

ATTACHMENT 2

MEMORANDUM



TO: GREG RAMIREZ, CITY MANAGER

FROM: MIKE KAMINO, DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT

BY: ALLISON COOK, PRINCIPAL PLANNER

DATE: OCTOBER 22, 2008

SUBJECT: AGOURA VILLAGE SPECIFIC PLAN FINAL EIR

Pursuant to the Writ of Mandate issued on April 20, 2007 by the Superior Court of California, County of Los Angeles, in April 2008, the City released the Revised and Recirculated Draft Environmental Impact Report (RR DEIR) for the Agoura Village Specific Plan (AVSP) for public review. The public comment period began on May 8, 2008 and ended on June 23, 2008. The document included only those changes to the original 2006 Final EIR that were required by the Writ to meet judicial review. Those changes involved Section 2.0 Project Description, Section 4.3 Biological Resources, and Section 6.0 Alternatives. Additionally, a Biological Technical Appendix was prepared to support the discussion and conclusions of Section 4.3 Biological Resources. As the City had previously circulated a Draft EIR in 2006 and responded to comments on the draft, per CEQA Guidelines Section 15088.5, the City requested that reviewers limit their comments only to the revised portions of the EIR being recirculated. As described in more detail below under "Biological Resources," due to additional biological survey work, a second Draft EIR was prepared in June 2008, and entitled Updated Revised and Recirculated Draft EIR (Updated RR DEIR). Another public review period for the Updated RR DEIR ran from June 23, 2008 through August 7, 2008.

A total of nineteen comment letters were submitted during these two public review periods. About half of these were from public agencies, and the remainder from private individuals. The comment letters and responses to the comments are included in the Final EIR in Volume II, Appendix J, as "Responses to Comments on the Updated Draft Revised and Recirculated EIR." Despite the City's request in both the public notice regarding availability of the EIR, and in the Draft EIR text, that reviewers limit their comments only to the revised portions of the EIR being recirculated, many of the comments pertain to environmental issues that were previously addressed in the 2006 Final EIR and not the subject of the revised and recirculated sections. Pursuant to CEQA

Guidelines Section 15088.5(f)(2), the City provided responses to only those comments on the revised and recirculated sections. Nonetheless, for City Council's reference, a discussion of other issues brought up by commenters is provided in this report under "Other Comments on the Draft EIR."

The Planning Commission held a public hearing on June 5, 2008 to receive comments on the RR DEIR. Another public hearing was held on July 17, 2008 to receive comments on the Updated RR DEIR. Public comments received during these hearings were addressed as part of the Response to Comments section of the Updated Final RR EIR.

A. Biological Resources

A full discussion of the supplemental biological analysis can be found in Section 4.3 Biological Resources in the Updated RR Final EIR and in the Biological Technical Appendix. The following are highlights of the findings.

Extensive field surveys for sensitive plants and wildlife were undertaken in the spring of 2007 to provide the necessary current biological data required of the Writ. No additional types of sensitive protected plant species were found in the most recent biological surveys beyond what was identified in the 2006 EIR. However, additional locations for two listed sensitive plants, Lyon's pentachaeta (Federal and State Endangered) and Agoura Hills dudleya (Federal Threatened), were discovered. For the Lyon's pentachaeta, in addition to the location in Zone G-B, it was recently discovered in Zone F and Zone G-E. With regard to sensitive habitats, Valley Needlegrass Grassland was newly found in Zone E; previously, it had been limited to Zone G-B. Zone G is restricted to open space uses, however Zone F and Zone E allow development.

With regard to sensitive wildlife, the additional surveys revealed two new sensitive species observed onsite: the Southwestern Pond Turtle and the bird species White Tailed Kite. The Southwestern Pond Turtle was found in the Lindero Canyon Creek in Zone B, and the White Tailed Kite was observed foraging in Zone F.

Like in the original 2006 EIR, sensitive species and habitats found in Zone G would be avoided due to Zone G's open space status. For those found in the developable zones of the AVSP, the EIR mitigation measures would protect them or compensate for any impacts to them due to development.

No new potentially significant impacts were identified as a result of the recent studies. The plant and wildlife discoveries did not warrant any changes to Impacts BIO-1 through BIO-6 listed in the 2006 EIR. The text discussion pertaining to each listed impact, however, was amended to specifically address the new locations and types of impacts to the newly found plants and wildlife.

Similarly, no additional mitigation measures were added or deleted from the original EIR. For the most part, the original mitigation measures were created to address the possibility of additional sensitive plants and other locations being discovered in the AVSP area in

the future. Nonetheless, some mitigation measures were augmented and clarified, making them more protective of resources. These include BIO-1(a), BIO-1(b), BIO-1(c), BIO-2(a), BIO-2(b), BIO-2(c), BIO-3(a), BIO-3(b), BIO-3(c), BIO-3(d), and BIO-4(e). However, the basic requirements of the mitigation measures remain, including a preference for avoidance of impacts, and a description of how to restore the species elsewhere, if avoidance is not possible. The RR Draft EIR document showed all proposed changes to the mitigation measures in track changes mode.

In particular, Mitigation Measure BIO-1(a) in the Final EIR dated March 2006 previously required that sensitive plant species, such as the Lyon's pentachaeta, Agoura Hills dudleya and Santa Monica Mountains dudleya, be avoided if feasible. The 2006 Final EIR did not stipulate a minimum setback to determine avoidance. If avoidance was not feasible, a mitigation restoration plan was required. The required level of success for the restoration was three consecutive years of growth of a population equal to or greater than that which would be lost from the project. It further noted that this level of success would need to be achieved prior to the removal of the impacted population.

The RR Draft EIR (April 2008) revised this measure to require five consecutive years of growth, and stipulated that avoidance of the species be defined as a minimum setback of 200 feet from the species unless a lesser buffer is deemed appropriate by the permitting/regulatory agencies (California Department of Fish and Game and/or U.S. Fish and Wildlife Service). Also, based on the recent field surveys, the survey biologists have determined that what was previously thought to be the Santa Monica Mountains dudleya is, in actuality, the Agoura Hills dudleya. Therefore, references to the Santa Monica Mountains dudleya in this measure have been removed.

Mitigation Measure BIO-2(a) pertaining to buffer zones now includes specific methods to protect the Southwestern Pond Turtle. Lastly, Mitigation Measure BIO-3(d) pertaining to oak tree planting arrangements was added to the text of the document. This mitigation measure was formally incorporated into the original 2006 EIR as part of the Responses to Comments, but was not placed in the Biological Resources section specifically until now.

An additional portion of the AVSP area, which was included in the project description by way of the legal description and accompanying map in the 2006 approval of the AVSP and EIR documents, was outside of the area surveyed in 2007 for biological resources. This particular area is a continuation of Zone F westerly to the end of the parcel line, which is coincident with the AVSP boundary. The previous 2007 surveys had stopped just short of the full extent of Zone F in this location. Therefore, additional surveys in this area were conducted in spring 2008, and the RR DEIR that was prepared in April 2008 was then updated with this new data, and renamed Updated RR DEIR (June 2008). The public comment period for this updated document was from June 23, 2008 to August 7, 2008. The updated document, then, included all the same changes from the 2006 EIR that were reflected in the RR Draft EIR (in Section 2.0 Project Description, Section 4.3 Biological Resources, Section 6.0 Alternatives, and in the Biological Technical Appendix), as well as the additional biological data gathered in the westerly portion of Zone F.

The additional 2008 survey data revealed more locations of Lyon's pentachaeta in the western portion of Zone F, beyond what had been discovered in Zone F during the 2007 surveys. Nonetheless, aside from describing these additional locations and identifying them on the appropriate maps, no changes to the impacts and mitigation measures in the EIR were necessary.

All comments regarding biological resources have already been addressed in the Updated RR DEIR, and the responses refer readers to those specific sections. In some cases, the data is explained further in the responses. There are only two instances in which staff recommends two changes to the EIR based on information provided in the comment letters, as described below.

- For Mitigation Measure BIO-1(a), text has been added to clarify that the required level of success for restoration of the Agoura Hills dudleya and Lyon's pentachaeta is defined at a minimum as a demonstration of five consecutive years, *or a period as deemed appropriate by the permitting agencies (the State Department of Fish and Game and/or the U.S. Fish and Wildlife Service)*. This is similar to the language in the mitigation measure regarding what size buffer constitutes avoidance of the species. This change was made in acknowledgement that the two regulatory agencies are responsible for granting the necessary permits when it comes to listed species, and have more knowledge about not only appropriate buffers, but appropriate mitigation.
- The slender mariposa lily (California Native Plant Society – CNPS - List 1B.2) was identified on the Sensitive Elements Reported by the California Natural Diversity Database, Figure 4.3-2, of the EIR. However, there was no discussion of the species in the EIR text. The field surveys of 2007 and 2008 did not detect the slender mariposa lily. The lack of discussion of this species as potentially occurring within the project area does not change the level of significance for impacts to sensitive plant species. As a CNPS List 1B.2 species, it is a special status plant that is already addressed under Impact BIO-1 and under Mitigation Measure BIO-1(a). In any case, text has been added to Section 4.3.1e of the EIR describing its habitat requirements.

B. Alternatives

In Section 6.0 Alternatives, the text was revised to incorporate the findings of the additional biological work to each alternative discussed, which did not change any conclusions. The discussions of some of the alternatives were augmented, as directed by the Writ, explaining the purpose of the roundabout in meeting the project objectives, and also the importance of a balance between the non-residential and residential uses and the concentration of development uses in Agoura Village to achieve a successful pedestrian-oriented environment, economic viability and meet project objectives. No comments received on the alternatives discussion warranted any changes to the EIR text.

C. Project Description

Because of changes to Sections 4.3 Biological Resources and 6.0 Alternatives, some minor clarifications and text additions were necessary in Section 2.0 Project Description. However, there are no substantive changes to this section, and the changes do not affect the biological analysis or the alternatives analysis. The changes were shown in strikeout/underline mode in the Updated RR DEIR. Two of these clarifications in Section 4.3 are worthy to note here.

The 2006 Final EIR text identified 135 acres in the AVSP boundary. In actuality, the total acreage in the AVSP is approximately 233. The 135 acres refers to the main, core portions of Agoura Village where development is expected to occur, plus some adjacent areas. Therefore, 135 acres was the key planning area. The legal description of the AVSP, the zoning designation map, and the General Plan designation map as approved by the City Council on June 14, 2006, include the full dimensions of the AVSP, totaling about 233 acres. In this Updated RR FEIR, the 233 acre figure is now referenced.

Most of the exhibits in the 2006 Final EIR portrayed the key planning area of the Agoura Village. Two illustrations in the Specific Plan (Figures 4.2 and 4.3) focus on these developable zones and core of the AVSP. In these figures, the southern boundary of Zone G-B was truncated and shown in illustrations in the 2006 Final EIR with a zigzag line to indicate that the Plan boundary extended southward to the City's southern limits. Due to its size, showing this parcel, which is now owned by the Santa Monica Mountains Conservancy, in full would have lowered the resolution of the illustrations and required larger oversized exhibits. Similarly, this same parcel and the other parcel located south of Agoura Road and west of Kanan Road (in Zones B and F of the AVSP, and which runs from the Kanan/Agoura Roads intersection to the westerly AVSP edge) were shown as truncated on their western borders due to their large sizes. For consistency with the AVSP legal description, which includes the full areas of these parcels, all relevant figures in the Updated Final RR EIR now show the full extent of these parcels, with no truncation. (See Figure 2-4 of the Updated Final RR EIR, for example). As noted above, these areas were part of the legal description provided to the City Council in 2006, and were therefore part of the AVSP area that was adopted in 2006, and the allowed maximum development in Zones B and F remains the same as identified in the 2006 Final EIR.

D. Other Comments on the Draft EIR

As previously noted, some individuals offered comments on sections of the 2006 Final EIR that were not recirculated as part of the Updated RR DEIR. These sections are not being revised as part of the Updated RR FEIR. Many of the comments raised refer to portions of the EIR that have not been changed since the 2006 FEIR. The portions of the EIR that were revised per the Writ of Mandate issued by the Superior Court of California, Los Angeles County on April 20, 2007 were recirculated for public review as part of the Revised and Recirculated DEIR (April 2008) and Updated Revised and Recirculated DEIR (June 2008).

The Writ of Mandate instructed the City to make changes to portions of the 2006 FEIR, as described in the staff report to the City Council for this item. The conclusion on page 26 of the Writ of Mandate states, in regard to the command that the City “prepare a new EIR or conduct some other appropriate environmental review,” that:

Whatever review is conducted must include timely biological data, support re-planting through appropriate expert evidence, and provide a more complete discussion of why a reduced specific plan alternative does not meet project objectives. The review, in the exercise of the City’s discretion, may discuss more than the required areas, but is not required to do so. In all other respects, the EIR is adequate.

Pursuant to CEQA Section 15088.5(f)(2), the City is not required to address comments that do not pertain to the revised and recirculated sections of the EIR. In the Responses to Comments section of the Updated RR Final EIR, the City references this provision of CEQA, and refers the reader to the particular section of the EIR that dates from 2006 where the requested information is provided. None of the comments raised significant environmental issues that were not previously addressed in the 2006 FEIR. Nonetheless, for the City Council’s information, the following is a brief discussion on some of the comments brought up during the public review period, as well as during the September 18, 2008 Planning Commission hearing.

Traffic and Circulation

Some commenters expressed concern about the current Kanan Road/U.S. Highway 101 interchange traffic and its affect on the Kanan Road/Cornell Road intersection with development of Agoura Village. The potential traffic impacts from the Agoura Village Specific Plan implementation were thoroughly analyzed in the 2006 Final EIR. Traffic related comments on the 2006 Draft EIR were also thoroughly responded to in the 2006 Responses to Comments. No new significant information has been presented by the commenters, warranting additional analysis in the EIR.

In the 2006 EIR, traffic was assessed for the AM (7:00-9:00 AM) and PM (4:00 – 6:00 PM) peak periods during the weekdays, which is common practice and appropriate in this case, given the peak commute travel periods. Beach traffic consists of recreational trips that most heavily occur on weekends, and are outside peak commute periods, during which it is expected that the area street network would operate acceptably. Traffic improvements are commonly planned to accommodate regularly anticipated traffic during peak commute times over a 52-week period, and not seasonal traffic conditions, such as peak summer beach travel trips. Accommodating specific but limited frequency time period traffic volumes often results in over-sizing of traffic intersections and other improvements, which is commonly discouraged.

Traffic counts were conducted in January 2008 by a professional traffic counting and data research firm, WILTEC, on behalf of a separate project in the area, unrelated to the AVSP. These counts were taken after the interchange improvements were completed. The counts

were translated into Levels of Service (LOS). The City considers an acceptable Level of Service (LOS) as "A" through "C," with "A" being the best traffic flow. The results are as follows:

Kanan Road/U.S. 101 Southbound Ramps-Roadside Drive: LOS A in AM, LOS C in PM
Kanan Road/U.S. 101 Northbound Ramp-Canwood Street: LOS B in AM, LOS B in PM

In the 2006 Final EIR, the estimated current LOS for these two interchange intersections, prior to the interchange improvements, were "C" in most cases for the AM and PM, and "D" for the AM peak hour for the Kanan Road/U.S. 101 Northbound ramp. The 2006 Final EIR identified project impacts to these same interchange intersections, and necessary mitigation measures. It noted that upon implementation of the required mitigation measures, and assuming completion of the interchange improvements, all intersections would operate at an LOS C or better. The list of mitigation measures is provided in the Final EIR in Section 4.11 Traffic and Circulation. In particular, the Final EIR concludes that upon construction of the roundabout as proposed in the AVSP, the Kanan/Cornell Roads intersection would operate at LOS A.

Personal accounts of perceived Levels of Service (LOS) at area intersections do not constitute adequate evidence upon which to base a CEQA analysis without submitting facts or expert evidence (CEQA Section 15204(c)). In any case, regardless of what the LOS is at the Kanan/Agoura Roads intersection currently, the purpose of an EIR is to analyze potential impacts from a project. To that end, the FEIR determined that the AVSP, including implementation of the proposed roundabout at the intersection of Kanan and Agoura Roads as put forth in the AVSP, would result in a LOS A at this intersection. Furthermore, it should be noted that no County of Ventura roadways would be impacted by the AVSP, and so no discussion of cumulative impacts on Ventura County roadways is provided in the FEIR.

As noted in the 2006 Final EIR, the proposed roundabout would be designed to ensure that adequate access for emergency personnel and larger trucks would be provided, as are all intersections and traffic improvements in the City. Mitigation Measure PS-3c in Section 4.10 Public Services of the 2006 EIR and the current Final EIR requires that the engineering design of the roundabout incorporate applicable geometric features to accommodate safety personnel and emergency access, as well as the forecast vehicular, bicycle and pedestrian movements.

Also related to traffic and circulation are bike routes. The AVSP area is part of a larger regional area that is a major bicycle route, and has been even before adoption of the AVSP in 2006. The AVSP acknowledges this, and encourages continued bicycle use within the AVSP boundaries. There is a section in Chapter 3: Mobility of the AVSP that specifically addresses bicycle circulation. One policy requires that Agoura Road specifically accommodate bike travel by creating an informal bike space between diagonal parking and the travel lane. The Plan provides for the continuation of Agoura Road as a Class II bikeway, and establishes Class III bike routes along Kanan and Cornell Roads.

Fire Hazards

Comments were made that the 2006 Final EIR is deficient in regard to identifying and addressing fire hazard issues. The 2006 Final EIR did assess potential fire hazard issues adequately in Sections 4.5 Hazards and Hazardous Materials, and 4.10 Public Services and Utilities, consistent with CEQA. These same sections are included in the Updated Final RR EIR. In the EIR, all potential impacts were determined to be mitigable to a less than significant level. No new significant information has been presented by the commenters, warranting additional analysis in the EIR.

Section 4.10 indicates that the project site is situated in a high severity wildland fire hazards zone. The EIR notes that all development projects must comply with the Los Angeles County Fire Code requiring brush clearance. Most importantly, it states that risk and brush clearance requirements for individual developments would be determined on an individual basis by the Los Angeles County Fire Department, and would be developed as part of a Fuel Modification Plan that would be required for each project, as the individual development project proceeds through the City permitting and review process. According to the County Fire Department, a Fuel Modification Plan identifies specific zones within a property that are subject to fuel modification. A fuel modification zone is a strip of land where combustible native or ornamental vegetation has been modified and/or partially or totally replaced with drought-tolerant, low-fuel-volume plants. This process is the same for all development projects in the City in high fire hazard areas. Individual Fuel Modification Plans are developed as each project is designed, and such a Plan must be approved by the County Fire Department prior to issuance of any permit by the City. Further, Mitigation Measure PS-3(a) of the EIR stipulates requirements related to the preparation of the Fuel Modification Plans and states that the City shall confirm that appropriate easements have been secured and that long-term funding mechanisms are in place to ensure successful implementation of the Plans.

The EIR indicates that new buildout under the AVSP would be required to comply with Fire Code and County Fire Department standards. These include specific construction specifications, access design, location of fire hydrants, and other design requirements. Therefore, given the implementation of standard fire prevention measures and proper site design as required of the County Fire Code, Title 32 of the County Code and Los Angeles County Fire Department, the EIR determined that potential effects associated with increased wildfire hazards would be reduced to a less than significant level.

Cumulative discussions of fire hazards are provided in the EIR in both Sections 4.5 and 4.10. With regard to emergency access, evacuations, and response in Agoura Village and south of Agoura Village, traveling through Agoura Village, there would continue to be the two north-south access roadways: Kanan Road and Cornell Road. Any improvements to these roadways as part of the AVSP implementation, as well as the proposed roundabout at Kanan/Agoura Roads, would be designed in accordance with standard roadway design requirements, ensuring continued access by emergency vehicles. Mitigation Measure PS-3(d) in the EIR specifically addresses emergency access requirements for the proposed roundabout. The mitigation measure initially states that the roundabout has the potential to

restrict access to safety personnel and emergency vehicles, and then continues on to describe the design measures that would be required to ensure adequate access, including constructing a roundabout of two lanes, and the use of a mountable apron on the island and mountable splitter islands. The EIR then states that impacts to fire protection service would be less than significant with this mitigation. It should also be noted that while Mitigation Measure PS-3(d) outlines design features that would be required of the roundabout, these features are typical and standard for roundabout design, and are not special or unusual.

In preparing the EIR, City staff consulted with Los Angeles County Fire Department staff regarding fire personnel and equipment (see Section 7.1.2. of the EIR for a list of persons consulted). The EIR states that the AVSP would increase the demand for local fire protection services, but is not expected to require the addition of personnel, equipment or stations.

Please also note that the State Clearinghouse routed both the 2006 Draft EIR and the Updated RR DEIR to the State Department of Forestry and Fire, and that City staff provided a Notice of Availability to review both EIRs to the County of Los Angeles Fire Department. No comments were received on the discussions in the EIRs from these agencies either in 2006 or 2008.

Residential Density Bonus

One commenter noted that a new issue of significance is the recent approval of the residential density bonus by the City. As you are aware, the City Council adopted Ordinance No. 08-352 on June 25, 2008. The Residential Density Bonus Ordinance was prepared pursuant to the Statewide Density Bonus Law (Government Code Section 65915), which mandates each city and county in the state to adopt an ordinance that specifies how residential density bonuses and related development incentives shall be granted if a residential developer designates a portion of the units for affordable income categories. Per state law, the additional units per the density bonus could exceed what the current zoning allows. Even without the City's adoption of the Ordinance, the State Residential Density Bonus Law applies in the City. By adopting this Ordinance, the City is complying with state law. The program is voluntary on the part of the potential developer, and not a City requirement.

The AVSP allows a maximum of 293 dwelling units throughout the Plan area, and the Final EIR assesses potential impacts based on this maximum number. The AVSP does not require that a developer provide affordable units in accordance with the Residential Density Bonus Ordinance. If a particular developer of a site opts to enter into the residential density bonus program outlined in the Ordinance, as entitled by state law, and the result is an increase in the number of residential units above the AVSP maximums, then additional CEQA analysis beyond this current Final EIR would be required for that particular project to determine potential impacts from the additional units. It should be noted that it is not necessarily the case that the AVSP maximum number of dwelling units would be exceeded if a developer wishes to enter into the residential density bonus program. In some cases, a given developer may request a number of residential units below the AVSP maximums for a certain zone in

the Plan area, and not request a density bonus. In this case, there would be a gap between what is being requested and what the AVSP allows, resulting in a type of "surplus" of dwelling units for that zone not being used. Another developer in the same zone may elect to provide the additional density bonus units, and because of this leftover surplus, the total number of units might not exceed the AVSP maximums.

Water Supply

Water supply was a question, particularly whether it would be possible to provide adequate water to Agoura Village, given current water shortage conditions. As noted in the Final EIR in Section 4.10 Public Services, the Las Virgenes Municipal Water District (LVMWD or District) indicated that the water demand from the AVSP could be accommodated, and did not anticipate any deficiencies in service or flow due to buildout of the AVSP. In the LVMWD's letter dated June 21, 2008, in response to the Updated RR Draft EIR, staff reiterated its previous comments in correspondence regarding the AVSP.

The LVMWD advocates the use of water conservation measures. The Final EIR indicates that individual projects would be required to comply with water system and conservation requirements of the LVMWD and the California Plumbing Code, as adopted by the City of Agoura Hills. Future land uses within the Plan area would be required to utilize interior water conserving fixtures, including low flow faucets and ultra low flow toilets, consistent with the LVMWD standards, as well as comply with requirements for drought tolerant plantings and efficient irrigation systems and techniques and maximum use of recycled water during and after construction.

Following the Governor's Statewide Drought Declaration (Executive Order S-06-08, dated June 4, 2008), and the Metropolitan Water District's Water Supply Alert (dated June 10, 2008), The LVMWD issued its Water Shortage Response Plan (Report No. 2411.00) on June 24, 2008. The Report outlines policy principles that the District will implement and administer to address water shortage, and conservation measures the District will undertake to ensure adequate water supplies to its customers, among other items. One of the main policies is to provide incentives to customers to accomplish water conservation goals, thereby limiting financial impacts and/or shut offs to those customers who fail to meet conservation goals. Another policy is that development that complies with conservation codes and standards should not be restricted. As part of conservation measures, the Report states that the District may implement, as necessary, water conservation measures in accordance with LVMWD rules and regulations; develop further ordinances and policies as necessary; and develop and implement individual customer water budgets to ensure proper allocation of water supplies. The Report notes that the types of measures LVMWD may implement include limiting irrigation times and days; restricting exterior washing, and ornamental or recreational uses of water; requiring restaurants to serve water only upon request; and requiring hotels to offer guests the option of not having linens washed each day of their stay.

In the future, each individual development project application in Agoura Village will be required to undertake separate CEQA environmental review, as well as obtain approval

from the District to access its water supply. Aside from the LVMWD required water conservation measures described in the Updated RR Final EIR, as listed above, if the District, as the water supplier to the City of Agoura Hills, implements further use restrictions and conservation measures, that project would be required to comply with all LVMWD requirements in effect at the time.

ATTACHMENT 3

MEMORANDUM



TO: GREG RAMIREZ, CITY MANAGER

FROM: MIKE KAMINO, DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT

BY: ALLISON COOK, PRINCIPAL PLANNER

DATE: OCTOBER 22, 2008

SUBJECT: AGOURA VILLAGE SPECIFIC PLAN SUMMARY

The Agoura Village Specific Plan (AVSP) is the result of a long range planning effort launched about eleven years ago by the City of Agoura Hills that aims to revitalize and beautify the Agoura Road corridor generally between Kanan and Cornell Roads. The AVSP is a comprehensive document that identifies the vision for Agoura Village and provides regulations and guidelines for new development and redevelopment. However, it is important to note that the AVSP is not a development project itself, but a blueprint that private developers must adhere to if they wish to develop or redevelop their properties in the boundaries of Agoura Village.

The purpose of the AVSP is to establish a framework for development within the area by providing design guidelines, development standards, a logical system of circulation and parking, improvements to the streetscape, and a cohesive set of public improvements, all of which would lead to the creation of a pedestrian-friendly sense of place in Agoura Hills. A Specific Plan is a regulatory tool that local governments use to implement their General Plans, and to guide development in a localized area. While the General Plan is the primary guide for growth and development in an entire City, the Specific Plan is able to focus on the unique characteristics of a particular area of the City by customizing the vision, land uses, and development standards for that area. The AVSP has been prepared in compliance with State requirements for Specific Plans (Government Code Section 65450 et seq.).

The vision for Agoura Village (Village) is to create a welcoming, pedestrian-friendly atmosphere that captures the character of Agoura Hills. The Village area would be shaped into an identifiable and inviting place with an intimate streetscape lined with storefronts and would become a comfortable place to gather shop and stroll. To achieve this vision, the Village would begin a transition from its current state toward a unique balance of land uses over time, consisting of retail, office, entertainment, restaurant and residential. The residential units are secondary to the commercial uses, but are critical to providing support

for the retail, office and other commercial development. In summary, the key components of the Agoura Village would include: traffic calming devices such as landscaped medians and diagonal parking along the main streets; a roundabout at Kanan and Agoura Roads as a traffic measure as well as a focal point and gateway into the Village; a focus on pedestrian orientation through connected walkways both within individual developments and throughout the greater Village area, with a de-emphasis on the automobile as the primary mode of travel within the Village area; a mix of land uses, including residential, to provide mutual support to the various developments, as well as encouraging a varied and vibrant pedestrian environment; development that is more human in scale, with smaller tenant spaces and varied storefronts; and preservation of open space and natural resources.

The content of each chapter of the AVSP is summarized below.

Chapter 1 – Introduction: This chapter provides background information on the creation of the AVSP. The chapter also describes the vision and planning principles that are implemented in the following chapters. The vision for AVSP is to create a pedestrian-oriented village with retail shops, restaurants, and entertainment uses. Office and residential uses are envisioned as secondary uses that will support and enhance the Village.

Chapter 2 – Existing Conditions: The existing physical, circulation and traffic, natural resources and economic market conditions are described in Chapter 2. This chapter summarized the information that was developed in a comprehensive Opportunities and Constraints Report that was prepared as part of the creation of the AVSP.

Chapter 3 – Mobility: In addition to discussing the roundabout planned for the Kanan Road and Agoura Road intersection, this chapter provides street sections for each of the streets in the AVSP. The chapter also provides parking, traffic calming, pedestrian, bicycle and trail recommendations.

Roundabouts and angled street parking are two new elements in the City that are introduced in the AVSP. Roundabouts are becoming more popular as people realize the benefits of roundabouts over conventional intersections. These benefits include:

- Intersection Efficiency – Roundabouts permit a continual stream of traffic to flow through the intersection and are usually more efficient in keeping traffic in motion, thus reducing traffic congestion.
- Enhanced Safety – Roundabouts significantly reduce the number of vehicle conflict points in the intersection because drivers have fewer opportunities to cross paths with other cars. In addition, since vehicles travel more slowly when approaching and driving through a roundabout, drivers have more time to prepare for and react to the traffic.
- Aesthetics - Although the primary function of roundabouts is intersection control, the secondary role as a traffic calming element is beneficial for

creating a gateway into Agoura Village. The roundabout provides an opportunity for landscaping and/or public art, and most people find them more attractive than traffic signals.

- Environmental – By reducing the amount of rapid acceleration and deceleration associated with other types of intersection controls, as well as idling, roundabouts typically cause vehicles to consume less fuel and correspondingly lead to lower vehicle emissions.

Chapter 4 – Land Use and Development Standards: Chapter 4 provides the regulations and development standards for private development that will influence how the area will develop. This chapter also addresses the maximum buildout allowed in the AVSP.

The properties located in the AVSP are divided into zones with unique allowable uses and development standards specified for each zone. The core zones (Zones A, B and E) allow primarily retail, restaurant, service and entertainment uses, and office uses only above the ground floor. Office uses are considered to be a secondary use, since they typically do not create pedestrian activity along the street frontage. Zones D, C and F allow stand alone office use because they are located on the outer edge of the Village. The types of residential uses allowed are residential units above commercial and stand alone residential uses. Residential units are limited to attached multi-family development, such as apartments and townhouses, and are allowed in Zones A, B and E in order to integrate residential uses into the core zones to support the planned retail. Stand alone residential uses also serve as a transition from commercial development to open space.

In addition to establishing unique allowable uses for each zone, Chapter 4 contains zoning plates that summarize the allowable setbacks, height, size, lot coverage, building form and parking location. The plates are intended to be utilized in conjunction with the allowable uses to help create the “village” envisioned in the AVSP. The zoning plates establish minimum and maximum setbacks to accomplish several goals. For instance, front setbacks that allow a building to be built at the edge of the sidewalk will create a vibrant and walkable village atmosphere, and minimum side yard setbacks will help create a continuous built edge along the street.

A shared parking study would be required for all new proposed development to determine the actual number of parking spaces that would be required. Shared parking may result in a reduction in the number of spaces needed, as compared to what is normally required in the Zoning Ordinance. Reducing parking requirements in the AVSP, via the share parking study, will eliminate the need for large parking lots and/or structures allow centrally located parking areas that can support multiple businesses, and promote pedestrian character.

The building height allowed in the AVSP is two stories with 35 feet maximum except for buildings that include residential units over retail or hotels, and which also fronts Agoura, Kanan and Cornell Roads. These types of buildings are allowed three

stories with a 45-foot height maximum. Allowing the additional height for residential units over retail was added as an incentive to encourage applicants to integrate residential units into the commercial component. The AVSP does provide for additional height beyond the height limits established in the AVSP if certain findings (see Chapter 9) can be made by the Planning Commission as a recommending body and the City Council as a final decision making body. However, three stories are the maximum allowed regardless of the requested increase in building height.

The development standards in Chapter 4 include a maximum Floor Area Ratio (FAR – the total lot area divided by the total building square footage) of 0.35 for the net buildable area. The net buildable area excludes all of the property in Zone G. The AVSP limits the size of a building to 30,000 square feet to ensure that the mass and scale of the building are consistent with a pedestrian oriented village. With Planning Commission approval, buildings can be increased in size up to a maximum of 60,000 square feet if the building has been designed to incorporate both vertical and horizontal building articulation and complies with the spirit and intent of the Specific Plan.

For the residential uses, the AVSP establishes a maximum number of 235 units by building type. One hundred seventy (170) stand alone condominiums and/or apartments would be allowed and 65 residential units over commercial would be allowed. In addition, bonus units, totaling 17 units over commercial and 41 stand alone, are available with the provision of an extraordinary community amenity, as described in the AVSP.

Chapter 5 – Design Guidelines: This chapter provides a set of guidelines and criteria to create the “village” experience that is envisioned for the area and includes site planning and design, building design principles, and building elements and articulation. Under these broad categories, items such as building form, parking lot design, pavement, windows and doors, awnings, trash enclosures and signs are addressed. Some flexibility is allowed to encourage creativity and more organic development similar to how downtowns have traditionally developed. The goal is to not have the area look like a shopping center. The area should develop as a village with unique site design and architecture.

Chapter 6 – Street Beautification and Public Improvements: The public realm of streetscape improvements, village monuments, village gateways, street furnishings and landscape recommendations is addressed in Chapter 6. Village monument and gateway features, such as signage, are anticipated in the future for Agoura Village. The street furnishing section provides details on street and sidewalk lighting, benches, trash receptacles, tree grates, planter pots, bicycle racks, paving materials and bollards planned for the area. Lastly, the landscape section provides recommendations for street trees, accent trees and shrubs and groundcovers.

Chapter 7 – Infrastructure and Public Services: This chapter provides a discussion

of the various public services, such as water, wastewater and utilities that will serve the area, as well public safety (police and fire protection), and educational facilities.

Chapter 8 – Plan Implementation: The implementation chapter sets out the actions that would need to be taken to implement the AVSP. These include capital projects, such as construction of the roundabout, street and streetscape improvements, and trails, as well as other signage-related programs.

Chapter 9 – Plan Administration: Chapter 9 discuss how projects will be processed in the Village and lists the findings that would have to be made when applicants request modifications to height, parking, building coverage, and building size standards. The chapter also discusses in detail the AVSP-specific density bonus program (as opposed to the statewide density bonus program) that would allow applicants to request additional housing units up to the maximum allowed in the buildout table.

All new projects planned in the AVSP area will follow a two-step process. The steps include an initial concept review that will focus on site planning, including the creation of blocks and streets, placement of buildings, location of parking, proposed building types, design of the public realm, and pedestrian and vehicle linkages between other projects existing or planned in the area. Applicants are encouraged to complete the concept review very early in the project planning stages. Once submitted, the concept application will be reviewed by City departments and relevant outside agencies, the Architectural Review Panel (ARP), and the Agoura Village Policy Committee (AVPC). Once the concept review is completed, applicants will then submit a formal application. The formal application will follow the same process that other development applications follow throughout the City, and, like the concept review, includes further review by City departments, outside agencies as relevant, the ARP and the AVPC. All projects in the AVSP will need to obtain an Agoura Village Development Permit (AVDP) which will be processed in the same manner as a Conditional Use Permit.

ATTACHMENT 4

RESOLUTION NO. 946

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF AGOURA HILLS CERTIFY THE UPDATED REVISED AND RECIRCULATED FINAL ENVIRONMENTAL IMPACT REPORT FOR THE AGOURA VILLAGE SPECIFIC PLAN; MAKE ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; ADOPT A STATEMENT OF OVERRIDING CONSIDERATIONS; ADOPT A MITIGATION MONITORING AND REPORTING PROGRAM; AND ADOPT THE AGOURA VILLAGE SPECIFIC PLAN.

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:

Section 1. An application for approval of the Agoura Village Specific Plan ("Project") was duly filed by the City of Agoura Hills (City) for an area of approximately 233 acres located both north and south of Agoura Road, from approximately Roadside Drive on the north to approximately the City limits on the south, and extending approximately 2,400 feet west of Kanan Road to about 750 feet east of Cornell Road. A public hearing was duly held by the Planning Commission on the Specific Plan on April 20, 2006 and September 18, 2008 at 6:30 p.m. in the Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California, 91301.

Section 2. Evidence, both written and oral, was presented to the Planning Commission at the aforesaid public hearings.

Section 3. On November 18, 2005, a Draft Program Environmental Impact Report (DEIR) was published for the Agoura Village Specific Plan in the City of Agoura Hills. A Notice of Preparation and Request for Agency Input Regarding the Scope of the EIR was properly noticed and circulated for public review.

Section 4. The availability of the Draft Program Environmental Impact Report (DEIR) for public review was duly noticed. The DEIR was circulated to the State Clearinghouse for the State of California's Office of Planning and Research, as well as to other responsible, trustee, and/or interested agencies and persons. The DEIR was circulated for public comment for a period of 45 days, as required by law. On December 1, 2005, the Planning Commission held a public meeting to receive comments regarding the adequacy of the DEIR. The City of Agoura Hills (City) accepted and responded in writing to comments relating to California Environmental

Quality Act (CEQA) issues as required by law. Both the comments and the City's written responses thereto were incorporated in the Final Program Environmental Impact Report (FEIR) as required by CEQA. Responses were returned to the commenting agencies at least ten (10) days prior to the certification of the FEIR, pursuant to Public Resources Code Section 21092.5. The City found that the public and government agencies have been afforded ample notice and opportunities to comment on the Notice of Preparation and Request for Agency Input Regarding the Scope of the EIR, the DEIR and the FEIR.

Section 5. In accordance with CEQA, the City's Local CEQA Guidelines, and Sections 15088, 15089 and 15132 of the State CEQA Guidelines, the City prepared the Final Program Environmental Impact Report (FEIR) for the project. The FEIR was comprised of the DEIR, the technical appendices noted and incorporated therein, public comments and the City's responses thereto, amendments to the DEIR, and the Mitigation Monitoring and Reporting Program.

Section 6. On April 20, 2006, the Planning Commission considered the Agoura Village Specific Plan and FEIR at a duly noticed public hearing as prescribed by law, at which time interested persons had an opportunity to, and did testify, either in support of or opposition to this matter.

Section 7. Following consideration of the entire record of information received at the public hearing and due consideration of the proposed Project, the Planning Commission adopted Resolution No. 2006-859, recommending that the City Council approve the Agoura Village Specific Plan, certify the Final Program Environmental Impact Report, make the environmental findings pursuant to the CEQA, adopt a Statement of Overriding Considerations, and adopt a Mitigation Monitoring and Reporting Program.

Section 8. On June 14, 2006, the City Council held a duly noticed public hearing as prescribed by law on the Agoura Village Specific Plan and FEIR, at which time all persons interested had the opportunity to present oral and written evidence on the Agoura Village Specific Plan and FEIR.

Section 9. On June 14, 2006, following consideration of the entire record of information received at the public hearings before the Planning Commission and the City Council, and due consideration of the Agoura Village Specific Plan and FEIR, the City Council adopted Resolution No. 07-1443, approving the Agoura Village Specific Plan, certifying the Final Program Environmental Impact Report, making the environmental findings pursuant to the CEQA, adopting a Statement of Overriding Considerations, and adopting a Mitigation Monitoring and Reporting Program.

Section 10. On July 19, 2006, a petition was filed in the Superior Court of California, Los Angeles County, seeking a Writ of Mandate, challenging the City of Agoura Hills' approval of the Agoura Village Specific Plan, and requesting to set aside the City Council's certification of the FEIR, adoption of a Statement of Overriding Considerations, approval of the resolution adopting the Agoura Village

Specific Plan, and approval of zoning changes related to the Agoura Village Specific Plan.

Section 11. On April 20, 2007, the Superior Court of California, Los Angeles County, issued a Writ of Mandate. Superior Court Judge James Chalfant directed the City to set aside its certification of the FEIR and approval of the Agoura Village Specific Plan, as well as zoning amendment. The judge further indicated that for the project to go forward, the City must prepare a new EIR or conduct some other appropriate environmental review. The review must include timely biological data, support re-planting through appropriate expert evidence, and provide a more complete discussion of why a reduced specific plan alternative does not meet project objectives. The Writ of Mandate stated that in all other respects, the EIR was adequate.

Section 12. On May 9, 2007, the City Council adopted Resolution 07-1443, repealing Resolution 06-1419.

Section 13. In April 2008, a Revised and Recirculated Draft EIR (RR DEIR) was published for the Agoura Village Specific Plan. The document included only those changes to the 2006 FEIR that were required by the Writ of Mandate, which included Sections 2.0 Project Description, 4.3 Biological Resources, 6.0 Alternatives, and a Biological Technical Appendix. The availability of the RR DEIR for public review was duly noticed. The RR DEIR was circulated to the State Clearinghouse for the State of California's Office of Planning and Research, as well as to other responsible, trustee, and/or interested agencies and persons. The RR DEIR was circulated for public comment for a period of 45 days, as required by law. On June 5, 2008, the Planning Commission held a public meeting to receive comments regarding the adequacy of the RR DEIR.

Section 14. A second Draft EIR, entitled Updated Revised and Recirculated Draft EIR (Updated RR DEIR), was published in June 2008 to incorporate additional biological survey work in the eastern portion of the Agoura Village Specific Plan that was not included in the RR DEIR. The Updated RR DEIR incorporated all the same changes from the 2006 FEIR that were reflected in the April 2008 RR DEIR, including Sections 2.0 Project Description, 4.3 Biological Resources, 6.0 Alternatives, and the Biological Technical Appendix, as well as the results of the additional biological data gathered from surveys.

Section 15. The availability of the Updated RR DEIR for public review was duly noticed. The Updated RR DEIR was circulated to the State Clearinghouse for the State of California's Office of Planning and Research, as well as to other responsible, trustee, and/or interested agencies and persons. The Updated RR DEIR was circulated for public comment for a period of 45 days, as required by law. On July 17, 2008, the Planning Commission held a public meeting to receive comments regarding the adequacy of the Updated RR DEIR.

Section 16. The City accepted and responded in writing to comments relating to CEQA issues, as required by Section 15088.5 of the CEQA Guidelines, for both the RR DEIR and Updated RR DEIR. Both the comments and the City's written responses thereto were incorporated in the Updated Revised and Recirculated Final Environmental Impact Report (Updated RR FEIR) as required by CEQA. Responses were returned to the commenting agencies at least ten (10) days prior to the certification of the Updated RR FEIR, pursuant to Public Resources Code Section 21092.5.

Section 17. The City finds that the public and government agencies have been afforded ample notice and opportunities to comment on the Notice of Preparation and Request for Agency Input Regarding the Scope of the EIR, as well as the RR DEIR, the Updated RR DEIR and the Updated RR FEIR.

Section 18. In accordance with CEQA and the City of Agoura Hills' Local CEQA Guidelines and Sections 15088, 15089 and 15132 of the State CEQA Guidelines, the City prepared the Updated RR FEIR for the project. The Updated RR FEIR incorporates the Updated RR EIR sections, those sections of the 2006 FEIR that did not change and were not recirculated, the technical appendices noted and incorporated therein, public comments and the City's responses thereto, amendments to the Updated RR EIR, and the Mitigation Monitoring and Reporting Program.

Section 19. The Updated RR FEIR describes a "worst case scenario" of environmental impacts that would be associated with full build-out of the maximum density and intensity of development that could be constructed, subject to future discretionary permits, under the proposed Project. Further entitlements on affected properties will require further discretionary review and CEQA compliance. The Updated RR FEIR identifies and analyzes a reasonable range of alternatives to the Project as required by CEQA.

Section 20. The Planning Commission finds that the public comments and responses thereto, the oral and written testimony presented in hearings, and the corrections and modifications made to the Updated RR DEIR following the public comment period, do not constitute significant new information added to the Updated RR DEIR as defined in the CEQA Guidelines. Therefore, recirculation of the Updated RR DEIR was not required pursuant to CEQA Guidelines Section 15088.5.

Section 21. The Planning Commission hereby finds that the Updated RR FEIR for the Agoura Village Specific Plan was completed in compliance with the provisions of CEQA and the guidelines promulgated pursuant thereto, the City's local CEQA guidelines, and is legally adequate. The Planning Commission has reviewed and considered the contents of the Updated RR FEIR prior to deciding whether to recommend approval of the proposed Agoura Village Specific Plan. Based on the facts stated in this Resolution and substantial evidence in the record of this proceeding, the Planning Commission hereby recommends that the City Council certify the Updated RR FEIR.

Section 22. Based upon the Updated RR FEIR, public comments, and the record before the Planning Commission, the Planning Commission hereby recommends that the City Council find that the Updated RR FEIR identifies less than significant impacts to the following areas: lighting; view alterations; wildlife corridors; wildland hazards and use of hazardous materials; erosion and stormwater runoff; introduction of residential uses south of U.S. Highway 101; and increased demand for water, waste water, solid waste and park and recreation services.

Section 23. Based upon the Updated RR FEIR, public comments, and the record before the Planning Commission, the Planning Commission hereby recommends that the City Council find that the Updated RR FEIR identifies the potentially significant environmental effects for which feasible mitigation measures have been identified that will avoid or reduce the effects to a less than significant level:

1. The Updated RR FEIR identifies potentially significant aesthetic impacts from altering views from roadways; altering knolls; introducing glare; and the removal of oak trees as an aesthetic resource. Changes or alterations have been required in, or incorporated into, the proposed Specific Plan that avoid or reduce the impacts to a less than significant level. The Specific Plan contains standards to minimize the alteration of views. However, in the event that a retaining wall is required by some developments, and is visible from designated scenic roadways, the wall shall be made consistent with City Architectural Design Standards and Guidelines. Any potential developments shall preserve the knoll areas and minimize physical changes, such as grading, to the knolls. All projects shall incorporate additional building techniques to reduce glare. For oak tree impacts, the developments would need to follow the City's Oak Tree Preservation Guidelines, and compensate for the loss of oak trees onsite.
2. The Updated RR FEIR identifies impacts from exposure to elevated levels of diesel exhaust during construction activities, and nuisance odors from implementation of an equestrian center and trail as being potentially significant environmental effects. Changes or alterations have been required in, or incorporated into, the proposed Specific Plan that avoid or reduce the impacts to a less than significant level. Measures to decrease the emission of diesel particles, such as limiting the use of certain types of equipment, are required. An organic debris and waste program will need to be implemented to minimize nuisance odors.
3. The Updated RR FEIR identifies potentially significant biological impacts from affecting certain sensitive plant and animal species, and disturbing sensitive communities, including oak trees, wetlands and other areas under the jurisdiction of state and federal agencies, and coastal sage scrub. Changes or alterations have been required in, or incorporated into, the

proposed Specific Plan that avoid or reduce the impacts to a less than significant level. These methods include the use of buffer zones between the habitat and development; the complete avoidance of the species or sensitive areas; or adequate mitigation for the loss of these resources through restoration or replacement of the habitat and/or species disturbed.

4. The Updated RR FEIR identifies portions of the Project area that are within areas of geological hazards, including seismic activities such as liquefaction and ground shaking, slope instability, expansive soils, volcanic rock, and soils unsuitable for compaction, the development of which could result in potentially significant impacts. Changes or alterations have been required in, or incorporated into, the proposed Specific Plan that avoid or reduce the impacts to a less than significant level. Such measures include conducting site specific geologic studies as individual projects are proposed and incorporating all recommendations of the studies to ensure hazards are eliminated or minimized, and implementing specific building foundation and infrastructure measures.
5. The Updated RR FEIR identifies the impact from the potential presence of hazardous materials on both developed and undeveloped properties in the Project area from past or current operations as being a potentially significant impact. Changes or alterations have been required in, or incorporated into, the proposed Specific Plan that avoid or reduce the impacts to a less than significant level. As individual development projects are proposed in the Specific Plan area, a Phase I Environmental Site Assessment will be required to examine the potential for onsite contamination; all recommendations outlined in this and any subsequent studies deemed necessary shall be implemented.
6. The Updated RR FEIR identifies the impact on cultural resources as a potentially significant environmental effect. Changes or alterations have been required in, or incorporated into, the proposed Specific Plan that avoid or reduce the impacts to a less than significant level. A detailed archaeology study will be required for individual development projects to specifically identify any resources and devise a treatment method to avoid, protect and/or salvage/record artifacts. Measures also include construction monitoring near known sites and following standard CEQA and State Health and Safety Code procedures in the event resources are uncovered.
7. The Updated RR FEIR identifies the impact on hydrology and water quality with regard to increasing peak storm water flow and runoff water, as well as building within the 100-year floodplain, as a potentially significant environmental effect. Changes or alterations have been required in, or incorporated into, the proposed Specific Plan that avoid or reduce the impacts to a less than significant level. Individual development projects will be required to submit final drainage plans and hydrology

studies that meet Los Angeles County Food Control/Public Works standards to minimize flood hazards and runoff from the sites, and protect area creeks.

8. The Updated RR FEIR identifies potentially significant land use and planning impacts related to land use conflicts between planned new commercial and residential land uses and between proposed equestrian uses and residential uses, as well as regional plan consistency for population growth estimates. Changes or alterations have been required in, or incorporated into, the proposed Specific Plan that avoid or reduce the impacts to a less than significant level. Measures identified in this Section related to air quality, aesthetics, noise and traffic circulation would minimize the land use compatibility issues. In order for the Southern California Association of Government's Regional Comprehensive Plan, which addresses population growth estimates, to be accurate, the City will need to provide more recent population, housing and job data to the agency to incorporate into its periodic forecast update for Agoura Hills.
9. The Updated RR FEIR identifies potentially significant noise impacts related to construction noise from equipment and certain earthwork activities; traffic noise for ongoing operation of the Project; and placing some of the proposed new residences in areas that exceed normally acceptable ranges for interior and exterior noise. Changes or alterations have been required in, or incorporated into, the proposed Specific Plan that avoid or reduce the impacts to a less than significant level. Such measures include limiting construction hours and project operating hours; using rubberized asphalt for roadways; designing sites and building mechanical systems to minimize noise; preparing site specific acoustical analyses and incorporating all measures identified in the studies; and incorporating various building techniques to achieve an acceptable interior noise level per City standards.
10. The Updated RR FEIR identifies the impact on public services related to increased fire safety hazards, and police protection and school facilities needs. Changes or alterations have been required in, or incorporated into, the proposed Specific Plan that avoid or reduce the impacts to a less than significant level. Final design of the proposed traffic roundabout is pending, including further engineering design and incorporating emergency access provisions. Fuel modification plans are required to be submitted for each proposed development within or adjacent to wildland fire hazard areas. Project plans will need to be submitted to the Los Angeles County Sheriff's Department for review and comment on site design and access, with all recommendations incorporated into the project. The school district will need to be noticed of the expected buildout date of each proposed project as soon as possible; and the required school fees

pursuant to State law will need to be provided to the school district at the time of building permit issuance.

11. The Updated RR FEIR identifies the impact on traffic and circulation related to increases in peak hour vehicle trips; pedestrian and bicycle movements and safety; reductions in parking; and short-term construction impacts to adjoining land uses and roadways. Changes or alterations have been required in, or incorporated into, the proposed Specific Plan that avoid or reduce the impacts to a less than significant level. Several intersection improvements will be required to maximize capacity; specific roadway design measures are identified to increase pedestrian road crossing safety and safety of bicyclists; construction vehicle management plans are required where necessary, and all measures identified in such plans implemented.

Section 24. The Planning Commission recommends that the City Council adopt the mitigation measures set forth in the Updated RR FEIR and impose each mitigation measure as a condition of approval of the Project. The Planning Commission also recommends that the City Council further adopt the Mitigation Monitoring and Reporting Program included as part of the Updated RR FEIR.

Section 25. Statement of Overriding Considerations. The Updated RR FEIR identifies the following significant impacts, for which mitigation measures have been incorporated to the extent feasible, but which are not mitigable to a less than significant level, and therefore are considered to be “significant and unavoidable” impacts of the Project.

1. Both temporary construction and long term operational air quality emissions would exceed established South Coast Air Quality Management District thresholds. The construction emissions would derive primarily from earthmoving operations and construction equipment exhaust. The long term emissions would primarily result from vehicle trips in the Project area.
2. Full buildout of the Specific Plan would result in additional daily vehicle trips onto the local circulation network, resulting in the Agoura Road segment from Kanan Road to Cornell Road to operate below the City’s Level of Service threshold of “C.”

The Updated RR FEIR identifies and analyzes a reasonable range of alternatives to the Project, as required by CEQA. For the reasons specified herein and in the Updated RR FEIR, the Planning Commission hereby finds that the economic, legal, social, technical and other benefits of the Project have been balanced against the Project’s environmental risks. Further, none of the alternatives identified in the Updated RR EIR fully accomplishes the goals and objectives of the proposed Project. The Planning Commission recommends that the City Council find that each and any

one of the following benefits of the proposed Project, standing alone or in combination with the others, outweighs each unavoidable adverse environmental effect of the Project being approved at this time, and the Planning Commission recommends that the City Council adopt a Statement of Overriding Considerations as required by CEQA.

1. The Specific Plan will provide greater environmental protection than the existing City regulations for the same area; including preserving as open space the southern portions of the Specific Plan area identified as "Zone G," and ensuring the preservation and protection of the area's riparian corridors, as well as enhancing recreation opportunities through accommodating trail connections to the greater Santa Monica Mountains.
2. Buildout of the Specific Plan will provide a high quality mixed-use development that balances retail, office and other commercial uses with supporting multi-family residential uses, and would favorably affect the City's employment and housing balance, as well as generate additional tax revenues and employment opportunities in the City.
3. Through a balance and mix of different land uses in close proximity, and through certain design and development standards, the Project will encourage a pedestrian-oriented, human-scale built environment that is not solely automobile dominated, and therefore a comfortable, central place where residents and visitors can gather to shop, dine, stroll, and enjoy recreational activities.
4. Although the maximum allowed buildout of the area under the Specific Plan would not exceed the maximum allowed in these same areas pursuant to the current General Plan, the Project will provide a comprehensive and cohesive set of guidelines for development, land uses, and design for orderly development, as well as a comprehensive program for mitigation of environmental effects in the entire Agoura Village area that is far more beneficial and would likely result in less significant environmental impacts than if the area were to gradually develop over time as currently provided for by the existing zoning and General Plan policies and regulations.
5. The residential component of the Project that includes lofts and townhouses, although secondary to the commercial component, will provide a much needed variety of housing opportunities in the City and in different locations than currently available in the City.
6. The City is legally required to permit economically viable development of private property.

Section 26. Pursuant to Section 65454 of the Government Code, the Planning Commission hereby recommends that the City Council make the following findings of Specific Plan consistency with the various Elements of the Agoura Hills General Plan, and adopt the Agoura Village Specific Plan:

1. The Specific Plan is consistent with the Land Use Element Goal 1 of providing for a mix of land uses that meets the diverse needs of the City's residents, offers a variety of employment opportunities, and allows for capture of regional growth. The primary objective of the Specific Plan is to provide for a pedestrian-oriented, mixed-use village, including a combination of retail commercial, office and multi-family residential uses throughout the Plan area and, where appropriate, within each specific development. The multi-family residential uses would provide for greater variety of housing types and support for the new retail development, and both the retail and office uses would offer a greater variety of employment and economic opportunities for the City.
2. The Specific Plan is consistent with Policy 1.1 of the Land Use Element, as it would provide for a range of housing styles, locations and densities to address the community's housing needs, and to provide market support for existing and future commercial land uses in the City. The Specific Plan calls for some limited residential development as a secondary use to complement and support the commercial component of the Specific Plan. The residential and commercial components would be provided in close proximity to each other – either by a vertical or horizontal mix of uses. The Specific Plan would allow for a limited amount of residential lofts and town homes to provide different housing opportunities in a different part of the City.
3. The Specific Plan is consistent with Policy 1.5 of the Land Use Element that calls for the development of community commercial centers in Agoura Hills to capture a greater share of local spending. The goal of the Specific Plan is to provide a unique destination in the City, by shaping the area into an identifiable and inviting place to gather, shop, eat and stroll. The Specific Plan is to encourage the transformation of the area to foster new development.
4. The Specific Plan is consistent with Policy 1.7 of the Land Use Element that encourages the use of Specific Plans as a tool to implement General Plan policies to provide for cohesive coordinated development in high profile areas of the community. The main purpose of the Specific Plan is to establish a comprehensive framework for development within the area, articulating regulations and guidelines for new development and redevelopment of existing uses, as well as identifying comprehensive circulation systems, parking strategies, streetscape improvements, and a cohesive set of public improvements.
5. The Specific Plan is consistent with Goal 2 of the Land Use Element to maintain and enhance community identity and development quality for the City and its neighborhoods. The Specific Plan outlines land use and development standards, design guidelines and street beautification and

public improvements to be employed in the Specific Plan area to ensure an attractive, consistent physical appearance, while at the same time preserving riparian corridors and viewsheds, and acknowledging the aesthetic and biological value of the surrounding natural resources in this portion of the City.

6. The Specific Plan is consistent with Policy 2.7 of the Land Use Element that requires that design review of buildings and exterior spaces favorably considers features that are of human scale and encourages pedestrian activity. The cornerstone of the Specific Plan is to establish a pedestrian-friendly village environment. The village environment, by its very nature, necessitates development that is at a human scale - inviting and approachable to humans.
7. The Specific Plan is consistent with Policy 2.11 of the Land Use Element that provides for enhanced paving, entry monuments and other special design features at key entry points in the City, including Kanan Road from the south. Chapter 6 of the Plan outlines visual cues, such as signage and markers, to create virtual borders and inform pedestrians and drivers that they have arrived at a special destination. This includes the use of village monuments and gateway features along Kanan and Agoura Roads at the edges of the Specific Plan area reflecting natural elements and materials.
8. The Specific Plan is consistent with Implementation Measure 2.7 of the Land Use Element to provide for substantial opportunities for proactive planning in the four quadrants at the Kanan/Agoura Road intersection, with a special study on the design, development and land uses prepared for this area. All four quadrants of this intersection are included in the Specific Plan, which identifies requirements and guidelines for consistent design, development and land uses in this particular location, as well integrating this intersection area with the greater Agoura Village Specific Plan area setting.
9. The Specific Plan is consistent with Policy 3.1 of the Land Use Element to provide for the preservation of significant scenic areas, and natural open space areas and corridors in the City, and with Policy 3.3 of the Land Use Element to preserve key plant and animal habitat, riparian areas, and physiographic features. A significant portion of the Specific Plan area is earmarked as open space, particularly the southern portion of the Specific Plan area, at the foothills of the Santa Monica Mountains. These open space areas are the primary locations of sensitive habitat and species in the Specific Plan area. Section 4 of the Plan outlines land use and development standards for natural resource protection, including riparian corridors and oak trees, and for adequate transitions between development and open space. Lastly, the scenic resources of the Santa Monica Mountains would be preserved from different vantage points both within

the Specific Plan area and the City as a whole, by limiting development to certain locations of the Specific Plan area; limiting building heights so that views are not obstructed; and ensuring that the design of the built environment is compatible with the natural environment through appropriate architectural styles and treatments, scale and use of natural materials.

10. The Specific Plan, with the imposition of mitigation measures set forth in the Updated RR FEIR, is consistent with Policy 1.1 of the Circulation Element to maintain a Level of Service "C" for all signalized intersections and at freeway interchanges. The Plan, along with mitigation measures outlined in the Updated RR FEIR for the project, would ensure that a LOS "C" is maintained for all signalized intersections in the Plan area.
11. The Specific Plan is consistent with Policy 1.2 of the Open Space and Conservation Element ensuring that development and environmental review processes are sensitive to the preservation and protection of wildlife corridors, significant ecological areas, riparian habitats, and areas that contain chaparral, oak woodlands, individual oak trees, and street trees. The Specific Plan contains several measures to preserve the natural resources in the area, including natural sensitive habitats and oak trees. A significant portion of the Plan area is earmarked as open space, particularly the southern portion of the Specific Plan area, at the foothills of the Santa Monica Mountains. These open space areas are the primary locations of sensitive habitat and species in the Specific Plan area, and would be preserved. Moreover, the Specific Plan requires the preparation and implementation of riparian habitat and creek protection programs.
12. The Specific Plan is consistent with Policy 2.2 of the Open Space and Conservation Element to preserve the open space corridors to provide linkages to open space areas, and with Policy 2.5 to use open space to protect and enhance the unique character and identity of the City and provide outdoor recreation. The Specific Plan outlines open space, park land and trail requirements for development in the Specific Plan area. In particular, the Specific Plan calls for a system of trails along Medea, Lindero Canyon and Chesebro Creeks to enhance Agoura Village, and which would have the potential to link to the trail system in the Santa Monica Mountains, and for an equestrian center at the southern edge of the Specific Plan area.
13. The Specific Plan is consistent with Goal 3.0 of the Open Space and Conservation Element of conserving existing water resources, as well as policies related to this including: Policy 3.2 to use reclaimed water for landscaping and Policy 3.4 to use attractive, low maintenance, drought-tolerant landscaping. Section 5 of the Specific Plan lists design guidelines

that encourage the reuse of rainwater and grey water for irrigation; and the utilization of native and low water use plants.

14. The Specific Plan is consistent with Policy 3.5 and Policy 3.6 of the Open Space and Conservation Element to protect and enhance natural qualities or riparian habitat (Policy 3.5), and retain watercourses and adjacent land in their natural states, as well as enhance the aesthetic quality of existing watercourses (Policy 3.6). Section 5 of the Specific Plan calls for the preparation and implementation of riparian habitat and creek protection programs for projects near creeks and preservation of riparian habitats in a natural state.
15. The Specific Plan is consistent with Policy 4.1 of the Open Space and Conservation Element to encourage innovative site planning and building designs that minimize energy consumption by taking advantage of sun and shade patterns, prevailing winds, landscaping and building materials. Section 5 of the Specific Plan includes site planning and design guidelines that encourage floor plans and site designs that maximize daylight, natural ventilation, and passive solar heating and cooling functions. Section 4 of the Specific Plan requires the incorporation of sustainability practices provided by the U.S. Green Building Council.
16. The Specific Plan is consistent with Policy 4.2 of the Open Space and Conservation Element. Sections 5 and 6 of the Specific Plan contain guidelines for encouraging low voltage lighting and lighting fixtures that incorporate the latest energy-efficient technology.
17. The Specific Plan is consistent with Goal 3 of the Noise Element to improve the noise environment of the community through sensitive planning and development practices. Section 5 of the Specific Plan provides that the siting of noise generating functions that may cause a nuisance for adjacent properties should be avoided.
18. The Specific Plan, with the imposition of mitigation measures set forth in the Updated RR FEIR, is consistent with Policy 1.4 of the Scenic Highways Element to maintain a quality visual experience along the entire length of the scenic highways through protection and enhancement of views and development of appropriate landscaping. In the Specific Plan area, Agoura Road, Kanan Road and Roadside Drive are all designated Local Scenic Highways. Kanan Road south of Roadside Drive is also a Primary County Scenic Highway. The Specific Plan provides design guidelines and development standards to ensure a consistent, attractive streetscape and built environment along these roadways, and includes requirements to protect and enhance views to the Santa Monica Mountains.

19. The Specific Plan is consistent with Policy 1.10 of the Scenic Highways Element, which provides for enhanced paving, entry monuments, and other special design features at key entry points to the City. Chapter 6 of the Specific Plan outlines visual cues, such as signage and markers, to create virtual borders and inform pedestrians and drivers that they have arrived at a special destination. This includes the use of village monuments and gateway features along Kanan and Agoura Roads at the edges of the Specific Plan area reflecting natural elements and materials.
20. The Specific Plan is consistent with Goal 5 of the Public Facilities, Utilities, and Services Element to maintain a consistent level of quality water service in the City and promote water conservation. In particular, the Specific Plan is consistent with Implementation Measure 5.5 to utilize reclaimed wastewater for irrigation and Implementation Measure 5.6 to encourage the use of drought resistant landscaping and water efficient irrigation to reduce water use. Section 5 of the Specific Plan lists design guidelines that encourage the reuse of rainwater and grey water for irrigation; and the utilization of native and low water use plants.
21. The Specific Plan is consistent with Goal 6 of the Public Facilities, Utilities, and Services Element to maintain a consistent level of quality sewer service throughout the entire City. Section 7 of the Specific Plan ensures that sewer lines are sized appropriately, and requires information to be provided for individual proposed developments demonstrating that there will be adequate line capacity.
22. The Specific Plan is consistent with Goal 8 of the Public Facilities, Utilities, and Services Element to provide necessary control and reduction of solid waste generation and disposal, and particularly Policy 8.3 requiring new developments to incorporate recycling locations into the development. Section 7 of the Specific Plan requires that any proposed development project comply with the City's waste reduction and recycling program, and Section 5 provides standards for the design and location of trash and recycling enclosures.
23. The Specific Plan is consistent with Policy 1.3 of the Community Design Element to maintain an awareness of the City's natural environmental setting. The Specific Plan contains numerous provisions to protect the area's natural resources, through viewshed and habitat preservation. Additionally, the Specific Plan outlines design guidelines that incorporate natural materials and native landscaping.
24. The Specific Plan is consistent with Policy 1.4 of the Community Design Element to develop a high quality highway image that supports the image of quality desired by residents and new businesses locating in Agoura Hills. The Specific Plan incorporates design and development standards

to ensure an attractive, cohesive built environment, including detailed architectural, streetscape and landscape requirements.

25. The Specific Plan is consistent with Policy 2.1 of the Community Design Element to secure the existing commercial tax base through the preservation of existing commercial centers and the enhancement of areas with further development potential such as the Agoura Road/Roadside Drive area. The Specific Plan area includes Agoura Road and Roadside Drive, and the purpose of the Specific Plan is to facilitate a pedestrian-oriented mixed-use village development in this area of the City that would be primarily commercial in nature (retail and offices), but which would also incorporate residential units as a secondary and supporting use. The aim of the Specific Plan is to improve upon the existing area within the Specific Plan boundaries to create a more interesting, comprehensive development scenario with a consistent set of standards applied.

26. The Specific Plan is consistent with Goal 3 of the Housing Element to provide opportunities for new housing in a variety of locations and a variety of densities in accordance with the land use designations and policies of the Land Use Element. In particular, Policy 3.4 of the Housing Element encourages the development of residential/commercial mixed-use in the Agoura Village area. The Specific Plan allows for a limited number of new multi-family residential units in a portion of the City that currently consists of primarily non-residential uses. Given that the units would be loft or town home type residences, the Plan would contribute to increasing the variety of housing options in the City.


PASSED, APPROVED AND ADOPTED this 18th day of September 2008, by the following vote to wit:

AYES: (4) O'Meara, Rishoff, Buckley Weber, Nouzille
NOES: (0)
ABSENT: (1) Zacuto
ABSTAIN: (0)



John O'Meara, Chairperson

ATTEST:



Mike Kamino, Secretary

RESOLUTION NO. 947

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF AGOURA HILLS
RECOMMENDING THAT THE CITY COUNCIL APPROVE
A ZONE CHANGE (CASE NO. 06-ZC-001)**

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

Section 1. An application for approval of a zone change was duly filed by the City of Agoura Hills to rezone the properties shown on Exhibit "A" and more specifically described in Exhibit "B" to SP (Specific Plan). The area proposed for the Specific Plan zone presently consists of the following six (6) zoning designations: CRS-FC-AV (Commercial Retail Service-Freeway Corridor Overlay-Agoura Village Overlay), CRS-D-AV (Commercial Retail Service-Drainage Overlay-Agoura Village Overlay), CS-FC-AV (Commercial Shopping Center-Freeway Corridor Overlay-Agoura Village Overlay), SP-AV (Specific Plan-Agoura Village Overlay), BP-OR-AV (Business Park-Office Retail-Agoura Village Overlay) and OS (Open Space). The request is to change all of these current zonings to SP (Specific Plan). A duly noticed public hearing was held on September 18, 2008 at 6:30 p.m. in the City Hall Council Chambers, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid hearing was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission of the City of Agoura Hills at the aforesaid public hearing.

Section 3. The Planning Commission of the City of Agoura Hills hereby finds that:

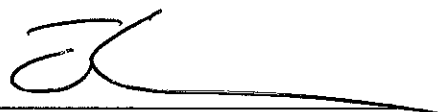
1. The proposed zone change is necessary to carry out the City's desires to develop the subject area as a pedestrian oriented primarily commercial village.
2. The proposed zone change will make the properties within the Agoura Village Specific Plan area consistent with the General Plan designation.
3. The proposed zone change is necessary to implement the Specific Plan.

Section 4. An Updated Revised and Recirculated Environmental Impact Report (EIR) has been prepared to assess the potential environmental impacts of the adoption of the Agoura Village Specific Plan and related General Plan Amendment, Zoning Ordinance Amendment, Zoning Map Amendment and Ladyface Mountain Specific Plan Amendment. The EIR also describes alternatives to the project and identifies mitigation measures. The Planning Commission considered the EIR as part of its deliberations and has recommended that the City Council certify the EIR, adopt the Mitigation Monitoring and Reporting Program, and adopt a Statement of Overriding Consideration.


Section 5. Based upon the aforementioned findings, the Planning Commission hereby recommends that the City Council approve the request for an amendment to the Zoning Map.

PASSED, APPROVED AND ADOPTED this 18th day of September 2008, by the following vote to wit:

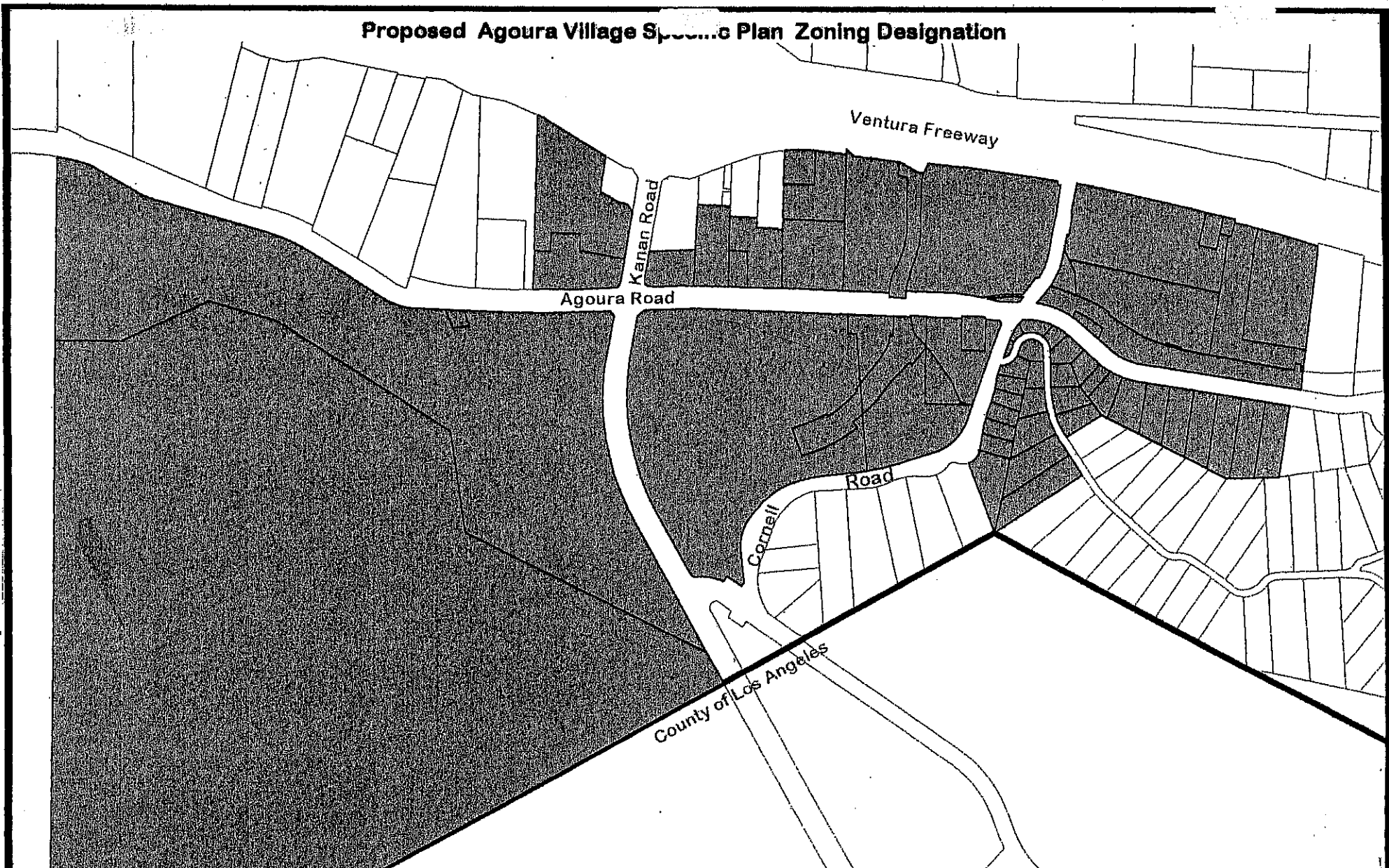
AYES: (4) O'Meara, Buckley-Weber, Rishoff, Nouzille
NOES: (0)
ABSENT: (1) Zacuto
ABSTAIN: (0)


John O'Meara, Chairperson

ATTEST:


Mike Kamino, Secretary

Proposed Agoura Village Specific Plan Zoning Designation



City of Agoura Hills Community Development Department



0 500 1000 1500 Feet

Agoura Village Specific Plan
City Boundary
Parcels

LEGAL DESCRIPTION FOR
AGOURA VILLAGE SPECIFIC PLAN ZONE
MARCH 2006

In the City of Agoura Hills, County of Los Angeles, State of California

Those portions of Lot H, the Dolores Vejar 634.38 Acre Allotment, as shown on the map of the Partitioning of the Rancho Las Virgenes, filed in Case No. 2898 of the Superior Court of the State of California, Lot 1 of Tract No. 48193 as shown on map filed in Book 1167, Pages 19 and 20 of Maps, Tract no. 7661 as shown on map filed in Book 88, Pages 63 through 66, inclusive, of Maps, of the map recorded in Book 83, pages 15 through 17, inclusive, of Parcel Maps, of the map recorded in Book 83, Pages 18 and 19 of Parcel Maps, of the map recorded in Book 131, Pages 17 and 18 of Parcel Maps, and of the Licensed Surveyors Map filed in Book 15, Pages 8 and 9, of Records of Survey, all in the Office of the Recorder of Los Angeles County, described as follows:

Beginning at the intersection of the southerly sideline of Roadside Drive as it now exists, with the easterly line of Parcel 19 of said Licensed Surveyors Map; thence in a southerly direction along said easterly line to the centerline of Agoura Road as shown on said Tract No. 7661; thence westerly along said centerline of Agoura Road to the northerly projection of the easterly line of Lot 44 of said Tract No. 7661; thence southerly along said northerly projection and the easterly line of said Lot 44 to the southeasterly corner of said Lot 44; thence westerly along the southerly lot-lines of Lots 44, 45, 46, and 47 to the northeasterly corner of Lot 56 of said Tract No. 7661, said northeasterly corner being on the southerly line of said Lot 47; thence southwesterly along the southeasterly line of said Lot 56 to the northeasterly line of Cleveland Drive, 30 feet wide, as shown on said Tract No. 7661; thence southeasterly along said northeasterly line of Cleveland Drive to the northeasterly projection of the southeasterly line of Lot 115 of said Tract No. 7661; thence southwesterly along said projection and the southeasterly line of said Lot 115 to the southerly corner of Lot 103 of said Tract No. 7661; thence northwesterly along the southwesterly line of said Lot 103 to the southeasterly sideline of Cornell Road as shown on said Tract No. 7661; thence following said southeasterly sideline in a southwesterly, southerly, and southeasterly direction to the southeasterly line of the Rancho Las Virgenes; thence southwesterly along the southeasterly Rancho line to the most southerly corner of said Lot H, said southerly corner being the point of intersection with the westerly line of Lot H; thence northerly along said westerly line of Lot H to the centerline of Agoura Road as it now exists; thence easterly along said centerline to a point of intersection with the southerly projection of the westerly line of the Parcel Map filed in Book 83, Pages 15 through 17, inclusive, of Parcel Maps; thence northerly along said projection and said westerly line to the southwesterly line of Roadside Drive, as shown on said map; thence southeasterly along said southwesterly line to the northwesterly corner of Parcel 1 of said parcel map; thence along the westerly and southerly lines of said Parcel 1 to the easterly line

of said Parcel Map; thence southerly along said easterly line to the northeasterly corner of Parcel 6 of said Parcel Map; thence along the easterly prolongation of the northerly line of said Parcel 6 to the easterly line of Kanan Road as it now exists; thence northerly along said easterly line to the northerly line of the southerly 360 feet, more or less, of Parcel 11 as shown on the Record of Survey filed in Book 15, Pages 8 and 9 of Records of Survey; thence easterly along said northerly line to the westerly line of the map filed in Book 131, Pages 17 and 18 of Parcel Maps; thence southerly along said westerly line to the northerly line of Parcel 2 of said Parcel Map; thence easterly along the various courses in the northerly line of said Parcel 2 to the easterly line of said Parcel Map; thence northerly along said easterly line to the southerly line of Roadside Drive as it now exists; thence easterly along said southerly line and its various courses to the Point of Beginning.

Prepared under my supervision:

David O. Knell 3/13/06
David O. Knell PLS 5301 Date



RESOLUTION NO. 948

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF AGOURA HILLS RECOMMENDING THAT THE CITY
COUNCIL APPROVE A ZONING ORDINANCE AMENDMENT
(CASE NO. 06-ZOA-001)**

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

Section 1. An application for approval of a Zoning Ordinance Amendment to remove the Agoura Village Overlay from the Zoning Ordinance was duly filed by the City of Agoura Hills. A duly noticed public hearing was held on September 18, 2008 at 6:30 p.m. in the City Hall Council Chambers, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid hearing was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission of the City of Agoura Hills at the aforesaid public hearing.

Section 3. The Planning Commission of the City of Agoura Hills hereby finds that the Zoning Ordinance Amendment to delete Chapter 5, Part 9, AV - Agoura Village Overlay District, Sections 9581-9584.6 is necessary because the Overlay District is no longer needed. All of the properties in the Agoura Village Overlay will be rezoned to SP (Specific Plan) and will be governed by the newly adopted Agoura Village Specific Plan.

Section 4. Pursuant to Section 9805.4 of the Agoura Hills Municipal Code, the Planning Commission of the City of Agoura Hills hereby finds that the aforementioned text amendment is consistent with the objectives of Article IX of the Agoura Hills Municipal Code and the General Plan.

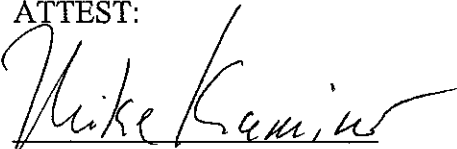
Section 5. An Updated Revised and Recirculated Environmental Impact Report (EIR) has been prepared to assess the potential environmental impacts of the adoption of the Agoura Village Specific Plan and related General Plan Amendment, Zoning Ordinance Amendment, Zoning Map Amendment and Ladyface Mountain Specific Plan. The EIR also describes alternatives to the project and identifies mitigation measures. The Planning Commission considered the EIR as part of its deliberations and has recommended that the City Council certify the EIR, adopt the Mitigation Monitoring and Reporting Program, and adopt a Statement of Overriding Considerations.

Section 6. Based upon the aforementioned findings, the Planning Commission hereby recommends that the City Council approve the amendment to the Zoning Ordinance to delete Chapter 5, Part 9, AV - Agoura Village Overlay District Sections 9581-9584.6.

PASSED, APPROVED AND ADOPTED this 18th day of September 18, 2008, by the following vote to wit:

AYES: (4) O'Meara, Buckley Weber, Rishoff, Nouzille
NOES: (0)
ABSENT: (1) Zacuto
ABSTAIN: (0)


John O'Meara, Chairperson

ATTEST:

Mike Kamino, Secretary

RESOLUTION NO. 949

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF AGOURA HILLS
RECOMMENDING THAT THE CITY COUNCIL APPROVE
GENERAL PLAN AMENDMENT (CASE NO. 06-GPA-001)**

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

Section 1. An application for approval of a General Plan Amendment was duly filed by the City of Agoura Hills to re-designate the properties shown on Exhibit "A" and more specifically described in Exhibit "B" and to amend the Land Use Element of the General Plan.

Section 2. The General Plan Land Use Map Figures LU-2 and LU-3 will be amended to re-designate the following four (4) land use designations: CS (Commercial-Retail Service), Ladyface Mountain Specific Plan, BP-O/R (Business Park-Office/Retail) and OS-R (Restricted Open Space) for properties shown on Exhibit "A" to AVSP (Agoura Village Specific Plan).

Section 3. Any property designated OS-R (Restricted Open Space) at the time of adoption of the Agoura Village Specific Plan is subject to Ordinance 99-300, which requires voter approval to change the parcel to non-open space uses. Designating these existing open space parcels to Agoura Village Specific Plan is not intended to change the requirements of Ordinance 99-300.

Section 4. The Planning Commission recommends that the City Council amend the General Plan by adding Implementation Measure 1.3 to the Land Use Element, which states, "In the event that specific provisions of the General Plan conflict with the Agoura Village Specific Plan, the Agoura Village Specific Plan shall control."

Section 5. A duly noticed public hearing was held on September 18, 2008 at 6:30 p.m. in the City Hall Council Chambers, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid hearing was duly given.

Section 6. Evidence, both written and oral, was duly presented to and considered by the Planning Commission of the City of Agoura Hills at the aforesaid public hearing.

Section 7. The Planning Commission of the City of Agoura Hills hereby finds that the proposed amendments are needed to ensure consistency between the Agoura Village Specific Plan and the General Plan. All policies of the General Plan have been

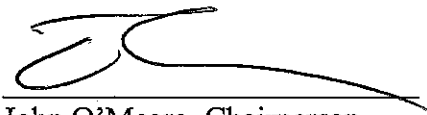
reviewed by Planning and Community Development staff to ensure that the proposed amendments maintain the compatibility and internal consistency of the General Plan.


Section 8. An Updated Revised and Recirculated Environmental Impact Report (EIR) has been prepared to assess the potential environmental impacts of the adoption of the Agoura Village Specific Plan and related General Plan Amendment, Zoning Ordinance Amendment, Zone Change, and Ladyface Mountain Specific Plan Amendment. The EIR also describes alternatives to the project and identifies mitigation measures. The Planning Commission considered the EIR as part of its deliberations and has recommended that the City Council certify the EIR, adopt a Statement of Overriding Considerations, and adopt the Mitigation Monitoring and Reporting Program.

Section 9. Based upon the aforementioned findings, the Planning Commission hereby recommends that the City Council approve the request for an amendment to the General Plan Land Use Map and Land Use Element.

PASSED, APPROVED AND ADOPTED this 18^h day of September 2008, by the following vote to wit:

AYES: (4) O'Meara, Rishoff, Buckley Weber, Nouzille
NOES: (0)
ABSENT: (1) Zacuto
ABSTAIN: (0)


John O'Meara, Chairperson

ATTEST:

Mike Kamino, Secretary

Proposed Agoura Village Specific Plan Zoning Designation

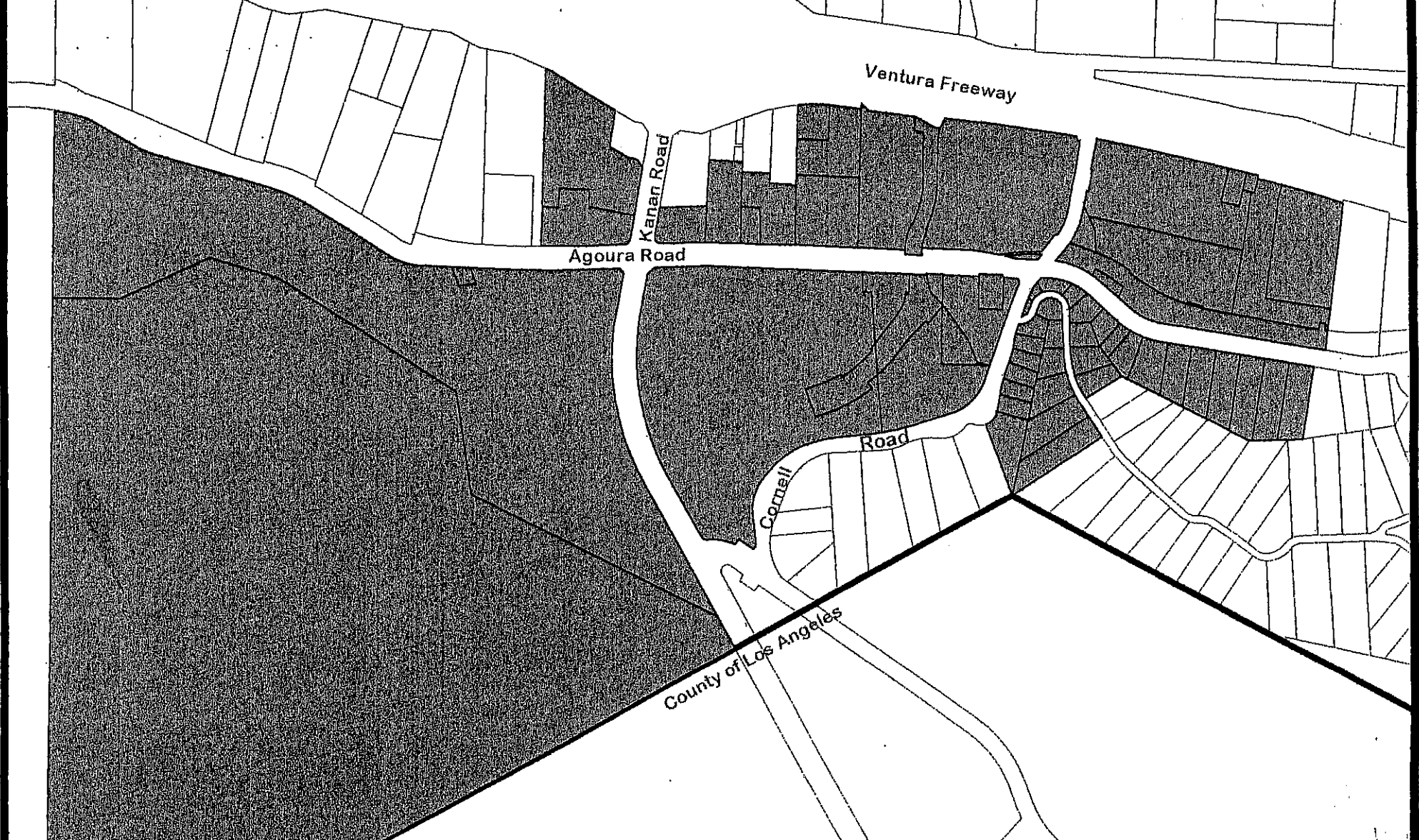


Exhibit A

City of Agoura Hills Community Development Department



Agoura Village Specific Plan
City Boundary
Parcels

LEGAL DESCRIPTION FOR
AGOURA VILLAGE SPECIFIC PLAN ZONE
MARCH 2006

In the City of Agoura Hills, County of Los Angeles, State of California

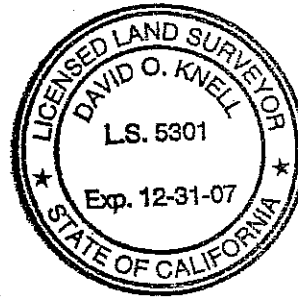
Those portions of Lot H, the Dolores Vejar 634.38 Acre Allotment, as shown on the map of the Partitioning of the Rancho Las Virgenes, filed in Case No. 2898 of the Superior Court of the State of California, Lot 1 of Tract No. 48193 as shown on map filed in Book 1167, Pages 19 and 20 of Maps, Tract no. 7661 as shown on map filed in Book 88, Pages 63 through 66, inclusive, of Maps, of the map recorded in Book 83, pages 15 through 17, inclusive, of Parcel Maps, of the map recorded in Book 83, Pages 18 and 19 of Parcel Maps, of the map recorded in Book 131, Pages 17 and 18 of Parcel Maps, and of the Licensed Surveyors Map filed in Book 15, Pages 8 and 9, of Records of Survey, all in the Office of the Recorder of Los Angeles County, described as follows:

Beginning at the intersection of the southerly sideline of Roadside Drive as it now exists, with the easterly line of Parcel 19 of said Licensed Surveyors Map; thence in a southerly direction along said easterly line to the centerline of Agoura Road as shown on said Tract No. 7661; thence westerly along said centerline of Agoura Road to the northerly projection of the easterly line of Lot 44 of said Tract No. 7661; thence southerly along said northerly projection and the easterly line of said Lot 44 to the southeasterly corner of said Lot 44; thence westerly along the southerly lot lines of Lots 44, 45, 46, and 47 to the northeasterly corner of Lot 56 of said Tract No. 7661, said northeasterly corner being on the southerly line of said Lot 47; thence southwesterly along the southeasterly line of said Lot 56 to the northeasterly line of Cleveland Drive, 30 feet wide, as shown on said Tract No. 7661; thence southeasterly along said northeasterly line of Cleveland Drive to the northeasterly projection of the southeasterly line of Lot 115 of said Tract No. 7661; thence southwesterly along said projection and the southeasterly line of said Lot 115 to the southerly corner of Lot 103 of said Tract No. 7661; thence northwesterly along the southwesterly line of said Lot 103 to the southeasterly sideline of Cornell Road as shown on said Tract No. 7661; thence following said southeasterly sideline in a southwesterly, southerly, and southeasterly direction to the southeasterly line of the Rancho Las Virgenes; thence southwesterly along the southeasterly Rancho line to the most southerly corner of said Lot H, said southerly corner being the point of intersection with the westerly line of Lot H; thence northerly along said westerly line of Lot H to the centerline of Agoura Road as it now exists; thence easterly along said centerline to a point of intersection with the southerly projection of the westerly line of the Parcel Map filed in Book 83, Pages 15 through 17, inclusive, of Parcel Maps; thence northerly along said projection and said westerly line to the southwesterly line of Roadside Drive, as shown on said map; thence southeasterly along said southwesterly line to the northwesterly corner of Parcel 1 of said parcel map; thence along the westerly and southerly lines of said Parcel 1 to the easterly line

of said Parcel Map; thence southerly along said easterly line to the northeasterly corner of Parcel 6 of said Parcel Map; thence along the easterly prolongation of the northerly line of said Parcel 6 to the easterly line of Kanan Road as it now exists; thence northerly along said easterly line to the northerly line of the southerly 360 feet, more or less, of Parcel 11 as shown on the Record of Survey filed in Book 15, Pages 8 and 9 of Records of Survey; thence easterly along said northerly line to the westerly line of the map filed in Book 131, Pages 17 and 18 of Parcel Maps; thence southerly along said westerly line to the northerly line of Parcel 2 of said Parcel Map; thence easterly along the various courses in the northerly line of said Parcel 2 to the easterly line of said Parcel Map; thence northerly along said easterly line to the southerly line of Roadside Drive as it now exists; thence easterly along said southerly line and its various courses to the Point of Beginning.

Prepared under my supervision:

David O. Knell 3/13/06
David O. Knell PLS 5301 Date



RESOLUTION NO. 950

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF AGOURA HILLS
RECOMMENDING THAT THE CITY COUNCIL APPROVE
AN AMENDMENT TO THE LADYFACE MOUNTAIN SPECIFIC PLAN
(CASE NO. 06-SPA-001)**

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

Section 1. An application for approval of a Specific Plan Amendment was duly filled by the City of Agoura Hills to amend the Ladyface Mountain Specific Plan by removing all references to Assessor's Parcel Numbers 2061-033-016 and 2061-033-905 located on the southwest corner of Kanan and Agoura Roads as shown on Exhibit "A" from the Plan. A duly noticed public hearing was held on September 18, 2008 at 6:30 p.m. in the City Hall Council Chambers, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid hearing was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission of the City of Agoura Hills at the aforesaid public hearing.

Section 3. The Planning Commission of the City of Agoura Hills hereby finds that removing the subject parcels from the Ladyface Mountain Specific Plan and adding the parcels to the Agoura Village Specific Plan will further the goals of the City in creating a pedestrian oriented village along Agoura Road.

Section 4. An Updated Revised and Recirculated Environmental Impact Report (EIR) has been prepared to assess the potential environmental impacts of the adoption of the Agoura Village Specific Plan, which includes removing the subject parcels from the Ladyface Mountain Specific Plan and adding the parcels to the Agoura Village Specific Plan. The EIR also describes alternatives to the project and identifies mitigation measures. The Planning Commission considered the EIR as part of its deliberations and has recommended that the City Council certify the EIR and adopt the Mitigation Monitoring and Reporting Program.

Section 5. Based upon the aforementioned findings, the Planning Commission hereby recommends that the City Council approve the request for an amendment to the Ladyface Mountain Specific Plan.


PASSED, APPROVED AND ADOPTED this 18th day of September 2008, by the following vote to wit:

AYES: (4) O'Meara, Rishoff, Buckley Weber, Nouzille
NOES: (0)
ABSENT: (1) Zacuto
ABSTAIN: (0)

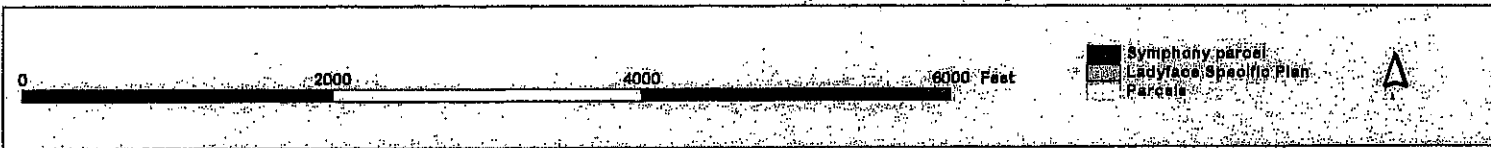
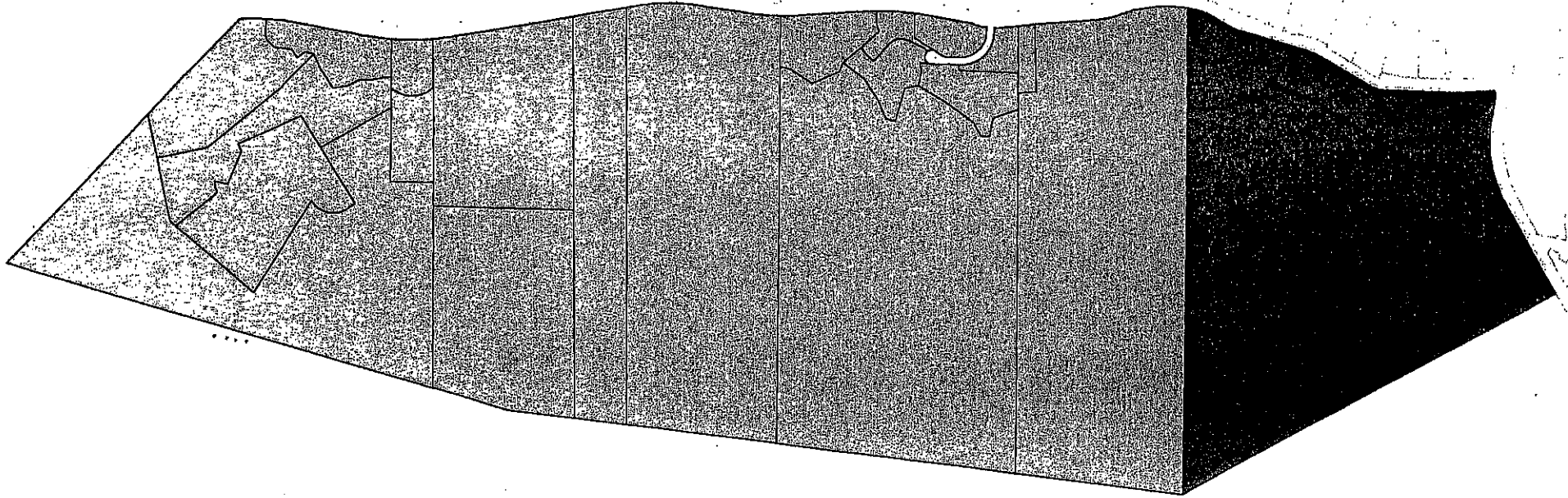


John O'Meara, Chairperson

ATTEST:


Mike Kamino, Secretary

Symphony property within the Ladyface Specific Plan



ATTACHMENT 5

NEW PUBLIC HEARING

2. REQUEST: Request to adopt the Agoura Village Specific Plan and certify the Final Environmental Impact Report.

APPLICANT: City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

CASE NOS.: 06-GPA-001, 06-ZOA-001, 06-ZC-001, and 06-SPA-001

LOCATION: An approximately 233-acre area including property on both the north and south sides of Agoura Road, from approximately 2,400 feet west of Kanan Road to about 750 feet east of Cornell Road. Roadside Drive and U.S. Highway 101 border much of the project to the north. Open space areas border the area along the south.

ENVIRONMENTAL DETERMINATION: Environmental Impact Report

RECOMMENDATION: Staff recommended that the Planning Commission conduct a public hearing and adopt five (5) separate resolutions to: 1) Recommend the City Council certify the updated Final RR EIR for the Agoura Village Specific Plan; make environmental findings pursuant to the California Environmental Quality Act; adopt a Statement of Overriding Considerations; adopt a Mitigation Monitoring and Reporting Program; and adopt the Agoura Village Specific Plan; 2) Recommend the City Council approve a zoning map change in the Agoura Village area from the various existing six designations to one designation of "Specific Plan" (SP); 3) Recommend the City Council approve a Zoning Ordinance Amendment regarding the zone change to "Specific Plan;" 4) Recommend the City Council approve a General Plan Amendment to fully incorporate the Agoura Village Specific Plan; and 5) Recommend that the City Council approve a Specific Plan Amendment to the Ladyface Mountain Specific Plan to transfer a parcel from that specific plan into the Agoura Village Specific Plan.

PUBLIC COMMENTS: Chair O'Meara opened the Public Hearing

The following persons spoke regarding this request

Jess Thomas, Old Agoura HOA

Alyse Lazar, representing Save Open Space Santa Monica Mountains.

Mary Altmann, representing Citizens for Sensitive Development.

Chair O'Meara closed the Public Hearing.

RECESS: Chair O'Meara called for a recess at 7:50 p.m.

RECONVENE: Chair O'Meara reconvened the meeting at 8:13 p.m.

ACTION: On a motion by Commissioner Rishoff, seconded by Commissioner Nouzille, the Planning Commission moved to adopt five (5) separate resolutions to: 1) Recommend the City Council certify the updated Final RR EIR for the Agoura Village Specific Plan; make environmental findings pursuant to the California Environmental Quality Act; adopt a Statement of Overriding Considerations; adopt a Mitigation Monitoring and Reporting Program; and adopt the Agoura Village Specific Plan; 2) Recommend the City Council approve a zoning map change in the Agoura Village area from the various existing six designations to one designation of "Specific Plan" (SP); 3) Recommend the City Council approve a Zoning Ordinance Amendment regarding the zone change to "Specific Plan;" 4) Recommend the City Council approve a General Plan Amendment to fully incorporate the Agoura Village Specific Plan; and 5) Recommend that the City Council approve a Specific Plan Amendment to the Ladyface Mountain Specific Plan to transfer a parcel from that specific plan into the Agoura Village Specific Plan. Motion carried 4-0. Vice Chair Zacuto was absent.

ANNOUNCEMENTS ON ITEMS NOT LISTED ON THE AGENDA

None

ATTACHMENT 6

RESOLUTION NO. 08-1503

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, CERTIFYING THE FINAL UPDATED REVISED AND RECIRCULATED ENVIRONMENTAL IMPACT REPORT FOR THE AGOURA VILLAGE SPECIFIC PLAN; MAKING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS; ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM; AND ADOPTING THE AGOURA VILLAGE SPECIFIC PLAN

THE CITY COUNCIL OF THE CITY OF AGOURA HILLS HEREBY FINDS, RESOLVES, DETERMINES, AND ORDERS AS FOLLOWS:

Section 1. An application for approval of the Agoura Village Specific Plan ("Project") was duly filed by the City of Agoura Hills (City) for an area of approximately 233 acres located both north and south of Agoura Road, from approximately Roadside Drive on the north to approximately the City limits on the south, and extending approximately 2,400 feet west of Kanan Road to about 750 feet east of Cornell Road. A public hearing was duly held by the City Council on the Specific Plan on October 22, 2008 at 7:00 p.m. in the Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California, 91301.

Section 2. Evidence, both written and oral, was presented to the City Council at the aforesaid public hearing.

Section 3. The City Planning Commission held a public hearing on the Agoura Village Specific Plan and Updated Final Revised and Recirculated Environmental Impact Report (Updated RR FEIR) on September 18, 2008 in the City Council Chambers, at which time public comments were received, and the Planning Commission made the following recommendations to City Council: certify the Updated RR FEIR, make environmental findings per the California Environmental Quality Act (CEQA), adopt the Statement of Overriding Considerations (SOC), adopt the Mitigation Monitoring and Reporting Program (MMRP); adopt the Agoura Village Specific Plan (AVSP); approve a zoning map change in the Agoura Village area; approve a Zoning Ordinance Amendment; approve a General Plan Amendment; and approve an amendment to the Ladyface Mountain Specific Plan.

Section 4. On November 18, 2005, a Draft Program Environmental Impact Report (DEIR) was published for the Agoura Village Specific Plan in the City of Agoura Hills. A Notice of Preparation and Request for Agency Input Regarding the Scope of the EIR was properly noticed and circulated for public review.

Section 5. The availability of the Draft Program Environmental Impact Report (DEIR) for public review was duly noticed. The DEIR was circulated to the State

Clearinghouse for the State of California's Office of Planning and Research, as well as to other responsible, trustee, and/or interested agencies and persons. The DEIR was circulated for public comment for a period of 45 days, as required by law. On December 1, 2005, the Planning Commission held a public meeting to receive comments regarding the adequacy of the DEIR. The City of Agoura Hills (City) accepted and responded in writing to comments relating to California Environmental Quality Act (CEQA) issues, as required by law. Both the comments and the City's written responses thereto were incorporated in the Program Final Environmental Impact Report (FEIR) as required by CEQA. Responses were returned to the commenting agencies at least ten (10) days prior to the certification of the FEIR, pursuant to Public Resources Code Section 21092.5. The City found that the public and government agencies have been afforded ample notice and opportunities to comment on the Notice of Preparation and Request for Agency Input Regarding the Scope of the EIR, the DEIR and the FEIR.

Section 6. In accordance with CEQA, the City's Local CEQA Guidelines, and Sections 15088, 15089, and 15132 of the State CEQA Guidelines, the City prepared the Program Final Environmental Impact Report (Final Program EIR) for the project. The Final Program EIR was comprised of the DEIR, the technical appendices noted and incorporated therein, public comments and the City's responses thereto, amendments to the DEIR, and the Mitigation Monitoring and Reporting Program.

Section 7. On April 20, 2006, the Planning Commission considered the Agoura Village Specific Plan and FEIR at a duly noticed public hearing, as prescribed by law, at which time interested persons had an opportunity to, and did, testify either in support of or opposition to this matter.

Section 8. Following consideration of the entire record of information received at the public hearing and due consideration of the proposed Project, the Planning Commission adopted Resolution No. 06-859, recommending that the City Council approve the Agoura Village Specific Plan, certify the Final Program Environmental Impact Report, make the environmental findings pursuant to the CEQA, adopt a Statement of Overriding Considerations, and adopt a Mitigation Monitoring and Reporting Program.

Section 9. On June 14, 2006, the City Council held a duly noticed public hearing, as prescribed by law, on the Agoura Village Specific Plan and FEIR, at which time all persons interested had the opportunity to present oral and written evidence on the Agoura Village Specific Plan and FEIR.

Section 10. On June 14, 2006, following consideration of the entire record of information received at the public hearings before the Planning Commission and the City Council, and due consideration of the Agoura Village Specific Plan and FEIR, the City Council adopted Resolution No. 07-1443, approving the Agoura Village Specific Plan, certifying the Program Final Environmental Impact Report, making the environmental findings pursuant to the CEQA, adopting a Statement of Overriding Considerations, and adopting a Mitigation Monitoring and Reporting Program.

Section 11. On July 19, 2006, a petition was filed in the Superior Court of California, Los Angeles County, seeking a Writ of Mandate, challenging the City of Agoura Hills' approval of the Agoura Village Specific Plan, and requesting to set aside the City Council's certification of the FEIR, adoption of a Statement of Overriding Considerations, approval of the resolution adopting the Agoura Village Specific Plan, and approval of zoning changes related to the Agoura Village Specific Plan.

Section 12. On April 20, 2007, the Superior Court of California, Los Angeles County, issued a Writ of Mandate. Superior Court Judge James Chalfant directed the City to set aside its certification of the FEIR and approval of the Agoura Village Specific Plan, as well as the zoning amendment. The judge further indicated that for the project to go forward, the City must prepare a new EIR or conduct some other appropriate environmental review. The review must include timely biological data, support re-planting through appropriate expert evidence, and provide a more complete discussion of why a reduced specific plan alternative does not meet project objectives. The Writ of Mandate stated that in all other respects, the EIR was adequate.

Section 13. On May 9, 2007, the City Council adopted Resolution No. 07-1443, repealing Resolution No. 06-1419.

Section 14. In April 2008, a Revised and Recirculated Draft EIR (RR DEIR) was published for the Agoura Village Specific Plan. The document included only those changes to the 2006 FEIR that were required by the Writ of Mandate, which included Sections 2.0 Project Description, 4.3 Biological Resources, 6.0 Alternatives, and a Biological Technical Appendix. The availability of the RR DEIR for public review was duly noticed. The RR DEIR was circulated to the State Clearinghouse for the State of California's Office of Planning and Research, as well as to other responsible, trustee, and/or interested agencies and persons. The RR DEIR was circulated for public comment for a period of 45 days, as required by law. On June 5, 2008, the Planning Commission held a public meeting to receive comments regarding the adequacy of the RR DEIR.

Section 15. A second Draft EIR, entitled Updated Revised and Recirculated Draft EIR (Updated RR DEIR), was published in June 2008 to incorporate additional biological survey work in the eastern portion of the Agoura Village Specific Plan that was not included in the RR DEIR. The Updated RR DEIR incorporated all the same changes from the 2006 FEIR that were reflected in the April 2008 RR DEIR, including Sections 2.0 Project Description, 4.3 Biological Resources, 6.0 Alternatives, and the Biological Technical Appendix, as well as the results of the additional biological data gathered from surveys.

Section 16. The availability of the Updated RR DEIR for public review was duly noticed. The Updated RR DEIR was circulated to the State Clearinghouse for the State of California's Office of Planning and Research, as well as to other responsible, trustee, and/or interested agencies and persons. The Updated RR DEIR was circulated for public comment for a period of 45 days, as required by law. On July 17, 2008, the Planning Commission held a public meeting to receive comments regarding the adequacy of the Updated RR DEIR.

Section 17. The City accepted and responded in writing to comments relating to CEQA issues, as required by Section 15088.5 of the CEQA Guidelines, for both the RR DEIR and Updated RR DEIR. Both the comments and the City's written responses thereto were incorporated in the Updated Final Revised and Recirculated Environmental Impact Report (Updated RR FEIR) as required by CEQA. Responses were returned to the commenting agencies at least ten (10) days prior to the certification of the Updated RR FEIR, pursuant to Public Resources Code Section 21092.5.

Section 18. The City Planning Commission held a public hearing on the Agoura Village Specific Plan and Updated Final Revised and Recirculated EIR on September 18, 2008 in the City Council Chambers, at which public comments were received. The Planning Commission made the following recommendations to City Council: certify the Updated RR FEIR, make environmental findings per the California Environmental Quality Act (CEQA), adopt the Statement of Overriding Considerations (SOC), adopt the Mitigation Monitoring and Reporting Program (MMRP); adopt the Agoura Village Specific Plan (AVSP); approve a zoning map change in the Agoura Village area; approve a Zoning Ordinance Amendment; approve a General Plan Amendment; and approve an amendment to the Ladyface Mountain Specific Plan.

Section 19. The City finds that the public and government agencies have been afforded ample notice and opportunities to comment on the Notice of Preparation and Request for Agency Input Regarding the Scope of the EIR, as well as the RR DEIR, the Updated RR DEIR and the Updated RR FEIR.

Section 20. In accordance with CEQA and the City of Agoura Hills' Local CEQA Guidelines and Sections 15088, 15089, and 15132 of the State CEQA Guidelines, the City prepared the Updated RR FEIR for the project. The Updated RR FEIR incorporates the Updated RR EIR sections, those sections of the 2006 FEIR that did not change and were not recirculated, the technical appendices noted and incorporated therein, public comments and the City's responses thereto, amendments to the Updated RR EIR, and the Mitigation Monitoring and Reporting Program.

Section 21. The Updated RR FEIR describes a "worst case scenario" of environmental impacts that would be associated with full build-out of the maximum density and intensity of development that could be constructed, subject to future discretionary permits, under the proposed Project. Further entitlements on affected properties will require further discretionary review and CEQA compliance. The Updated RR FEIR identifies and analyzes a reasonable range of alternatives to the Project as required by CEQA.

Section 22. The City Council finds that the public comments and responses thereto, the oral and written testimony presented in hearings, and the corrections and modifications made to the Updated RR DEIR following the public comment period, do not constitute significant new information added to the Updated RR DEIR as defined in the CEQA Guidelines. Therefore, recirculation of the Updated RR DEIR was not required pursuant to CEQA Guidelines Section 15088.5.

Section 23. The City Council hereby finds that the Updated RR FEIR for the Agoura Village Specific Plan was completed in compliance with the provisions of CEQA and the guidelines promulgated pursuant thereto, the City's local CEQA guidelines, and is legally adequate. The City Council has reviewed and considered the contents of the Updated RR FEIR prior to deciding whether to recommend approval of the proposed Agoura Village Specific Plan. Based on the facts stated in this Resolution and substantial evidence in the record of this proceeding, the City Council hereby certifies the Updated RR FEIR.

Section 24. Based upon the Updated RR FEIR, public comments, and the record before the City Council, the City Council hereby finds that the Updated RR FEIR identifies less than significant impacts to the following areas: lighting; view alterations; wildlife corridors; wildland hazards and use of hazardous materials; erosion and stormwater runoff; introduction of residential uses south of U.S. Highway 101; and increased demand for water, waste water, solid waste, and park and recreation services.

Section 25. Based upon the Updated RR FEIR, public comments, and the record before the City Council, the City Council hereby finds that the Updated RR FEIR identifies the potentially significant environmental effects for which feasible mitigation measures have been identified that will avoid or reduce the effects to a less than significant level:

1. The Updated RR FEIR identifies potentially significant aesthetic impacts from altering views from roadways; altering knolls; introducing glare; and the removal of oak trees as an aesthetic resource. Changes or alterations have been required in, or incorporated into, the proposed Specific Plan that avoid or reduce the impacts to a less than significant level. The Specific Plan contains standards to minimize the alteration of views. However, in the event that a retaining wall is required by some developments, and is visible from designated scenic roadways, the wall shall be made consistent with City Architectural Design Standards and Guidelines. Any potential developments shall preserve the knoll areas and minimize physical changes, such as grading, to the knolls. All projects shall incorporate additional building techniques to reduce glare. For oak tree impacts, the developments would need to follow the City's Oak Tree Preservation Guidelines, and compensate for the loss of oak trees onsite.
2. The Updated RR FEIR identifies impacts from exposure to elevated levels of diesel exhaust during construction activities, and nuisance odors from implementation of an equestrian center and trail as being potentially significant environmental effects. Changes or alterations have been required in, or incorporated into, the proposed Specific Plan that avoid or reduce the impacts to a less than significant level. Measures to decrease the emission of diesel particles, such as limiting the use of certain types of equipment, are required. An organic debris and waste program will need to be implemented to minimize nuisance odors.

3. The Updated RR FEIR identifies potentially significant biological impacts from affecting certain sensitive plant and animal species, and disturbing sensitive communities, including oak trees, wetlands and other areas under the jurisdiction of state and federal agencies, and coastal sage scrub. Changes or alterations have been required in, or incorporated into, the proposed Specific Plan that avoid or reduce the impacts to a less than significant level. These methods include the use of buffer zones between the habitat and development; the complete avoidance of the species or sensitive areas; or adequate mitigation for the loss of these resources through restoration or replacement of the habitat and/or species disturbed.
4. The Updated RR FEIR identifies portions of the Project area that are within areas of geological hazards, including seismic activities such as liquefaction and ground shaking, slope instability, expansive soils, volcanic rock, and soils unsuitable for compaction, the development of which could result in potentially significant impacts. Changes or alterations have been required in, or incorporated into, the proposed Specific Plan that avoid or reduce the impacts to a less than significant level. Such measures include conducting site specific geologic studies as individual projects are proposed and incorporating all recommendations of the studies to ensure hazards are eliminated or minimized, and implementing specific building foundation and infrastructure measures.
5. The Updated RR FEIR identifies the impact from the potential presence of hazardous materials on both developed and undeveloped properties in the Project area from past or current operations as being a potentially significant impact. Changes or alterations have been required in, or incorporated into, the proposed Specific Plan that avoid or reduce the impacts to a less than significant level. As individual development projects are proposed in the Specific Plan area, a Phase I Environmental Site Assessment will be required to examine the potential for onsite contamination; all recommendations outlined in this and any subsequent studies deemed necessary shall be implemented.
6. The Updated RR FEIR identifies the impact on cultural resources as a potentially significant environmental effect. Changes or alterations have been required in, or incorporated into, the proposed Specific Plan that avoid or reduce the impacts to a less than significant level. A detailed archaeology study will be required for individual development projects to specifically identify any resources and devise a treatment method to avoid, protect and/or salvage/record artifacts. Measures also include construction monitoring near known sites and following standard CEQA and State Health and Safety Code procedures in the event resources are uncovered.
7. The Updated RR FEIR identifies the impact on hydrology and water quality with regard to increasing peak storm water flow and runoff water, as well as

building within the 100-year floodplain, as a potentially significant environmental effect. Changes or alterations have been required in, or incorporated into, the proposed Specific Plan that avoid or reduce the impacts to a less than significant level. Individual development projects will be required to submit final drainage plans and hydrology studies that meet Los Angeles County Food Control/Public Works standards to minimize flood hazards and runoff from the sites, and protect area creeks.

8. The Updated RR FEIR identifies potentially significant land use and planning impacts related to land use conflicts between planned new commercial and residential land uses and between proposed equestrian uses and residential uses, as well as regional plan consistency for population growth estimates. Changes or alterations have been required in, or incorporated into, the proposed Specific Plan that avoid or reduce the impacts to a less than significant level. Measures identified in this Section related to air quality, aesthetics, noise and traffic circulation would minimize the land use compatibility issues. In order for the Southern California Association of Government's Regional Comprehensive Plan, which addresses population growth estimates, to be accurate, the City will need to provide more recent population, housing and job data to the agency to incorporate into its periodic forecast update for Agoura Hills.
9. The Updated RR FEIR identifies potentially significant noise impacts related to construction noise from equipment and certain earthwork activities; traffic noise for ongoing operation of the Project; and placing some of the proposed new residences in areas that exceed normally acceptable ranges for interior and exterior noise. Changes or alterations have been required in, or incorporated into, the proposed Specific Plan that avoid or reduce the impacts to a less than significant level. Such measures include limiting construction hours and project operating hours; using rubberized asphalt for roadways; designing sites and building mechanical systems to minimize noise; preparing site specific acoustical analyses and incorporating all measures identified in the studies; and incorporating various building techniques to achieve an acceptable interior noise level per City standards.
10. The Updated RR FEIR identifies the impact on public services related to increased fire safety hazards, police protection, and school facilities needs. Changes or alterations have been required in, or incorporated into, the proposed Specific Plan that avoid or reduce the impacts to a less than significant level. Final design of the proposed traffic roundabout is pending, including further engineering design and incorporating emergency access provisions. Fuel modification plans are required to be submitted for each proposed development within or adjacent to wildland fire hazard areas. Project plans will need to be submitted to the Los Angeles County Sheriff's Department for review and comment on site design and access, with all recommendations incorporated into the project. The school district will need

to be noticed of the expected buildout date of each proposed project as soon as possible; and the required school fees pursuant to State law will need to be provided to the school district at the time of building permit issuance.

11. The Updated RR FEIR identifies the impact on traffic and circulation related to increases in peak hour vehicle trips; pedestrian and bicycle movements and safety; reductions in parking; and short-term construction impacts to adjoining land uses and roadways. Changes or alterations have been required in, or incorporated into, the proposed Specific Plan that avoid or reduce the impacts to a less than significant level. Several intersection improvements will be required to maximize capacity; specific roadway design measures are identified to increase pedestrian road crossing safety and safety of bicyclists; construction vehicle management plans are required where necessary, and all measures identified in such plans implemented.

Section 26. The City Council adopts the mitigation measures set forth in the Updated RR FEIR and imposes each mitigation measure as a condition of approval of the Project. The City Council further adopts the Mitigation Monitoring and Reporting Program included as part of the Updated RR FEIR.

Section 27. Statement of Overriding Considerations. The Updated RR FEIR identifies the following significant impacts, for which mitigation measures have been incorporated to the extent feasible, but which are not mitigable to a less than significant level, and therefore are considered to be “significant and unavoidable” impacts of the Project.

1. Both temporary construction and long term operational air quality emissions would exceed established South Coast Air Quality Management District thresholds. The construction emissions would derive primarily from earthmoving operations and construction equipment exhaust. The long term emissions would primarily result from vehicle trips in the Project area.
2. Full buildout of the Specific Plan would result in additional daily vehicle trips onto the local circulation network, resulting in the Agoura Road segment from Kanan Road to Cornell Road to operate below the City’s Level of Service threshold of “C.”

The Updated RR FEIR identifies and analyzes a reasonable range of alternatives to the Project, as required by CEQA. For the reasons specified herein and in the Updated RR FEIR, the City Council hereby finds that the economic, legal, social, technical and other benefits of the Project have been balanced against the Project’s environmental risks. Further, none of the alternatives identified in the Updated RR EIR fully accomplishes the goals and objectives of the proposed Project. The City Council finds that each and any one of the following benefits of the proposed Project, standing alone or in combination with the others, outweighs each unavoidable adverse environmental effect of the Project being approved at this time, and the City Council adopts a Statement of Overriding Considerations as required by CEQA.

1. The Specific Plan will provide greater environmental protection than the existing City regulations for the same area; including preserving as open space the southern portions of the Specific Plan area identified as "Zone G," and ensuring the preservation and protection of the area's riparian corridors, as well as enhancing recreation opportunities through accommodating trail connections to the greater Santa Monica Mountains.
2. Buildout of the Specific Plan will provide a high quality mixed-use development that balances retail, office, and other commercial uses with supporting, multi-family residential uses, and would favorably affect the City's employment and housing balance, as well as generate additional tax revenues and employment opportunities in the City.
3. Through a balance and mix of different land uses in close proximity, and through certain design and development standards, the Project will encourage a pedestrian-oriented, human-scale built environment that is not solely automobile dominated, and therefore a comfortable, central place, where residents and visitors can gather to shop, dine, stroll, and enjoy recreational activities.
4. Although the maximum allowed buildout of the area under the Specific Plan would not exceed the maximum allowed in these same areas pursuant to the current General Plan, the Project will provide a comprehensive and cohesive set of guidelines for development, land uses, and design for orderly development, as well as a comprehensive program for mitigation of environmental effects in the entire Agoura Village area that is far more beneficial and would likely result in less significant environmental impacts than if the area were to gradually develop over time as currently provided for by the existing zoning and General Plan policies and regulations.
5. The residential component of the Project that includes lofts and townhouses, although secondary to the commercial component, will provide a much needed variety of housing opportunities in the City and in different locations than currently available in the City.
6. The City is legally required to permit economically viable development of private property.

Section 28. Pursuant to Section 65454 of the Government Code, the City Council hereby makes the following findings of Specific Plan consistency with the various Elements of the Agoura Hills General Plan, and adopts the Agoura Village Specific Plan:

1. The Specific Plan is consistent with the Land Use Element Goal 1 of providing for a mix of land uses that meets the diverse needs of the City's residents, offers a variety of employment opportunities, and allows for capture of regional growth. The primary objective of the Specific Plan is to provide

for a pedestrian-oriented, mixed-use village, including a combination of retail commercial, office, and multi-family residential uses throughout the Plan area and, where appropriate, within each specific development. The multi-family residential uses would provide for greater variety of housing types and support for the new retail development, and both the retail and office uses would offer a greater variety of employment and economic opportunities for the City.

2. The Specific Plan is consistent with Policy 1.1 of the Land Use Element, as it would provide for a range of housing styles, locations, and densities to address the community's housing needs, and to provide market support for existing and future commercial land uses in the City. The Specific Plan calls for some limited residential development as a secondary use to complement and support the commercial component of the Specific Plan. The residential and commercial components would be provided in close proximity to each other – either by a vertical or horizontal mix of uses. The Specific Plan would allow for a limited amount of residential lofts and town homes to provide different housing opportunities in a different part of the City.
3. The Specific Plan is consistent with Policy 1.5 of the Land Use Element that calls for the development of community commercial centers in Agoura Hills to capture a greater share of local spending. The goal of the Specific Plan is to provide a unique destination in the City, by shaping the area into an identifiable and inviting place to gather, shop, eat, and stroll. The Specific Plan is to encourage the transformation of the area to foster new development.
4. The Specific Plan is consistent with Policy 1.7 of the Land Use Element that encourages the use of Specific Plans as a tool to implement General Plan policies to provide for cohesive coordinated development in high profile areas of the community. The main purpose of the Specific Plan is to establish a comprehensive framework for development within the area, articulating regulations and guidelines for new development and redevelopment of existing uses, as well as identifying comprehensive circulation systems, parking strategies, streetscape improvements, and a cohesive set of public improvements.
5. The Specific Plan is consistent with Goal 2 of the Land Use Element to maintain and enhance community identity and development quality for the City and its neighborhoods. The Specific Plan outlines land use and development standards, design guidelines and street beautification and public improvements to be employed in the Specific Plan area to ensure an attractive, consistent physical appearance, while at the same time preserving riparian corridors and viewsheds, and acknowledging the aesthetic and biological value of the surrounding natural resources in this portion of the City.
6. The Specific Plan is consistent with Policy 2.7 of the Land Use Element that requires that design review of buildings and exterior spaces favorably

considers features that are of human scale and encourages pedestrian activity. The cornerstone of the Specific Plan is to establish a pedestrian-friendly village environment. The village environment, by its very nature, necessitates development that is at a human scale - inviting and approachable to humans.

7. The Specific Plan is consistent with Policy 2.11 of the Land Use Element that provides for enhanced paving, entry monuments and other special design features at key entry points in the City, including Kanan Road from the south. Chapter 6 of the Plan outlines visual cues, such as signage and markers, to create virtual borders and inform pedestrians and drivers that they have arrived at a special destination. This includes the use of village monuments and gateway features along Kanan and Agoura Roads at the edges of the Specific Plan area reflecting natural elements and materials.
8. The Specific Plan is consistent with Implementation Measure 2.7 of the Land Use Element to provide for substantial opportunities for proactive planning in the four quadrants at the Kanan/Agoura Road intersection, with a special study on the design, development and land uses prepared for this area. All four quadrants of this intersection are included in the Specific Plan, which identifies requirements and guidelines for consistent design, development and land uses in this particular location, as well integrating this intersection area with the greater Agoura Village Specific Plan area setting.
9. The Specific Plan is consistent with Policy 3.1 of the Land Use Element to provide for the preservation of significant scenic areas, and natural open space areas and corridors in the City, and with Policy 3.3 of the Land Use Element to preserve key plant and animal habitat, riparian areas, and physiographic features. A significant portion of the Specific Plan area is earmarked as open space, particularly the southern portion of the Specific Plan area, at the foothills of the Santa Monica Mountains. These open space areas are the primary locations of sensitive habitat and species in the Specific Plan area. Section 4 of the Plan outlines land use and development standards for natural resource protection, including riparian corridors and oak trees, and for adequate transitions between development and open space. Lastly, the scenic resources of the Santa Monica Mountains would be preserved from different vantage points both within the Specific Plan area and the City as a whole, by limiting development to certain locations of the Specific Plan area; limiting building heights so that views are not obstructed; and ensuring that the design of the built environment is compatible with the natural environment through appropriate architectural styles and treatments, scale and use of natural materials.
10. The Specific Plan, with the imposition of mitigation measures set forth in the Updated RR FEIR, is consistent with Policy 1.1 of the Circulation Element to maintain a Level of Service "C" for all signalized intersections and at freeway interchanges. The Plan, along with mitigation measures outlined in the

Updated RR FEIR for the project, would ensure that a LOS "C" is maintained for all signalized intersections in the Plan area.

11. The Specific Plan is consistent with Policy 1.2 of the Open Space and Conservation Element ensuring that development and environmental review processes are sensitive to the preservation and protection of wildlife corridors, significant ecological areas, riparian habitats, and areas that contain chaparral, oak woodlands, individual oak trees, and street trees. The Specific Plan contains several measures to preserve the natural resources in the area, including natural sensitive habitats and oak trees. A significant portion of the Plan area is earmarked as open space, particularly the southern portion of the Specific Plan area, at the foothills of the Santa Monica Mountains. These open space areas are the primary locations of sensitive habitat and species in the Specific Plan area, and would be preserved. Moreover, the Specific Plan requires the preparation and implementation of riparian habitat and creek protection programs.
12. The Specific Plan is consistent with Policy 2.2 of the Open Space and Conservation Element to preserve the open space corridors to provide linkages to open space areas, and with Policy 2.5 to use open space to protect and enhance the unique character and identity of the City and provide outdoor recreation. The Specific Plan outlines open space, park land and trail requirements for development in the Specific Plan area. In particular, the Specific Plan calls for a system of trails along Medea, Lindero Canyon and Chesebro Creeks to enhance Agoura Village, and which would have the potential to link to the trail system in the Santa Monica Mountains, and for an equestrian center at the southern edge of the Specific Plan area.
13. The Specific Plan is consistent with Goal 3.0 of the Open Space and Conservation Element of conserving existing water resources, as well as policies related to this goal including: Policy 3.2 to use reclaimed water for landscaping and Policy 3.4 to use attractive, low maintenance, drought-tolerant landscaping. Section 5 of the Specific Plan lists design guidelines that encourage the reuse of rainwater and grey water for irrigation; and the utilization of native and low water use plants.
14. The Specific Plan is consistent with Policy 3.5 and Policy 3.6 of the Open Space and Conservation Element to protect and enhance natural qualities or riparian habitat (Policy 3.5), and retain watercourses and adjacent land in their natural states, as well as enhance the aesthetic quality of existing watercourses (Policy 3.6). Section 5 of the Specific Plan calls for the preparation and implementation of riparian habitat and creek protection programs for projects near creeks and preservation of riparian habitats in a natural state.
15. The Specific Plan is consistent with Policy 4.1 of the Open Space and Conservation Element to encourage innovative site planning and building

designs that minimize energy consumption by taking advantage of sun and shade patterns, prevailing winds, landscaping and building materials. Section 5 of the Specific Plan includes site planning and design guidelines that encourage floor plans and site designs that maximize daylight, natural ventilation, and passive solar heating and cooling functions. Section 4 of the Specific Plan requires the incorporation of sustainability practices provided by the U.S. Green Building Council.

16. The Specific Plan is consistent with Policy 4.2 of the Open Space and Conservation Element. Sections 5 and 6 of the Specific Plan contain guidelines for encouraging low voltage lighting and lighting fixtures that incorporate the latest energy-efficient technology.
17. The Specific Plan is consistent with Goal 3 of the Noise Element to improve the noise environment of the community through sensitive planning and development practices. Section 5 of the Specific Plan provides that the siting of noise generating functions that may cause a nuisance for adjacent properties should be avoided.
18. The Specific Plan, with the imposition of mitigation measures set forth in the Updated RR FEIR, is consistent with Policy 1.4 of the Scenic Highways Element to maintain a quality visual experience along the entire length of the scenic highways through protection and enhancement of views and development of appropriate landscaping. In the Specific Plan area, Agoura Road, Kanan Road and Roadside Drive are all designated Local Scenic Highways. Kanan Road south of Roadside Drive is also a Primary County Scenic Highway. The Specific Plan provides design guidelines and development standards to ensure a consistent, attractive streetscape and built environment along these roadways, and includes requirements to protect and enhance views to the Santa Monica Mountains.
19. The Specific Plan is consistent with Policy 1.10 of the Scenic Highways Element, which provides for enhanced paving, entry monuments, and other special design features at key entry points to the City. Chapter 6 of the Specific Plan outlines visual cues, such as signage and markers, to create virtual borders and inform pedestrians and drivers that they have arrived at a special destination. This includes the use of village monuments and gateway features along Kanan and Agoura Roads at the edges of the Specific Plan area reflecting natural elements and materials.
20. The Specific Plan is consistent with Goal 5 of the Public Facilities, Utilities, and Services Element to maintain a consistent level of quality water service in the City and promote water conservation. In particular, the Specific Plan is consistent with Implementation Measure 5.5 to utilize reclaimed wastewater for irrigation and Implementation Measure 5.6 to encourage the use of drought resistant landscaping and water efficient irrigation to reduce water use.

Section 5 of the Specific Plan lists design guidelines that encourage the reuse of rainwater and grey water for irrigation; and the utilization of native and low water use plants.

21. The Specific Plan is consistent with Goal 6 of the Public Facilities, Utilities, and Services Element to maintain a consistent level of quality sewer service throughout the entire City. Section 7 of the Specific Plan ensures that sewer lines are sized appropriately, and requires information to be provided for individual proposed developments demonstrating that there will be adequate line capacity.
22. The Specific Plan is consistent with Goal 8 of the Public Facilities, Utilities, and Services Element to provide necessary control and reduction of solid waste generation and disposal, and particularly Policy 8.3 requiring new developments to incorporate recycling locations into the development. Section 7 of the Specific Plan requires that any proposed development project comply with the City's waste reduction and recycling program, and Section 5 provides standards for the design and location of trash and recycling enclosures.
23. The Specific Plan is consistent with Policy 1.3 of the Community Design Element to maintain an awareness of the City's natural environmental setting. The Specific Plan contains numerous provisions to protect the area's natural resources, through viewshed and habitat preservation. Additionally, the Specific Plan outlines design guidelines that incorporate natural materials and native landscaping.
24. The Specific Plan is consistent with Policy 1.4 of the Community Design Element to develop a high quality highway image that supports the image of quality desired by residents and new businesses locating in Agoura Hills. The Specific Plan incorporates design and development standards to ensure an attractive, cohesive built environment, including detailed architectural, streetscape and landscape requirements.
25. The Specific Plan is consistent with Policy 2.1 of the Community Design Element to secure the existing commercial tax base through the preservation of existing commercial centers and the enhancement of areas with further development potential such as the Agoura Road/Roadside Drive area. The Specific Plan area includes Agoura Road and Roadside Drive, and the purpose of the Specific Plan is to facilitate a pedestrian-oriented mixed-use village development in this area of the City that would be primarily commercial in nature (retail and offices), but which would also incorporate residential units as a secondary and supporting use. The aim of the Specific Plan is to improve upon the existing area within the Specific Plan boundaries to create a more interesting, comprehensive development scenario with a consistent set of standards applied.

26. The Specific Plan is consistent with Goal 3 of the Housing Element to provide opportunities for new housing in a variety of locations and a variety of densities in accordance with the land use designations and policies of the Land Use Element. In particular, Policy 3.4 of the Housing Element encourages the development of residential/commercial mixed-use in the Agoura Village area. The Specific Plan allows for a limited number of new multi-family residential units in a portion of the City that currently consists of primarily non-residential uses. Given that the units would be loft or town home type residences, the Plan would contribute to increasing the variety of housing options in the City.

PASSED, APPROVED, AND ADOPTED, this 22nd day of October 2008, by the following vote to wit:

AYES: ()
NOES: ()
ABSENT: ()
ABSTAIN: ()

John M. Edelston, Mayor

ATTEST:

Kimberly M. Rodrigues, City Clerk

APPROVED AS TO FORM:

Craig A. Steele, City Attorney

ATTACHMENT 7

ORDINANCE NO. 08-356

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING A ZONE CHANGE (CASE NO. 06-ZC-001)

THE CITY COUNCIL OF THE CITY OF AGOURA HILLS DOES ORDAIN AS FOLLOWS:

WHEREAS, an application for approval of a zone change was duly filed by the City of Agoura Hills to rezone the properties shown on Exhibit "A" and more specifically described in Exhibit "B" to SP (Specific Plan). The area proposed for the Specific Plan zone presently consists of the following six (6) zoning designations: CRS-FC-AV (Commercial Retail Service-Freeway Corridor Overlay-Agoura Village Overlay), CRS-D-AV (Commercial Retail Service-Drainage Overlay-Agoura Village Overlay), CS-FC-AV (Commercial Shopping Center-Freeway Corridor Overlay-Agoura Village Overlay), SP-AV (Specific Plan-Agoura Village Overlay), BP-OR-AV (Business Park-Office Retail-Agoura Village Overlay) and OS (Open Space). The request is to change all of these current zonings to SP (Specific Plan).

WHEREAS, the City Planning Commission held a public hearing on the Agoura Village Specific Plan and Updated Final Revised and Recirculated Environmental Impact Report (Updated RR FEIR) on September 18, 2008 in the City Council Chambers, at which public comments were received, and the Planning Commission made the following recommendations to City Council: certify the Updated RR FEIR, make environmental findings per the California Environmental Quality Act (CEQA), adopt the Statement of Overriding Considerations (SOC), adopt the Mitigation Monitoring and Reporting Program (MMRP), and adopt the Agoura Village Specific Plan (AVSP); approve a zoning map change in the Agoura Village area; approve a Zoning Ordinance Amendment; approve a General Plan Amendment; and approve an amendment to the Ladyface Mountain Specific Plan.

WHEREAS, a duly noticed public hearing was held on October 22, 2008 at 7:00 p.m. in the City Hall Council Chambers, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid hearing was duly given.

WHEREAS, evidence, both written and oral, was duly presented to and considered by the City Council of the City of Agoura Hills at the aforesaid public hearing.

WHEREAS, an Updated RR FEIR has been prepared to assess the potential environmental impacts of the adoption of the Agoura Village Specific Plan and related General Plan Amendment, Zoning Ordinance Amendment, Zoning Map Amendment and Ladyface Mountain Specific Plan Amendment. The Updated RR FEIR also describes alternatives to the project and identifies mitigation measures. The City Council considered the Updated Final Revised and Recirculated EIR as part of its deliberations, certified the Updated Final Revised and Recirculated EIR, adopted the Mitigation Monitoring and Reporting Program, and adopted a Statement of Overriding Considerations.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Agoura Hills hereby finds that:

1. The proposed zone change is necessary to carry out the City's desires to develop the subject area as a pedestrian oriented primarily commercial village.
2. The proposed zone change will make the properties within the Agoura Village Specific Plan area consistent with the General Plan designation.
3. The proposed zone change is necessary to implement the Specific Plan.

Based upon the aforementioned findings, the City Council hereby approves the request for an amendment to the Zoning Map.

PASSED, APPROVED, AND ADOPTED this ____ day of _____ 2008, by the following vote to wit:

AYES: ()
NOES: ()
ABSENT: ()
ABSTAIN: ()

John M. Edelston, Mayor

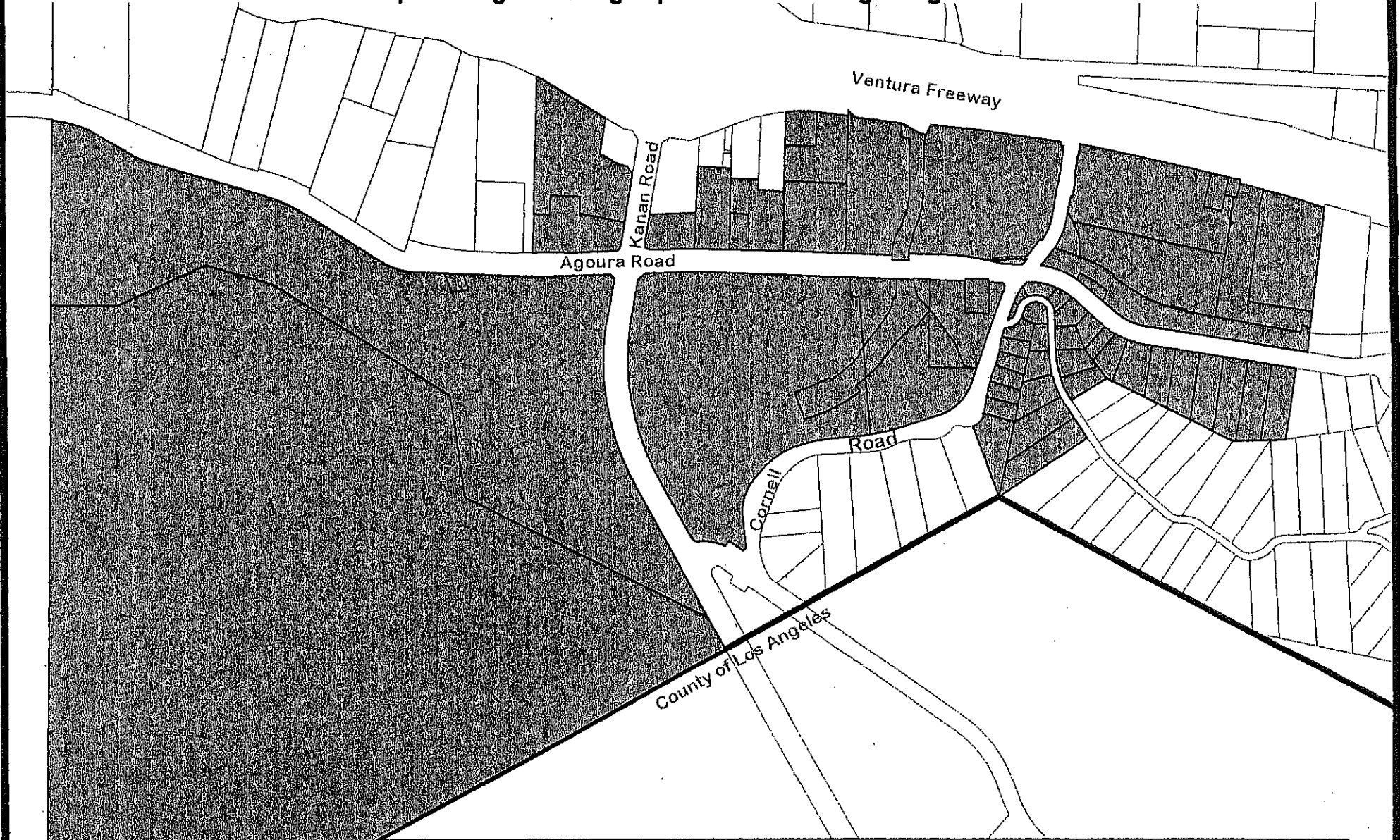
ATTEST:

Kimberly M. Rodrigues, City Clerk

APPROVED AS TO FORM:

Craig A. Steele, City Attorney

Proposed Agoura Village Specific Plan Zoning Designation



City of Agoura Hills Community Development Department



Agoura Village Specific Plan
City Boundary
Parcels

LEGAL DESCRIPTION FOR
AGOURA VILLAGE SPECIFIC PLAN ZONE
MARCH 2006

In the City of Agoura Hills, County of Los Angeles, State of California

Those portions of Lot H, the Dolores Vejar 634.38 Acre Allotment, as shown on the map of the Partitioning of the Rancho Las Virgenes, filed in Case No. 2898 of the Superior Court of the State of California, Lot 1 of Tract No. 48193 as shown on map filed in Book 1167, Pages 19 and 20 of Maps, Tract no. 7661 as shown on map filed in Book 88, Pages 63 through 66, inclusive, of Maps, of the map recorded in Book 83, pages 15 through 17, inclusive, of Parcel Maps, of the map recorded in Book 83, Pages 18 and 19 of Parcel Maps, of the map recorded in Book 131, Pages 17 and 18 of Parcel Maps, and of the Licensed Surveyors Map filed in Book 15, Pages 8 and 9, of Records of Survey, all in the Office of the Recorder of Los Angeles County, described as follows:

Beginning at the intersection of the southerly sideline of Roadside Drive as it now exists, with the easterly line of Parcel 19 of said Licensed Surveyors Map; thence in a southerly direction along said easterly line to the centerline of Agoura Road as shown on said Tract No. 7661; thence westerly along said centerline of Agoura Road to the northerly projection of the easterly line of Lot 44 of said Tract No. 7661; thence southerly along said northerly projection and the easterly line of said Lot 44 to the southeasterly corner of said Lot 44; thence westerly along the southerly lot lines of Lots 44, 45, 46, and 47 to the northeasterly corner of Lot 56 of said Tract No. 7661, said northeasterly corner being on the southerly line of said Lot 47; thence southwesterly along the southeasterly line of said Lot 56 to the northeasterly line of Cleveland Drive, 30 feet wide, as shown on said Tract No. 7661; thence southeasterly along said northeasterly line of Cleveland Drive to the northeasterly projection of the southeasterly line of Lot 115 of said Tract No. 7661; thence southwesterly along said projection and the southeasterly line of said Lot 115 to the southerly corner of Lot 103 of said Tract No. 7661; thence northwesterly along the southwesterly line of said Lot 103 to the southeasterly sideline of Cornell Road as shown on said Tract No. 7661; thence following said southeasterly sideline in a southwesterly, southerly, and southeasterly direction to the southeasterly line of the Rancho Las Virgenes; thence southwesterly along the southeasterly Rancho line to the most southerly corner of said Lot H, said southerly corner being the point of intersection with the westerly line of Lot H; thence northerly along said westerly line of Lot H to the centerline of Agoura Road as it now exists; thence easterly along said centerline to a point of intersection with the southerly projection of the westerly line of the Parcel Map filed in Book 83, Pages 15 through 17, inclusive, of Parcel Maps; thence northerly along said projection and said westerly line to the southwesterly line of Roadside Drive, as shown on said map; thence southeasterly along said southwesterly line to the northwesterly corner of Parcel 1 of said parcel map; thence along the westerly and southerly lines of said Parcel 1 to the easterly line

of said Parcel Map; thence southerly along said easterly line to the northeasterly corner of Parcel 6 of said Parcel Map; thence along the easterly prolongation of the northerly line of said Parcel 6 to the easterly line of Kanan Road as it now exists; thence northerly along said easterly line to the northerly line of the southerly 360 feet, more or less, of Parcel 11 as shown on the Record of Survey filed in Book 15, Pages 8 and 9 of Records of Survey; thence easterly along said northerly line to the westerly line of the map filed in Book 131, Pages 17 and 18 of Parcel Maps; thence southerly along said westerly line to the northerly line of Parcel 2 of said Parcel Map; thence easterly along the various courses in the northerly line of said Parcel 2 to the easterly line of said Parcel Map; thence northerly along said easterly line to the southerly line of Roadside Drive as it now exists; thence easterly along said southerly line and its various courses to the Point of Beginning.

Prepared under my supervision:

David O. Knell 3/13/06
David O. Knell PLS 5301 Date



ATTACHMENT 8

ORDINANCE NO. 08-357

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING A ZONING ORDINANCE AMENDMENT (CASE NO. 06-ZOA-001)

THE CITY COUNCIL OF THE CITY OF AGOURA HILLS DOES ORDAIN AS FOLLOWS:

WHEREAS, an application for approval of a Zoning Ordinance Amendment to remove the Agoura Village Overlay from the Zoning Ordinance was duly filed by the City of Agoura Hills. A duly noticed public hearing was held on October 22, 2008, at 7:00 p.m. in the City Hall Council Chambers, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid hearing was duly given.

WHEREAS, evidence, both written and oral, was duly presented to and considered by the City Council of the City of Agoura Hills at the aforesaid public hearing.

WHEREAS, pursuant to Section 9805.5 of the City of Agoura Hills Municipal Code, the aforesaid hearing was held within forty (40) days after receipt of the report of the Planning Commission, dated September 18, 2008. The City Council hearing was set and duly noticed consistent with Section 9804 of the Municipal Code.

WHEREAS, the City Planning Commission held a public hearing on the Agoura Village Specific Plan and Updated Final Revised and Recirculated Environmental Impact Report (Updated RR Final EIR) on September 18, 2008 in the City Council Chambers, at which public comments were received, and the Planning Commission made the following recommendations to City Council: certify the Updated RR FEIR, make environmental findings per the California Environmental Quality Act (CEQA), adopt the Statement of Overriding Considerations (SOC), adopt the Mitigation Monitoring and Reporting Program (MMRP), and adopt the Agoura Village Specific Plan (AVSP); approve a zoning map change in the Agoura Village area; approve a Zoning Ordinance Amendment; approve a General Plan Amendment; and approve an amendment to the Ladyface Mountain Specific Plan.

WHEREAS, the Zoning Ordinance Amendment to delete Chapter 5, Part 9, AV - Agoura Village Overlay District, Sections 9581-9584.6 is necessary because the Overlay District is no longer needed, and all of the properties in the Agoura Village Overlay will be rezoned to SP (Specific Plan) and will be governed by the newly adopted Agoura Village Specific Plan.

WHEREAS, an Updated RR FEIR has been prepared to assess the potential environmental impacts of the adoption of the Agoura Village Specific Plan and related General Plan Amendment, Zoning Ordinance Amendment, Zoning Map Amendment and Ladyface Mountain Specific Plan. The Updated RR FEIR also describes alternatives to the project and identifies mitigation measures. The City Council considered the Updated RR FEIR as part of its

deliberations, and certified the Updated RR FEIR, adopted the Mitigation Monitoring and Reporting Program, and adopted a Statement of Overriding Considerations.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Agoura Hills, pursuant to Section 9805.4 of the Agoura Hills Municipal Code, hereby finds that the aforementioned text amendment is consistent with the objectives of Article IX of the Agoura Hills Municipal Code and the General Plan, and based upon the aforementioned findings, the City Council approves the amendment to the Zoning Ordinance to delete Chapter 5, Part 9, AV - Agoura Village Overlay District Sections 9581-9584.6.

PASSED, APPROVED. AND ADOPTED this ____ day of _____ 2008, by the following vote to wit:

AYES: ()
NOES: ()
ABSENT: ()
ABSTAIN: ()

John M. Edelston, Mayor

ATTEST:

Kimberly M. Rodrigues, City Clerk

APPROVED AS TO FORM:

Craig A. Steele, City Attorney

ATTACHMENT 9

RESOLUTION NO. 08-1504

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING A GENERAL PLAN AMENDMENT (CASE NO. 06-GPA-001)

THE CITY COUNCIL OF THE CITY OF AGOURA HILLS HEREBY FINDS, RESOLVES, DETERMINES AND ORDERS AS FOLLOWS:

Section 1. An application for approval of a General Plan Amendment was duly filed by the City of Agoura Hills to re-designate the properties shown on Exhibit "A" and more specifically described in Exhibit "B" and to amend the Land Use Element of the General Plan.

Section 2. The City proposes to make the following amendments to the General Plan:

a. Redesignate the General Plan Land Use Map Figures LU-2 and LU-3 to "Agoura Village Specific Plan" (AVSP) from the following four (4) land use designations: CS (Commercial-Retail Service), Ladyface Mountain Specific Plan, BP-O/R (Business Park-Office/Retail) and OS-R (Restricted Open Space) for properties shown on Exhibit "A."

b. Add Implementation Measure 1.3 to the General Plan Land Use Element, which states, "In the event that specific provisions of the General Plan conflict with the Agoura Village Specific Plan, the Agoura Village Specific Plan shall control."

c. Reference the Agoura Village Specific Plan in the figures, tables and text as necessary during the General Plan update process, currently underway.

Section 3. Until the General Plan update process is complete and to ensure that there are no inconsistencies between the General Plan and Agoura Village Specific Plan, staff is directed to interpret the General Plan in conformance with the Agoura Village Specific Plan. This ensures that the Specific Plan becomes the General Plan for this limited area, as applicable, a concept specifically approved by Judge James Chalfant in his previous review of the case.

Section 4. Any property designated OS-R (Restricted Open Space) at the time of adoption of the Agoura Village Specific Plan is subject to Ordinance 99-300, which requires voter approval to change the parcel to non-open space uses. Designating these existing open space parcels to Agoura Village Specific Plan is not intended to change the requirements of Ordinance 99-300.

Section 5. An Updated Final Revised and Recirculated Environmental Impact Report (Updated RR FEIR) has been prepared to assess the potential environmental impacts of the adoption of the Agoura Village Specific Plan and related General Plan Amendment, Zoning Ordinance Amendment, Zone Change, and Ladyface Mountain Specific Plan Amendment. The Updated RR FEIR also describes alternatives to the project and identifies mitigation measures.

The City Council considered the Updated RR FEIR as part of its deliberations and has certified the Updated RR FEIR, adopted a Statement of Overriding Considerations, and adopted the Mitigation Monitoring and Reporting Program.

Section 6. The Planning Commission held a public hearing on the Agoura Village Specific Plan and Updated RR FEIR on September 18, 2008 in the City Council Chambers, at which public comments were received, and the Planning Commission made the following recommendations to City Council: certify the Updated RR FEIR, make environmental findings per the California Environmental Quality Act (CEQA), adopt the Statement of Overriding Considerations, adopt the Mitigation Monitoring and Reporting Program, and adopt the Agoura Village Specific Plan; approve a zoning map change in the Agoura Village area; approve a Zoning Ordinance Amendment; approve a General Plan Amendment; and approve an amendment to the Ladyface Mountain Specific Plan.

Section 7. A duly noticed public hearing was held on October 22, 2008 at 7:00 p.m. in the City Hall Council Chambers, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place, and purpose of the aforesaid hearing was duly given.

Section 8. Evidence, both written and oral, was duly presented to and considered by the City Council of the City of Agoura Hills at the aforesaid public hearing.

Section 9. The City Council of the City of Agoura Hills hereby finds that the proposed amendments are needed to ensure consistency between the Agoura Village Specific Plan and the General Plan. All policies of the General Plan have been reviewed by Planning and Community Development staff to ensure that the proposed amendments maintain the compatibility and internal consistency of the General Plan.

Section 10. Based on the foregoing, the City Council hereby approves amendments to the General Plan as set forth in Sections 1 and 2.

PASSED, APPROVED, AND ADOPTED, this 22nd day of October 2008, by the following vote to wit:

AYES: ()
NOES: ()
ABSENT: ()
ABSTAIN: ()

John M. Edelston, Mayor

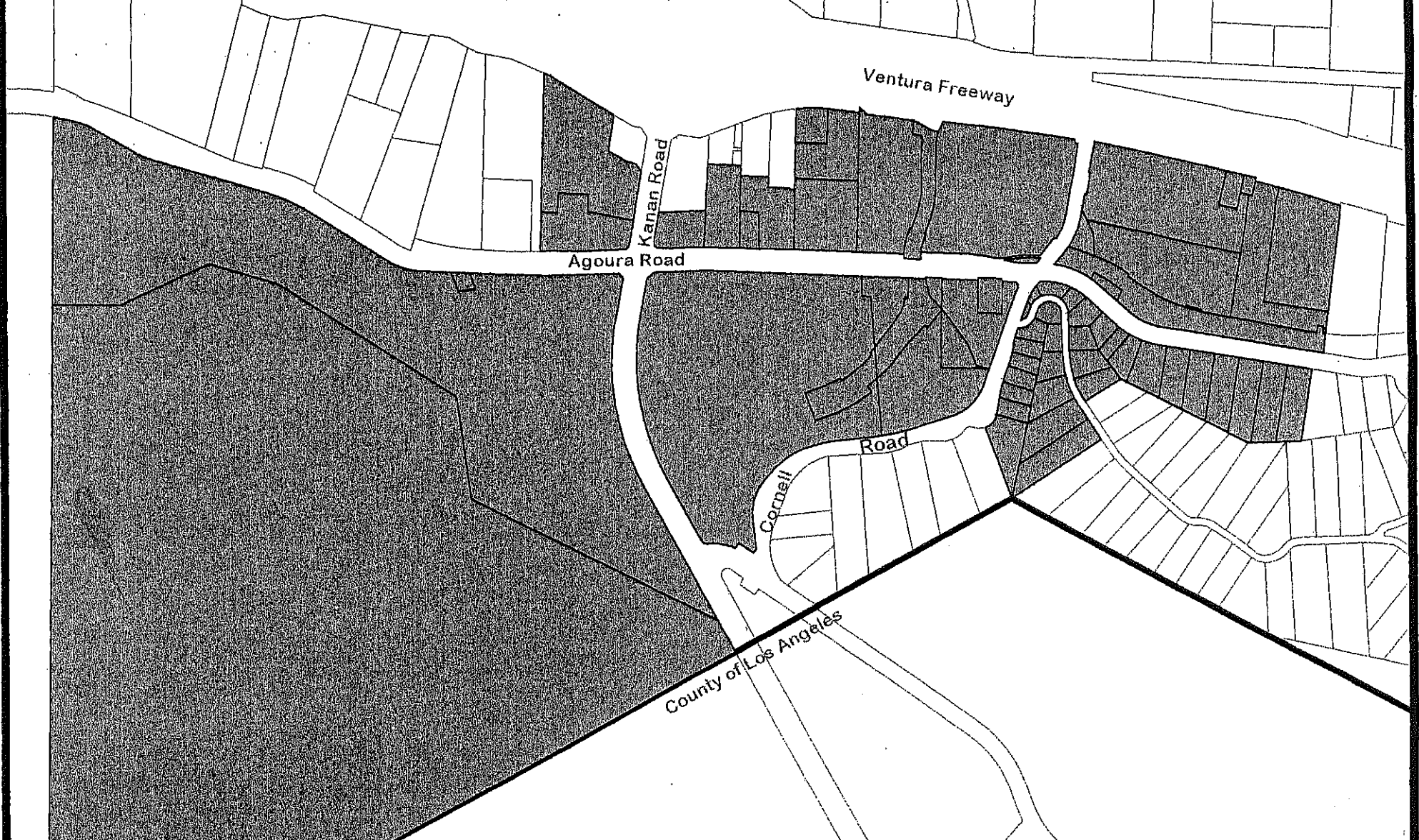
ATTEST:

Kimberly M. Rodrigues, City Clerk

APPROVED AS TO FORM:

Craig A. Steele, City Attorney

Proposed Agoura Village Specific Plan Zoning Designation



City of Agoura Hills Community Development Department



Agoura Village Specific Plan
City Boundary
Parcels

Exhibit A

LEGAL DESCRIPTION FOR
AGOURA VILLAGE SPECIFIC PLAN ZONE
MARCH 2006

In the City of Agoura Hills, County of Los Angeles, State of California

Those portions of Lot H, the Dolores Vejar 634.38 Acre Allotment, as shown on the map of the Partitioning of the Rancho Las Virgenes, filed in Case No. 2898 of the Superior Court of the State of California, Lot 1 of Tract No. 48193 as shown on map filed in Book 1167, Pages 19 and 20 of Maps, Tract no. 7661 as shown on map filed in Book 88, Pages 63 through 66, inclusive, of Maps, of the map recorded in Book 83, pages 15 through 17, inclusive, of Parcel Maps, of the map recorded in Book 83, Pages 18 and 19 of Parcel Maps, of the map recorded in Book 131, Pages 17 and 18 of Parcel Maps, and of the Licensed Surveyors Map filed in Book 15, Pages 8 and 9, of Records of Survey, all in the Office of the Recorder of Los Angeles County, described as follows:

Beginning at the intersection of the southerly sideline of Roadside Drive as it now exists, with the easterly line of Parcel 19 of said Licensed Surveyors Map; thence in a southerly direction along said easterly line to the centerline of Agoura Road as shown on said Tract No. 7661; thence westerly along said centerline of Agoura Road to the northerly projection of the easterly line of Lot 44 of said Tract No. 7661; thence southerly along said northerly projection and the easterly line of said Lot 44 to the southeasterly corner of said Lot 44; thence westerly along the southerly lot lines of Lots 44, 45, 46, and 47 to the northeasterly corner of Lot 56 of said Tract No. 7661, said northeasterly corner being on the southerly line of said Lot 47; thence southwesterly along the southeasterly line of said Lot 56 to the northeasterly line of Cleveland Drive, 30 feet wide, as shown on said Tract No. 7661; thence southeasterly along said northeasterly line of Cleveland Drive to the northeasterly projection of the southeasterly line of Lot 115 of said Tract No. 7661; thence southwesterly along said projection and the southeasterly line of said Lot 115 to the southerly corner of Lot 103 of said Tract No. 7661; thence northwesterly along the southwesterly line of said Lot 103 to the southeasterly sideline of Cornell Road as shown on said Tract No. 7661; thence following said southeasterly sideline in a southwesterly, southerly, and southeasterly direction to the southeasterly line of the Rancho Las Virgenes; thence southwesterly along the southeasterly Rancho line to the most southerly corner of said Lot H, said southerly corner being the point of intersection with the westerly line of Lot H; thence northerly along said westerly line of Lot H to the centerline of Agoura Road as it now exists; thence easterly along said centerline to a point of intersection with the southerly projection of the westerly line of the Parcel Map filed in Book 83, Pages 15 through 17, inclusive, of Parcel Maps; thence northerly along said projection and said westerly line to the southwesterly line of Roadside Drive, as shown on said map; thence southeasterly along said southwesterly line to the northwesterly corner of Parcel 1 of said parcel map; thence along the westerly and southerly lines of said Parcel 1 to the easterly line

of said Parcel Map; thence southerly along said easterly line to the northeasterly corner of Parcel 6 of said Parcel Map; thence along the easterly prolongation of the northerly line of said Parcel 6 to the easterly line of Kanan Road as it now exists; thence northerly along said easterly line to the northerly line of the southerly 360 feet, more or less, of Parcel 11 as shown on the Record of Survey filed in Book 15, Pages 8 and 9 of Records of Survey; thence easterly along said northerly line to the westerly line of the map filed in Book 131, Pages 17 and 18 of Parcel Maps; thence southerly along said westerly line to the northerly line of Parcel 2 of said Parcel Map; thence easterly along the various courses in the northerly line of said Parcel 2 to the easterly line of said Parcel Map; thence northerly along said easterly line to the southerly line of Roadside Drive as it now exists; thence easterly along said southerly line and its various courses to the Point of Beginning.

Prepared under my supervision:

David O. Knell 3/13/06
David O. Knell PLS 5301 Date



ATTACHMENT 10

RESOLUTION NO. 08-1505

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING AN AMENDMENT TO THE LADYFACE MOUNTAIN SPECIFIC PLAN (CASE NO. 06-SPA-001)

THE CITY COUNCIL OF THE CITY OF AGOURA HILLS HEREBY FINDS, RESOLVES, DETERMINES, AND ORDERS AS FOLLOWS:

Section 1. An application for approval of a Specific Plan Amendment was duly filed by the City of Agoura Hills to amend the Ladyface Mountain Specific Plan by removing all references to Assessor's Parcel Numbers 2061-033-016 and 2061-033-905 located on the southwest corner of Kanan and Agoura Roads as shown on Exhibit "A" from the Plan.

Section 2. The City Planning Commission held a public hearing on the Agoura Village Specific Plan and Updated Final Revised and Recirculated Final Environmental Impact Report (Updated RR FEIR) on September 18, 2008 in the City Council Chambers, at which public comments were received, and the Planning Commission made the following recommendations to City Council: certify the Updated RR FEIR, make environmental findings per the California Environmental Quality Act (CEQA), adopt the Statement of Overriding Considerations (SOC), adopt the Mitigation Monitoring and Reporting Program (MMRP), and adopt the Agoura Village Specific Plan (AVSP); approve a zoning map change in the Agoura Village area; approve a Zoning Ordinance Amendment; approve a General Plan Amendment; and approve an amendment to the Ladyface Mountain Specific Plan.

Section 3. A duly noticed public hearing was held on October 22, 2008 at 7:00 p.m. in the City Hall Council Chambers, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place, and purpose of the aforesaid hearing was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the City Council of the City of Agoura Hills at the aforesaid public hearing.

Section 3. The City Council of the City of Agoura Hills hereby finds that removing the subject parcels from the Ladyface Mountain Specific Plan and adding the parcels to the Agoura Village Specific Plan will further the goals of the City in creating a pedestrian oriented village along Agoura Road.

Section 4. An Updated Final Revised and Recirculated Final Environmental Impact Report (Updated RR FEIR) has been prepared to assess the potential environmental impacts of the adoption of the Agoura Village Specific Plan, which includes removing the subject parcels from the Ladyface Mountain Specific Plan and adding the parcels to the Agoura Village Specific Plan. The Updated RR FEIR also describes alternatives to the project and identifies mitigation measures. The City Council considered the Updated RR FEIR as part of its deliberations, has certified the Updated RR FEIR, has adopted the Mitigation Monitoring and Reporting Program, and has adopted the Statement of Overriding Considerations.

Section 5. Based upon the aforementioned findings, the City Council hereby approves the request for an amendment to the Ladyface Mountain Specific Plan.

PASSED, APPROVED, AND ADOPTED this 22nd day of October 2008, by the following vote to wit:

AYES: ()
NOES: ()
ABSENT: ()
ABSTAIN: ()

John M. Edelston, Mayor

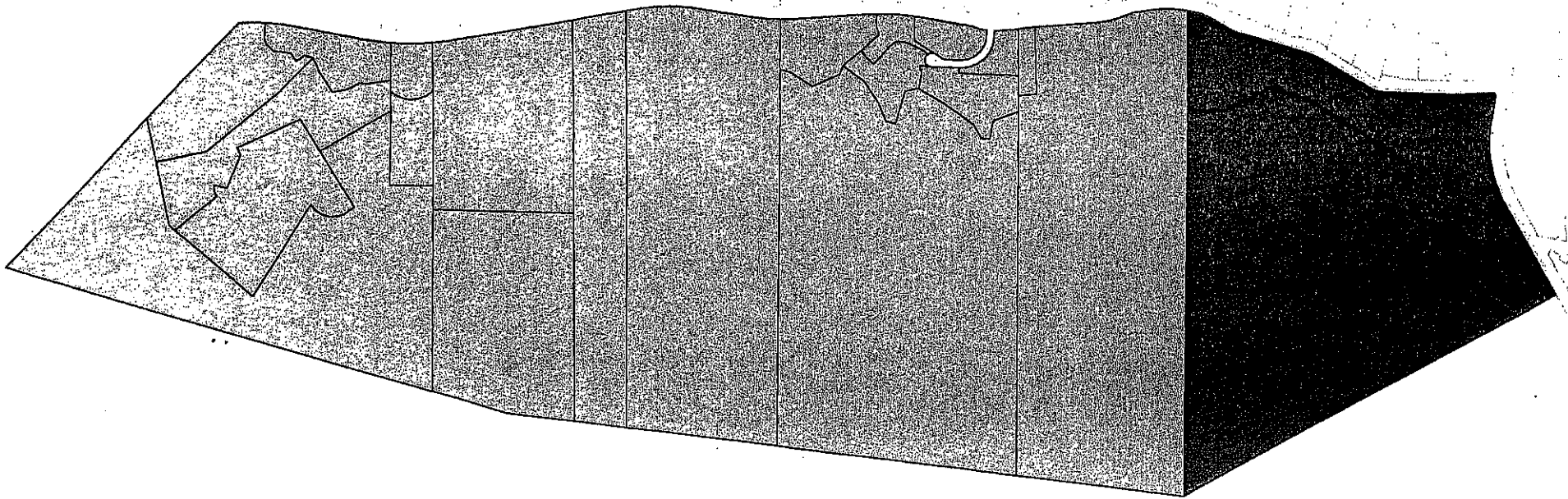
ATTEST:

Kimberly M. Rodrigues, City Clerk

APPROVED AS TO FORM:

Craig A. Steele, City Attorney

Symphony property within the Ladyface Specific Plan



0 2000 4000 6000 Feet

■ Symphony parcel
■ Ladyface Specific Plan
■ Parcels



Exhibit A