6:30 PM; the formal public hearing will be May 1 at 6:30 PM. If you are unable to attend these hearings, public input can be submitted in writing to Mike Kamino, Director of Planning & Community Development: mkamino@ci.agoura-hills.ca.us.

Nobody get excited. There are lots of rumors flying around, but these are the facts. The "new" ordinances are mostly cleaning up and codifying the existing General Plan and Old Agoura Overlay. With only a couple of exceptions (very large houses approved on very steep slopes), all the homes and remodels in Old Agoura approved by Planning Commission over the past few years would still be approved using the proposed Floor Area Ratio and Slope Charts. And larger homes might still be approved if they meet certain conditions. So don't worry about your property values! They're going to be just fine.

Heschel School Update:

A Lawsuit?

The status of Heschel West Day School is changing daily, so a timely update will be presented before a vote is taken on whether to sue Los Angeles County for illegally permitting the school's construction to destroy our safety and well being. It is our understanding that the City Attorney is in discussions w/ Heschel's attorney regarding the conditions the City demanded be included (as set forth in the City's last submittal to Yaroslavsky's Office). The City's focus is fire emergency management, traffic mitigation and patterns, and the costs involved.

So far, the City will not challenge the County on the legality of the approval process. That's what we are centering our challenge on. Obviously, we will be strongly urging the City to join us when the time for a final decision arrives. Please urge the City to live up to their obligation to protect Old Agoura by sending an email to the City Manager, Greg Ramirez, gramirez@ci.agoura-hills.ca.us.