

## REPORT TO CITY COUNCIL

**DATE: NOVEMBER 12, 2008**

**TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

**FROM: GREG RAMIREZ, CITY MANAGER**

**BY: MIKE KAMINO, DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT**

**SUBJECT: PUBLIC HEARING ON ADOPTION OF THE 2008-2014 HOUSING ELEMENT**

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The purpose of this item is for the City Council to conduct a public hearing on the City's 2008-2014 Housing Element (Exhibit A, Attachment 5), and adopt the 2008-2014 Housing Element and accompanying environmental document.

On April 3 and 9, 2008, the Planning Commission and City Council, respectively, held public hearings to receive comments on the Draft 2008-2014 Housing Element. Pursuant to Council direction on April 9, 2008, staff forwarded the draft Housing Element to the State Department of Housing and Community Development (HCD) for review. HCD staff reviewed the Draft 2008-2014 Housing Element, and provided a letter with comments to the City, which was dated June 20, 2008 (Attachment 1). Staff and the City's Housing Element consultant, Ms. Karen Warner, responded to the comments, clarifying items, and augmenting text with additional information, as necessary. The 2008-2014 Housing Element that is the subject of this report incorporates all of the responses to HCD's comments. These responses have been discussed with and reviewed by HCD. On October 7, 2008, HCD sent a letter to the City, indicating that the Housing Element complies with the state housing element law (Attachment 2).

On October 16, 2008, the City Planning Commission held a public hearing, and recommended that the City Council adopt the 2008-2014 Housing Element and the Negative Declaration (ND) prepared pursuant to the California Environmental Quality Act (CEQA). There were no public comments or testimony on the Housing Element or ND. A copy of Planning Commission Resolution No. 953 is included as Attachment 3, and the minutes are included as Attachment 4. Upon adoption of the Housing Element by the City, the final 2008-2014 Housing Element would be forwarded to HCD for certification.

### A. Housing Element State Requirements

The State of California General Plan Guidelines (Guidelines) (2003) and Housing Element Law require each city and county in the state to prepare a housing element to adequately plan to meet their existing and projected housing needs, including their fair share of the regional housing need (Regional Housing Needs Assessment or RHNA). Housing Element law is the state's primary market-based strategy to increase housing supply. Further, the Guidelines state that in order for

the private sector to adequately address housing needs and demand, local governments must adopt land use plans and regulatory schemes that provide opportunities for, and do not unduly constrain, housing development for all income groups.

The Housing Element is the only element of the General Plan that the state must certify. The state has required that the City's Housing Element be updated every five years, and the Housing Element is currently due to the state, per state established guidelines. (Note: For the cycle following this, the Housing Element update would be required every six years). The City's last Housing Element was completed in July 2001. Given these mandated timeframes and the certification requirement, updates of Housing Elements by cities and counties usually occur separately from the overall General Plan Update, which has no established requirement for revising. The General Plan Update currently being undertaken by the City will reference the Housing Element in its land use and circulation discussions, ensuring that both documents are consistent.

The purpose of the Housing Element, consistent with the state Guidelines, is to: 1) preserve and improve housing and neighborhoods; 2) provide adequate housing sites; 3) assist in providing affordable housing; 4) remove governmental and other constraints to housing investment; and 5) promote fair and equal housing opportunities. It is important to note that the City must identify potential sites appropriate for various types of housing within City boundaries; however, the Housing Element does not require that these housing units actually be constructed. In other words, the City must plan for these units in terms of having available sites that could feasibly be used for housing.

The City's Housing Element consists of the following major (and required) components:

- An analysis of the City's demographic, household and housing characteristics and related housing needs (Section II).
- A review of potential market, governmental, and infrastructure constraints to meeting the City's identified housing needs (Section III).
- An evaluation of residential sites and financial resources available to address the City's housing goals (Section IV).
- The Housing Plan for addressing the City's identified housing needs, constraints and resources, including housing goals, policies and programs (Section V).

#### B. RHNA/Fair Share of Housing

Housing Element law requires that each city and county develop local housing programs to meet its "fair share" of existing and future housing needs for all income groups. The Southern California Association of Governments (SCAG) is responsible for developing and assigning these regional needs, or RHNA, to southern California jurisdictions. Pursuant to the RHNA planning period, the City's Housing Element is a six-year plan extending from 2008-2014. As defined by the RHNA, Agoura Hills' new construction need for the 2008-2014 period has been established at 109 new units, distributed among four household income categories of "very low," "low," "moderate," and "above moderate." The following table shows the maximum household

income to qualify under the various categories. Above moderate households are those making above 120 percent of the Area Median Income (AMI).

**Table 1. Maximum Household Income by Category**

<b>Income Category</b>	<b>% of AMI<sup>1</sup></b>	<b>Max. Income 4-Person HH<sup>3</sup></b>
Very Low	50	\$37,000 <sup>2</sup>
Low	80	\$59,200 <sup>2</sup>
Moderate	120	\$67,800

1 Area Median Income. L.A. County AMI of \$56,500 in 2007 (Source: 2007 Official State Income Limits – State HCD).

2 Adjusted for high cost areas.

3 Household

Housing units receiving building permits during the 2006-2007 “gap period” can be credited towards meeting the adequate site requirement of the RHNA for 2008-2014. The following table shows the RHNA numbers broken down by income category, the building permits issued in 2006-07 by income category, the remaining units needed by category to meet the RHNA numbers, and the capacity the City has to provide these units (i.e., vacant land).

**Table 2. Comparison of Regional Growth Needs (RHNA) and Available Residential Sites in the City**

<b>Income Level</b>	<b>RHNA Target</b>	<b>Building Permits 2006-07</b>	<b>Units Still Need to Plan</b>
Very Low	29	0	29
Low	18	0	18
Moderate	19	0	19
Above Moderate	43	11	32
<b>Total in City</b>	<b>109</b>	<b>11</b>	<b>98</b>

The maximum allowed number of multi-family dwelling units in Agoura Village is 235 (and possibly 58 additional units with density bonus provisions). There are 122 remaining vacant lots in the City, all of which are in the single-family zones or open space zones. Therefore, the Housing Element concludes that there is sufficient capacity available to address the RHNA target of 109 units.

Note that the availability of the sites in Agoura Village, which is within the City’s Redevelopment Area, is critical to the City meeting the RHNA targets. These are the only vacant sites in the City where multi-family units are allowed. Multi-family, as opposed to single family, units provide the most flexibility for the provision of housing for households of all income levels. Without Agoura Village, other portions of the City that are currently zoned single family or open space would likely need to be rezoned to higher densities to meet RHNA targets.

C. Identifying Potential Sites for Housing

In addition to showing that the City will be able to meet RHNA requirements, state law requires that the Housing Element demonstrate that there are sufficient parcels currently vacant and/or underutilized on which a developer would be able to construct: 1) transitional housing and

emergency shelters; and (2) single room occupancy hotels (SROs). From the City's perspective, this means that a sufficient amount of land must be zoned to allow these types of units when and if there is a desire on the part of a developer to construct them.

In compliance with recent legislation (Senate Bill 2, effective January 2008), the identified zones for transitional and emergency shelter housing must have sufficient capacity to accommodate the shelter need, and such housing is to be treated the same as any other residential use within the same zone. In other words, it must be an allowed use, not a conditionally allowed use.

Currently in the Zoning Code, transitional housing is allowed with a conditional use permit (CUP) in the RM, RMH and RH zones. To comply with Senate Bill 2, the Housing Element is proposing to allow such uses without a CUP in the RMH and RH zones. The Zoning Code presently allows emergency shelter housing with a CUP in the CS and CRS zones. To comply with Senate Bill 2, the Housing Element would allow emergency shelter housing as an allowed use in the CRS zone without a CUP. The CRS zones in the City are mostly located at the eastern end of the City, along the north and south sides of the freeway. Specifically, they run along Canwood Street, Dorothy Drive and Roadside Drive.

At present, the Zoning Code does not specify provisions for Single Resident Occupancy units (SROs). Although many jurisdictions classify SROs similar to hotels, the City Zoning Code indicates that if a use is not identified in the commercial use table in the Code, shown as a permitted use in any other zone, or the Planning Commission has not made an interpretation that the use is similar to another use, such use shall be prohibited. Rather than allow this use in all commercial zones, the Housing Element calls out the BP-OR zone west of Palo Comado Canyon Road as a location where SROs would be allowed with a CUP. This area was selected, as the Code currently allows hotels in this portion of the BP-OR zone. The vacant or underutilized areas with this zoning are located mostly along Agoura Road, west of Palo Comado Road.

#### D. Policies and Programs

With regard to goals, policies and programs, the Housing Element has been updated to incorporate the items approved by the City Council in the Affordable Housing Strategy (June 2007) document prepared for the City by RSG, as well as continuing with several ongoing efforts. These include continuing to ensure equal housing opportunities, and maintaining the quality of existing residential neighborhoods, among others.

#### E. Comments from HCD

For the most part, the comments provided by HCD in its letter of June 20, 2008 are fairly minor, and required only clarification. Further information about the vacant residentially zoned parcels was requested, including how density was calculated, what the permitting and other regulatory requirements would be for developing the sites, and generally how feasible development of the sites might be in the future. HCD requested more specific timeframes and procedures for the City to implement the particular programs outlined in the 2008-2014 Housing Element, which follow those outlined in the City's Affordable Housing Strategy (June 2007). For example, HCD wanted to know how the City encourages the use of California Development Block Grant (CDBG)

housing rehabilitation program funds by residents, and how the City would inform potential developers about financial and regulatory incentives (e.g., the Statewide Density Bonus Program). As a result, additional information was added to the Housing Element to fully respond to HCD's items. In particular, the City plans to prepare a brochure outlining the various housing programs and incentives that are available to property owners, which would be given to potential applicants.

Ms. Karen Warner, the City's Housing Element consultant, will be available at the hearing to provide a brief presentation, and respond to any questions you may have on the requirements and content of the 2008-2014 Housing Element.

The 2008-2014 Housing Element was analyzed for potential environmental impacts pursuant to the California Environmental Quality Act (CEQA). An Initial Study addressing the following environmental issue areas was prepared: land use and planning, biological resources, air quality, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, aesthetics, noise, population and housing, public services, recreation, transportation/traffic, utilities and service systems, and mandatory findings of significance. The project, being a policy document and not a specific physical development, was found to have no potential environmental impacts, and a Negative Declaration (ND) was issued (Exhibit B, Attachment 5). The ND was circulated for public comment from June 13, 2008 through July 14, 2008, and no comments were received.

## **RECOMMENDATION**

Staff recommends that the City Council conduct a public hearing on the City of Agoura Hills 2008-2014 Housing Element, and adopt the attached Resolution No. 1506 (Attachment 5) to adopt the City's 2008-2014 Housing Element and Negative Declaration.

### Attachments:

1. Letter from HCD dated June 20, 2008
2. Letter from HCD dated October 7, 2008
3. Planning Commission Resolution No. 953
4. Planning Commission draft minutes from 10/16/08
5. Resolution No. 1506 to adopt the City of Agoura Hills 2008-2014 Housing Element (includes City of Agoura Hills 2008-2014 Housing Element and Initial Study/Negative Declaration).

ATTACHMENT 1

STATE OF CALIFORNIA BUSINESS, TRANSPORTATION AND HOUSING AGENCY

ARNOLD SCHWARZENEGGER, Governor

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

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June 20, 2008

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

Dear Mr. Kimano:

**RE: Review of the City of Agoura Hills' Draft Housing Element Update**

Thank you for submitting Agoura Hills' draft housing element received for review on April 23, 2008 along with revisions sent by email on June 14, 2008. The Department is required to review draft housing elements and report the findings to the locality pursuant to Government Code Section 65585(b). A telephone conversation on June 9, 2008 with Ms. Allison Cook, Senior Planner, and Ms. Karen Warner, the City's consultant, facilitated the review.

Agoura Hills' draft element addresses many statutory requirements; however, revisions will be necessary to comply with State housing element law (Article 10.6 of the Government Code). In particular, the element should include more detailed analyses of identified sites and governmental constraints, and should strengthen and expand programs to address identified housing needs within the City. The enclosed Appendix describes these and other revisions needed to comply with State housing element law.

The Department hopes these comments are helpful. If you have any questions or would like assistance, please contact Mario Angel, of our staff, at (916) 445-3485. We would be happy to arrange a meeting in either Agoura Hills or Sacramento to provide any assistance needed to facilitate efforts to bring the element into compliance.

Sincerely,

A handwritten signature in black ink that reads "Cathy E. Creswell".

Cathy E. Creswell  
Deputy Director

Enclosure

## APPENDIX CITY OF AGOURA HILLS

The following changes would bring the City of Agoura Hills' draft housing element into compliance with Article 10.6 of the Government Code. The pertinent Government Code is cited for each recommended change.

Housing element technical assistance information is available on the Department's website at [www.hcd.ca.gov](http://www.hcd.ca.gov). Refer to the Division of Housing Policy Development and the section pertaining to State Housing Planning. Among other resources, please refer to the Department's latest technical assistance tool *Building Blocks for Effective Housing Elements (Building Blocks)* [www.hcd.ca.gov/hpd/housing\\_element/index.html](http://www.hcd.ca.gov/hpd/housing_element/index.html), the Department's publication, *Housing Element Questions and Answers (Qs & As)*, and the Government Code addressing State housing element law.

### **A. Housing Needs, Resources, and Constraints**

1. *Include an inventory of land suitable for residential development, including vacant sites and sites having the potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites (Section 65583(a)(3)). The inventory of land suitable for residential development shall be used to identify sites that can be developed for housing within the planning period (Section 65583.2).*

After accounting for recent residential construction, Agoura Hills has a remaining regional housing need allocation (RHNA) of 98 units, of which 47 units are for lower-income households. However, the element must be revised to demonstrate both the adequacy of the existing sites and zones in the inventory, and to identify additional sites that could accommodate the City's RHNA for lower-income households; or include a program to rezone pursuant to Government Code Sections 65583(a)(3) and 65583.2(h). Specifically, the element must include more detailed analyses, as follows:

#### ***Agoura Village Specific Plan (AVSP) Area A, B and E:***

- While the element includes a parcel-specific listing of sites by size (Appendix A), the element should be revised to include the general plan and zoning designation for each of the sites identified within the Agoura Village Specific Plan Areas A, B, and E.
- The element indicates unit potential within the specific plan area is determined based on a maximum number of units in each specific plan zone (page IV-5). The element must, however, clearly demonstrate how the base units potential in Table IV-2 was determined. For example, while the element indicates permitted densities of 20+ units per acre are allowed within the AVSP, for zone A (18.56 acres) Table IV-2 indicates a base unit potential of 95 units, far fewer than the maximum potential of 360 units which would be achievable at the density of 20 units/acre.



- Table III-2 indicates multifamily developments within the RM zone require a conditional use permit. As the current inventory lacks specific information on the General Plan and zoning designations of sites within the AVSP, it is unclear whether multifamily projects developed within the AVSP would be subject to the same conditional approval. The element must be revised to include specific information on the processing requirements for multifamily and mixed-use developments within the AVSP (see finding A2 below for additional information).
- The element provides some information on development standards for residential and mixed-use development within the AVSP (page III-4). In addition to the information provided on height limitations, lot coverage and parking requirements, the element should include information on required set-backs for development. This is essential to determining whether the cumulative impact development standards impede the ability to achieve the base unit potentials detailed in Table IV-2.

***Agoura Village Specific Plan Area (AVSP), A North (Underutilized Sites):***

- The element should specifically describe current uses and any constraints to redevelopment of these sites. This description is necessary to demonstrate non-vacant and/or underutilized sites can be realistically developed with residential uses, or with more intensive residential uses at densities appropriate to accommodate the remaining RHNA for lower-income households within the planning period. The analysis should describe the methodology used to establish the development potential considering all of the following: 1) the extent to which existing uses may constitute an impediment to additional residential development; 2) development trends; 3) market conditions; and 4) availability of regulatory and/or other incentives such as expedited permit processing, and fee waivers or deferrals. Additional information and sample analyses are available in the Department's *Building Blocks* section on Analysis of Non-vacant and Underutilized Sites at [http://www.hcd.ca.gov/hpd/housing\\_element/screen18\\_non\\_vac.pdf](http://www.hcd.ca.gov/hpd/housing_element/screen18_non_vac.pdf).
2. *Analyze potential and actual governmental constraints upon the maintenance, improvement, and development of housing for all income levels, including land-use controls, building codes and their enforcement, site improvements, taxes and other exactions required of developers, and local processing and permit procedures (Section 85583(a)(5)).*

**Processing and Permit Procedures** – While the element includes a brief overview of the permit processing for residential development (page III-25), it should also describe the typical processing requirements and required approvals for multi- and single-family developments within the AVSP. The element must be revised to include a detailed description and analysis of the typical cumulative review processes for both single- and multi-family units and analyze their impacts on the cost and supply of housing. The element also notes projects within the AVSP are required to be reviewed by the City's Architectural Review Panel. The element should include more detailed analysis of the design review guidelines and process, including identifying requirements and approval

procedures and analyzing the impact of the guidelines and process on housing costs and approval certainty. Based on the outcomes of this analysis, the element may need to add programs to address the guidelines as a constraint. For information on the required analysis, please refer to the *Building Blocks'* website at [http://www.hcd.ca.gov/hpd/housing\\_element/screen25\\_constraints.rdf](http://www.hcd.ca.gov/hpd/housing_element/screen25_constraints.rdf).

In addition the element also indicates the City utilizes a number of development management ordinances and overlay districts (pages III-16 to 18). However, it is unclear how these ordinances and overlay districts affect the review time and approval process of developments within in the Agoura Village Specific Plan Area.

Constraints on Persons with Disabilities: While the element indicates the City has reviewed its zoning and building requirements for barriers to the provision of accessible housing (page III-9), it must specifically describe and analyze potential constraints to the development of housing for persons with disabilities. To address this statutory requirement, the element should include a detailed analysis of zoning, development standards and approval procedures for the development of housing for persons with disabilities to identify any constraints, and if necessary include programs to address this need. For example, among other things, the element should discuss: 1) any definitions of family in the zoning code; 2) maximum concentration requirements for residential care facilities; 3) any site planning requirements that may constrain housing for persons with disabilities; and 4) parking requirements for any and all housing types that serve persons with disabilities. See the enclosed Department memo and sample analysis at [http://www.hcd.ca.gov/hpd/housing\\_element/examples/screen27sample1.pdf](http://www.hcd.ca.gov/hpd/housing_element/examples/screen27sample1.pdf).

The element notes the City will implement Program 19 to develop procedures for processing reasonable accommodation requests for modifying zoning and development standards for persons with disabilities (page V-21). To assist the City in developing its process, a sample ordinance is available on the *Building Blocks'* website at [http://www.hcd.ca.gov/hpd/housing\\_element/screen27\\_sb520.pdf](http://www.hcd.ca.gov/hpd/housing_element/screen27_sb520.pdf).

3. *An analysis of opportunities for energy conservation with respect to residential development (Section 65583(a)(8)).*

The element includes Program 11 to revise the General Plan to include strategies to promote sustainability and green building. The housing element can be an important vehicle to adopt land-use and housing strategies to address climate change and energy conservation. The City could consider expanding Program 11 to include specific policies and programs to encourage these objectives. For example, the program could include a specific schedule of actions to establish incentives to encourage green building techniques by a date certain, create a marketing plan, and include incentives to promote higher density housing along transit and promotion of energy audits and participation in utility programs. Additional information on potential policies and programs to address energy conservation are available in the *Build'ng Blocks'* section on Opportunities for Energy Conservation at [http://www.hcd.ca.gov/hpd/housing\\_element/screen12\\_conservation.pdf](http://www.hcd.ca.gov/hpd/housing_element/screen12_conservation.pdf).

4. *Analyze existing assisted housing developments that are eligible to change to non low-income housing uses during the next 10 years due to termination of subsidy contracts, mortgage prepayment, or expiration of use restrictions (Sections 65583(a)(9) through 65583(a)(9)(D)).*

The element identifies the Archstone Agoura Hills Apartments as a government assisted project (page II-29). The element notes the project is required to maintain affordability of 36 units for low-income tenants. However, the element does not include the required analysis of how the City determined the level of risk of conversion. To determine whether the housing is at-risk of converting to market-rate uses, the element must clarify how long the project is required to maintain affordability. The element must include a detailed analysis to determine if the project is at-risk within the current or subsequent five-year planning period. Further, where at-risk units are identified, the element must include a complete analysis including cost estimates of replacing the at-risk units and a list of entities with the capacity to acquire at-risk developments. This analysis will assist the City in the development of programs targeted to preserve these units. Please see the sample analysis on the *Building Blocks'* website at [www.hcd.ca.gov/hpd/housing\\_element/screen13\\_atrisk.pdf](http://www.hcd.ca.gov/hpd/housing_element/screen13_atrisk.pdf).

## **B. Housing Programs**

1. *Include a program which sets forth a five-year schedule of actions the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element through the administration of land-use and development controls, provision of regulatory concessions and incentives, and the utilization of appropriate federal and state financing and subsidy programs when available. The program shall include an identification of the agencies and officials responsible for the implementation of the various actions (Section 65583(c)).*

To fully address the program requirements of Government Code Section 65583(c)(1-6), and in order for the City's proposed housing development and assistance strategies to be more effective during the 2008-2014 planning period, some of the programs should be revised to include timelines, milestones and descriptions of the City's specific role in implementation. Programs to be revised include, but are not limited to the following:

Program 3 Code Compliance Inspection: How will the City encourage the use of CDBG housing rehabilitation programs funds?

Program 4 Condominium Conversion Ordinance page (Page V-14): How does the City monitor potential conversions?

Program 5 Affordable Housing Development Assistance (Page V-15): How and when will the City inform developers of the availability of financial and regulatory assistance to develop affordable and mixed-income developments?

2. *Identify adequate sites which will be made available through appropriate zoning and development standards and with public services and facilities needed to facilitate and encourage the development of a variety of types of housing for all income levels, including rental housing, factory-built housing, mobilehomes, and emergency shelters and transitional housing. Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, the program shall provide for sufficient sites with zoning that permits owner-occupied and rental multifamily residential use by right, including density and development standards that could accommodate and facilitate the feasibility of housing for very low- and low-income households (Section 65583(c)(1)).*

As noted in finding A1, the element does not include a complete sites inventory or analysis and must be revised to demonstrate the adequacy of existing sites and strategies. In addition, the element should be revised as follows:

Program 12 Residential and Mixed-Use Sites Inventory (Page V-18): When and how will the City inform developers of the regulatory and financial assistance available for infill and mixed-use development? What specific regulatory concessions and financial incentives will be provided?

3. *The housing element shall contain programs which "address, and where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing" (Section 65583(c)(3)).*

As noted in finding A2, the element requires a more detailed analysis of potential governmental constraints. Depending upon the results of that analysis, the City may need to strengthen or add programs and address and remove or mitigate any identified constraints.

4. *Assist in the development of adequate housing to meet the needs of extremely low-, very low-, low-, and moderate-income households (Section 65583(c)(2)).*

In accordance with Chapter 891, Statutes of 2006, the element should either expand existing programs or add additional programs to assist in the development of housing for extremely low-income households. At a minimum, the element should be revised as follows:

Program 2 Section 8 Rental Assistance (Page V-14): The program does not specifically describe the specific actions the City will undertake to assist the needs of extremely low-income households. How will City encourage rental property owners to list properties with the Housing Authority?

Program 7 Affordable Housing Density Bonus (Page V-16): Once the City completes its update of the density bonus ordinance what steps will the City take to promote its usage?

Program 14 Second Units (Page V-19): How will the program be targeted to meet the needs of extremely low-income households? When will the City develop informational materials and how and when will the materials be distributed to residents?

5. *The housing program shall promote equal housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin color, familial status or disability (Section 65583(c)(5)).*

Program 18 Fair Housing Program (Page V-21): When will the City provide the public with information about the availability of this service? The program should also identify the methods to disseminate information and referral services to the community.

6. *The housing program shall preserve for low-income household the assisted housing developments identified pursuant to paragraph (9) of subdivision (a). The program for preservation of the assisted housing developments shall utilize, to the extent necessary, all available federal, state, and local financing and subsidy programs identified in paragraph (9) of subdivision (a), except where a community has other urgent needs for which alternative funding sources are not available. The program may include strategies that involve local regulation and technical assistance (Section 65583(c)(6)).*

As noted finding A4, the element requires a more detailed analysis of the risk of conversion to market-rate. In addition, the element should include a program to describe the City's specific actions to preserve the affordability of the identified project. For example, the City could allocate and support potential sources of funds for mortgage refinancing, acquisition and rehabilitation including gap funding for nonprofit housing developers as intermediaries and for rental subsidy assistance. Additional information and resources are available through the California Housing Partnership Corporation (<http://www.chpc.net/>).

ATTACHMENT 2

STATE OF CALIFORNIA BUSINESS, TRANSPORTATION AND HOUSING AGENCY

ARNOLD SCHWARZENEGGER, Governor

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

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October 7, 2008

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

Dear Mr. Kimano:

**RE: Review of the City of Agoura Hills' Revised Draft Housing Element Update**

Thank you for submitting Agoura Hills' revised draft housing element received for review on August 11, 2008 along with revisions sent by e-mail on September 25, 2008. The Department is required to review draft housing elements and report the findings to the locality pursuant to Government Code Section 65585(b). A telephone conversation on September 25, 2008 with Ms. Allison Cook, Senior Planner and Ms. Karen Warner, the City's consultant, facilitated the review.

The revised draft addresses the statutory requirements described in the Department's June 20, 2008 review. For example, the element now includes programs to promote higher density mixed-use development in the Agoura Village Specific Plan to accommodate Agoura Hills' share of the regional housing need. The revised draft element will comply with State housing element law (Article 10.6 of the Government Code) when adopted and submitted to the Department, pursuant to Government Code Section 65585(g).

The City, however, should monitor the successful implementation of Programs 12 and 13 to provide sites sufficient to accommodate a variety of housing types and choices and Agoura Hills' share of the regional housing need, especially for lower-income households. The City should report on the implementation status of these programs in its annual report on the implementation of the housing element required pursuant to Government Code Section 65400.

The Department looks forward to receiving Agoura Hills' adopted housing element. If you have any additional questions, please contact Mario Angel, of our staff, at (916) 445-3485.

Sincerely,

A handwritten signature in cursive script that reads "Cathy E. Creswell".

Cathy E. Creswell  
Deputy Director

ATTACHMENT 3



## RESOLUTION NO. 953

### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS RECOMMENDING CITY COUNCIL APPROVAL OF THE 2008-2014 HOUSING ELEMENT OF THE GENERAL PLAN OF THE CITY OF AGOURA HILLS AND ADOPTION OF THE NEGATIVE DECLARATION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS DOES  
HEREBY FIND, ORDER, AND RESOLVE AS FOLLOWS:

**Section 1.** Pursuant to the requirements of Government Code Section 65588(a), the Planning Commission of the City of Agoura Hills has reviewed the Housing Element of the General Plan of the City and has determined that it is appropriate to revise that Element to reflect the results of this review.

**Section 2.** The City prepared a draft Housing Element and submitted it to the California Department of Housing and Community Development (HCD) for review on April 21, 2008. Pursuant to Government Code Section 65585(b), HCD commented on the draft in the form of a letter to the City dated June 20, 2008.

**Section 3.** Pursuant to Government Code Section 65352, the City has provided opportunities for the involvement of citizens, public agencies, civic, educational, and other community and housing groups through making available copies of the 2008-2014 Housing Element and/or giving notification of its availability for review.

**Section 4.** A duly noticed public hearing before this Planning Commission to receive public comments on the 2008-2014 Draft Housing Element, and to recommend to the City Council that the 2008-2014 Draft Housing Element be forwarded to the state Department of Housing and Community Development (HCD) for review and comment pursuant to Government Code Section 65585(b) was held on April 3, 2008.

**Section 5.** A duly noticed public hearing before the City Council to receive public comments on the 2008-2014 Draft Housing Element, and adopt a minute motion authorizing City staff to forward the Housing Element to the HCD for review and comment was held on April 9, 2008.

**Section 6.** A duly noticed public hearing before this Planning Commission to consider the Negative Declaration (ND) prepared pursuant to the California Environmental Quality Act (CEQA) and the proposed City of Agoura Hills 2008-2014 Housing Element was held on October 16, 2008 at which time evidence, both written and oral, was duly presented to and considered by the Planning Commission at this said hearing.

**Section 7.** Based upon the facts contained in this Resolution, those contained in the staff reports and other components of the legislative record, those contained in the ND and the City of Agoura Hills 2008-2014 Housing Element, and the public comments received by the Commission, the Planning Commission hereby finds as follows:

- a) The City of Agoura Hills 2008-2014 Housing Element was prepared in accordance with Government Code Sections 65580-65589.8 and reviewed by HCD as required by the California Government Code.
- b) Government Code Section 65588 provides for the adoption of a Housing Element as part of the General Plan of each municipality, and said element shall be updated every five years.
- c) City staff and the Planning Commission have reviewed the comments contained in HCD's comment letter of June 20, 2008.
- d) The Planning Commission has reviewed staff's responses to the HCD comments as incorporated into the 2008-2014 City of Agoura Hills Housing Element.
- e) The City of Agoura Hills 2008-2014 Housing Element has been reviewed and considered by the Planning Commission in accordance with the provisions of CEQA, as amended, and the CEQA Guidelines promulgated thereunder. The Planning Commission finds that the ND has been completed in accordance with the CEQA Guidelines, and there was adequate review given of the Draft ND. The Negative Declaration adequately discusses all significant environmental issues, and reflects the independent judgment and analysis of the City.
- f) The City of Agoura Hills 2008-2014 Housing Element is consistent with the other elements of the General Plan because the proposed Housing Element uses the land use designations in the General Plan and those designations in turn are reflective of, and consistent with, the policies and provisions of the remaining elements of the General Plan.
- f) The housing goals, objectives, and policies stated in the 2008-2014 City of Agoura Hills Housing Element are appropriate for the City and will contribute to the attainment of the state housing goals.
- g) The adoption of the 2008-2014 City of Agoura Hills Housing Element will aid the City's efforts to assist in the development of housing for all members of the community.
- h) For the foregoing reasons, the adoption of the 2008-2014 City of Agoura Hills Housing Element is in the public interest.

**Section 8.** The Planning Commission of the City of Agoura Hills hereby recommends to the City Council of the City of Agoura Hills that the ND be adopted and that the City of Agoura Hills 2008-2014 Housing Element be adopted. This Resolution shall be transmitted to the City Council and shall constitute the written recommendation required by Section 65354 of the Government Code.

PASSED, APPROVED, AND ADOPTED this 16th day of October 2008, by the following vote to wit:

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

---

Curtis Zacuto, Vice-Chairperson

ATTEST:

---

Mike Kamino, Secretary

ATTACHMENT 4



**DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT**

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**MINUTES OF THE REGULAR SCHEDULED MEETING OF  
THE PLANNING COMMISSION  
October 16, 2008**

**CALL TO ORDER:** Vice Chair Zacuto called the meeting to order at 6:31 p.m.

**FLAG SALUTE** Commissioner Rishoff

**ROLL CALL:** Vice Chair Curtis Zacuto, Commissioners Illece Buckley Weber, Cyrena Nouzille, and Steve Rishoff were present. Chair John O'Meara was absent.

Vice Chair Zacuto stated that staff had received notification of Chair O'Meara's absence prior to the meeting and that he had requested the Commission excuse his absence. There were no objections to excusing the absence.

Also, present were Director of Planning & Community Development Mike Kamino, Principal Planner Allison Cook, Consultant Karen Warner, and Recording Secretary Sheila Keckhut.

1. **APPROVAL OF MINUTES:** October 2, 2008 Planning Commission Meeting

On a motion by Commissioner Rishoff, seconded by Commissioner Buckley Weber, the Planning Commission moved to approve the Minutes of the October 2, 2008 Planning Commission Meeting. Motion carried 3-0-2. Chair O'Meara was absent and Commissioner Nouzille abstained.

**COMMENTS FROM THE PUBLIC ON ITEMS NOT LISTED ON THE AGENDA:**

None

**CONTINUED PUBLIC HEARING**

2.     REQUEST:                     Request for approval of a Conditional Use Permit to construct a 4,515 square foot, two-story, single-family residence, a 428 square foot attached two-car garage, 217 square feet of patio covers and 332 square feet of balconies/decks; and a request for an Oak Tree Permit to remove 1 oak tree and encroach in the protected zone of 9 oak trees for the proposed construction.
- APPLICANT:                     Sean Ben-Menahem  
   5000 N. Parkway Calabasas, Suite 106  
   Calabasas, CA 91302
- CASE NOS.:                     03-CUP-016 & 03-OTP-017
- LOCATION:                     6149 Palo Comado Drive  
   (A.P.N. 2055-023-073)
- ENVIRONMENTAL  
          DETERMINATION:               Categorically Exempt from CEQA per Section 15303.
- RECOMMENDATION:            Pursuant to request by the applicant, staff recommended the Planning Commission continue Conditional Use Permit No. 03-CUP-016 and Oak Tree Permit Case No. 03-OTP-017 to the December 18, 2008 Planning Commission Meeting.
- ACTION:                     On a motion by Commissioner Rishoff, seconded by Commissioner Buckley Weber the Planning Commission moved to continue Conditional Use Permit No. 03-CUP-016 and Oak Tree Permit Case No. 03-OTP-017 to the December 18, 2008 Planning Commission Meeting. Motion carried 4-0. Chair O'Meara was absent.

**NEW PUBLIC HEARING**

3.     REQUEST:                     Request for the Planning Commission to recommend the City Council adopt the City of Agoura Hills 2008-2014 Housing Element and Negative Declaration.
- APPLICANT:                     City of Agoura Hills  
   30001 Ladyface Court  
   Agoura Hills, CA 91301
- CASE NO.:                     2008-2014 Housing Element

LOCATION: Citywide

ENVIRONMENTAL  
DETERMINATION: Negative Declaration

RECOMMENDATION: Staff recommended the Planning Commission conduct a public hearing on the 2008-2014 Housing Element and approve a resolution recommending that the City Council adopt the 2008-2014 Housing Element and adopt the Negative Declaration pursuant to CEQA.

PUBLIC COMMENTS: Vice Chair Zacuto opened the public hearing.

There were no speaker cards submitted at this time.

Vice Chair Zacuto closed the public hearing

ACTION: On a motion by Commissioner Rishoff, seconded by Commissioner Buckley Weber the Planning Commission moved to approve a resolution recommending that the City Council adopt the 2008-2014 Housing Element and adopt the Negative Declaration pursuant to CEQA. Motion carried 4-0. Chair O'Meara was absent.

**SITE PLAN/ARCHITECTURAL REVIEW**

4. REQUEST: Request for approval of a Site Plan/Architectural Review to remodel interior portions of the Whizin Shopping Center Arcade/atrium area.

APPLICANT: Tucker Investment Group, LLC  
5010 N. Parkway Calabasas, Suite 105  
Calabasas, CA 91302

CASE NO.: 08-SPR-009

LOCATION: 28914 Roadside Drive  
(Whizin Shopping Center)

ENVIRONMENTAL  
DETERMINATION: Categorically Exempt from CEQA per Section 15301

**RECOMMENDATION:** Pursuant to request by the applicant, staff recommended the Planning Commission continue Site Plan/Architectural Case No. 08-SPR-009 to the November 6, 2008 Planning Commission meeting.

**ACTION:** On a motion by Commissioner Rishoff, seconded by Commissioner Buckley Weber the Planning Commission moved to continue Site Plan/Architectural Case No. 08-SPR-009 to the November 6, 2008 Planning Commission meeting. Motion carried 4-0. Commissioner Nouzille abstained. Chair O'Meara was absent.

**ANNOUNCEMENTS ON ITEMS NOT LISTED ON THE AGENDA**

None

**ADJOURNMENT**

At 7:12 p.m., on a motion by Commissioner Nouzille, seconded by Commissioner Buckley Weber, the Planning Commission adjourned the meeting to the next scheduled Planning Commission meeting on Thursday November 6, 2008, at 6:30 p.m. Motion carried 4-0. Chair O'Meara was absent.



ATTACHMENT 5

## RESOLUTION NO. 1506

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ADOPTING THE CITY OF AGOURA HILLS 2008-2014 HOUSING ELEMENT OF THE GENERAL PLAN AND THE NEGATIVE DECLARATION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

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

Section 1. Pursuant to the requirements of Government Code Section 65588(a), the City Council of the City of Agoura Hills has reviewed the Housing Element of the General Plan of the City and has determined that it is appropriate to revise that Element to reflect the results of this review.

Section 2. The City prepared a draft Housing Element and submitted it to the California Department of Housing and Community Development (HCD) for review on April 21, 2008. Pursuant to Government Code Section 65585(b), HCD commented on the draft in the form of a letter to the City dated June 20, 2008.

Section 3. Pursuant to Government Code Section 65352, the City has provided opportunities for the involvement of citizens, public agencies, civic, educational, and other community and housing groups through making available copies of the 2008-2014 Housing Element and/or giving notification of its availability for review.

Section 4. A duly noticed public hearing before the City Planning Commission to receive public comments on the 2008-2014 Draft Housing Element, and to recommend to the City Council that the 2008-2014 Draft Housing Element be forwarded to the HCD for review and comment pursuant to Government Code Section 65585(b) was held on April 3, 2008.

Section 5. A duly noticed public hearing before the City Council to receive public comments on the 2008-2014 Draft Housing Element, and adopt a minute motion authorizing City staff to forward the Housing Element to the HCD for review and comment was held on April 9, 2008.

Section 6. A duly noticed public hearing before the City Planning Commission to consider the Negative Declaration (ND) prepared pursuant to the California Environmental Quality Act (CEQA) and the proposed City of Agoura Hills 2008-2014 Housing Element was held on October 16, 2008, at which time evidence, both written and oral, was duly presented to and considered by the Planning Commission at this said hearing. At said hearing, the City Planning Commission adopted Resolution No. 953, recommending that the City Council adopt the City of Agoura Hills 2008-2014 Housing Element and the ND.

Section 7. A duly noticed public hearing before the City Council to consider the ND, prepared pursuant to the CEQA, and the proposed City of Agoura Hills 2008-2014 Housing Element was held on November 12, 2008, at which time evidence, both written and oral, was duly presented to and considered by the City Council at this said hearing.

Section 8. Based upon the facts contained in this resolution, those contained in the staff reports and other components of the legislative record, those contained in the ND and the City of Agoura Hills 2008-2014 Housing Element, and the public comments received by the City Council, the City Council hereby finds as follows:

- a) The City of Agoura Hills 2008-2014 Housing Element was prepared in accordance with Government Code Sections 65580-65589.8 and reviewed by the HCD as required by the California Government Code.
- b) Government Code Section 65588 provides for the adoption of a Housing Element as part of the General Plan of each municipality, and said element shall be updated every five years.
- c) City staff and the Planning Commission have reviewed the comments contained in HCD's comment letter of June 20, 2008.
- d) The Planning Commission has reviewed staff's responses to the HCD comments as incorporated into the 2008-2014 City of Agoura Hills Housing Element.
- e) The City of Agoura Hills 2008-2014 Housing Element has been reviewed and considered by the City Council in accordance with the provisions of CEQA, as amended, and the CEQA Guidelines promulgated thereunder. The City Council finds that the ND has been completed in accordance with the CEQA Guidelines, and there was adequate review given of the Draft ND. The ND adequately discusses all significant environmental issues, and reflects the independent judgment and analysis of the City.
- f) The City of Agoura Hills 2008-2014 Housing Element is consistent with the other elements of the General Plan because the proposed Housing Element uses the land use designations in the General Plan and those designations in turn are reflective of, and consistent with, the policies and provisions of the remaining elements of the General Plan.
- f) The housing goals, objectives, and policies stated in the 2008-2014 City of Agoura Hills Housing Element are appropriate for the City and will contribute to the attainment of the state housing goals.
- g) The adoption of the 2008-2014 City of Agoura Hills Housing Element will aid the City's efforts to assist in the development of housing for all members of the community.
- h) For the foregoing reasons, the adoption of the 2008-2014 City of Agoura Hills Housing Element is in the public interest.

Section 9. The City Council of the City of Agoura Hills hereby adopts the City of Agoura Hills 2008-2014 Housing Element and Initial Study/Negative Declaration, included as Exhibits A and B, respectively.

PASSED, APPROVED, AND ADOPTED this 12th day of November 2008, by the following vote to wit:

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

\_\_\_\_\_  
John M. Edelston, Mayor

ATTEST:

\_\_\_\_\_  
Kimberly M. Rodrigues, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Craig A. Steele, City Attorney

ATTACHMENT 5

THIS DOCUMENT IS AVAILABLE FOR REVIEW IN THE  
OFFICE OF THE CITY CLERK – 30001 LADYFACE COURT, AGOURA HILLS, CA



CITY OF AGOURA HILLS  
2008-2014 HOUSING ELEMENT

OCTOBER 2008



**EXHIBIT B  
ATTACHMENT 5**

(A copy of the Initial Study/Negative Declaration is available at the City  
Planning and Community Development Department)

**CITY OF AGOURA HILLS**  
**HOUSING ELEMENT**

**Final**  
**Initial Study and Negative Declaration**



**City of Agoura Hills**

**October 2008**

# **CITY OF AGOURA HILLS HOUSING ELEMENT**

## **Final Initial Study and Negative Declaration**

### **Prepared by:**

City of Agoura Hills  
Planning and Community Development Department  
30001 Ladyface Court  
Agoura Hills, CA 91301  
Contact: Allison Cook, Senior Planner  
(818) 597-7310

October 2008



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Figure 1 – Regional Location

Figure 2 – Vacant Residential Sites

## INTRODUCTION

This Initial Study and Negative Declaration (IS/ND) addresses the potential environmental effects resulting from the City of Agoura Hills 2008-2014 Housing Element, one of the seven State-mandated elements of the City's General Plan. The Housing Element identifies and assesses existing and projected housing needs; provides an inventory of constraints and resources relevant to meeting these needs; and sets forth the City's housing program strategy for the 2008-2014 period.

### LEGAL AUTHORITY AND FINDINGS

This Initial Study/ Negative Declaration has been prepared in accordance with the CEQA Guidelines and relevant provisions of the California Environmental Quality Act (CEQA) of 1970, as amended.

**Initial Study.** Section 15063(c) of the CEQA Guidelines defines an Initial Study as the proper preliminary method of analyzing the potential environmental consequences of a project. The purposes of the Initial Study are:

- (1) To provide the Lead Agency with the necessary information to decide whether to prepare an Environmental Impact Report (EIR) or a Mitigated Negative Declaration (MND);
- (2) To enable the Lead Agency to modify a project, mitigating adverse impacts, thus avoiding the need to prepare an EIR; and
- (3) To provide sufficient technical analysis of the environmental effects of a project to permit a judgment based on the record as a whole, that the environmental effects of a project have been adequately mitigated.

**Negative Declaration or Mitigated Negative Declaration.** Section 15070 of the CEQA Guidelines states that a public agency shall prepare a Negative Declaration or Mitigated Negative Declaration for a project subject to CEQA when:

- (a) The Initial Study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment; or
- (b) The Initial Study identifies potentially significant effects but:
  1. Revisions in the project plans or proposals made by, or agreed to by, the applicant before a proposed Mitigated Negative Declaration and Initial Study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and
  2. There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.

An IS/ND may be used to satisfy the requirements of CEQA when the physical effects of the proposed project are anticipated to have no significant unmitigable effects on the environment. As discussed further in subsequent sections of this document, implementation of the proposed project would not result in any significant effects on the environment.

### IMPACT ANALYSIS AND SIGNIFICANCE CLASSIFICATION

The following sections of this IS/ND provide discussions of the possible environmental effects of the proposed project for specific issue areas that have been identified in the CEQA Initial Study Checklist. For each issue area, potential effects are discussed and evaluated.

A "significant effect" is defined by Section 15382 of the CEQA Guidelines as "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by a project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance." According to the CEQA Guidelines, "an economic or social change by itself shall not be considered a significant effect on the environment, but may be considered in determining whether the physical change is significant."

The following information applies to the Initial Study Checklist:

- (1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- (2) All answers must take account of the whole action involved, including off site as well as on site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- (3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, and EIR is required.
- (4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
- (5) Earlier analyses may be used where, pursuant to the tiering, Program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D) In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
- (6) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - (a) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
  - (b) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- (7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- (8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- (9) The explanation of each issue should identify:
  - (a) The significance criteria or threshold, if any, used to evaluate each question; and
  - (b) The mitigation measure identified, if any, to reduce the impact to less than significant.

## INITIAL STUDY CHECKLIST

**Project Title:** City of Agoura Hills 2008-2014 Housing Element

**Lead Agency Name and Address:** City of Agoura Hills  
30001 Ladyface Court  
Agoura Hills, California 91301

**Contact Person and Phone Number:** Allison Cook – Senior Planner, City of Agoura Hills  
(818) 597-7310

**Project Location:** Citywide (Figure 1)

**Project Sponsor's Name and Address:** City of Agoura Hills  
30001 Ladyface Court  
Agoura Hills, CA 93101

**General Plan and Zoning Designations:** All designations Citywide

**Project Description:** The Housing Element is one of the seven State-mandated elements of the City's General Plan and must be updated pursuant to California Government Code Section 65588 for the 2008-2014 planning period. While Agoura Hills is in the midst of a comprehensive update of its General Plan, due to the more immediate timeline requirements for the Housing Element, this element has been prepared in advance of the balance of the General Plan, which is anticipated to be completed in 2009.

The Housing Element identifies and assesses projected housing needs and provides an inventory of constraints and resources relevant to meeting these needs. Components of the Housing Element include: a housing needs assessment with population and household characteristics; identification of constraints to providing housing; an inventory of available sites for the provision of housing for all economic segments of the community; and a statement of goals, policies and programs for meeting the City's housing needs. The Element's goals focus on:

- 1) Conserving and improving the condition of the existing housing stock;
- 2) Assisting in the development of affordable housing;
- 3) Providing adequate sites to achieve a diversity of housing;
- 4) Removing governmental constraints, as necessary; and
- 5) Promoting equal housing opportunity.

Agoura Hills has an identified regional housing growth need, or "regional housing needs assessment" (RHNA) of 109 units for the 2008-2014 planning period. The Housing Element illustrates that under current General Plan and zoning designations, as well as the Agoura Village Specific Plan (AVSP), the City has an estimated additional capacity for 357 residential units that can potentially be developed on vacant and underutilized sites that allow residential uses. Therefore, Agoura Hills has sufficient capacity to accommodate the overall RHNA allocation, and there is no need to change any General Plan or zoning designations to accommodate its housing growth needs. Agoura Hills plans to fulfill its RHNA allocation through a combination of development on vacant residentially zoned sites (Figure 2), and on vacant and underdeveloped mixed-use sites within the AVSP.

Analysis in this document is limited to the review of potential environmental impacts resulting from the adoption of the Housing Element, including the Element's consistency with the City's existing General Plan. The Housing Element is a policy document, and no specific development proposal is part of the Element. The environmental effects of any future development projects would need to undergo separate and specific CEQA review as they are proposed, beyond this current document.

**Surrounding Land Uses:** Citywide

**Site Description and Environmental Setting:** Citywide

**Other Public Agencies Whose Approval Is Required:** None

**Entitlements:** Adoption of the Housing Element.

Fig. 1

# City of Agoura Hills REGIONAL LOCATION

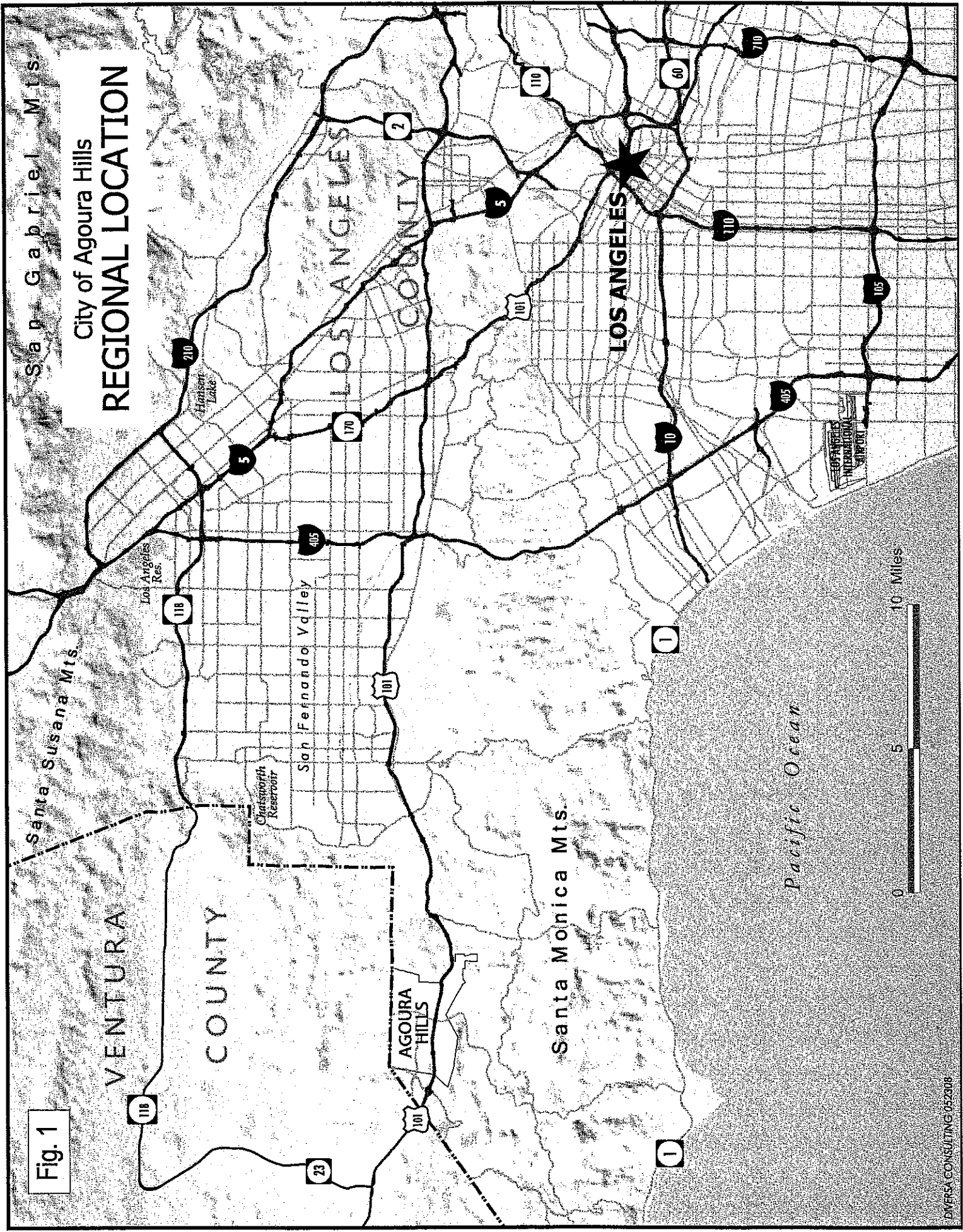
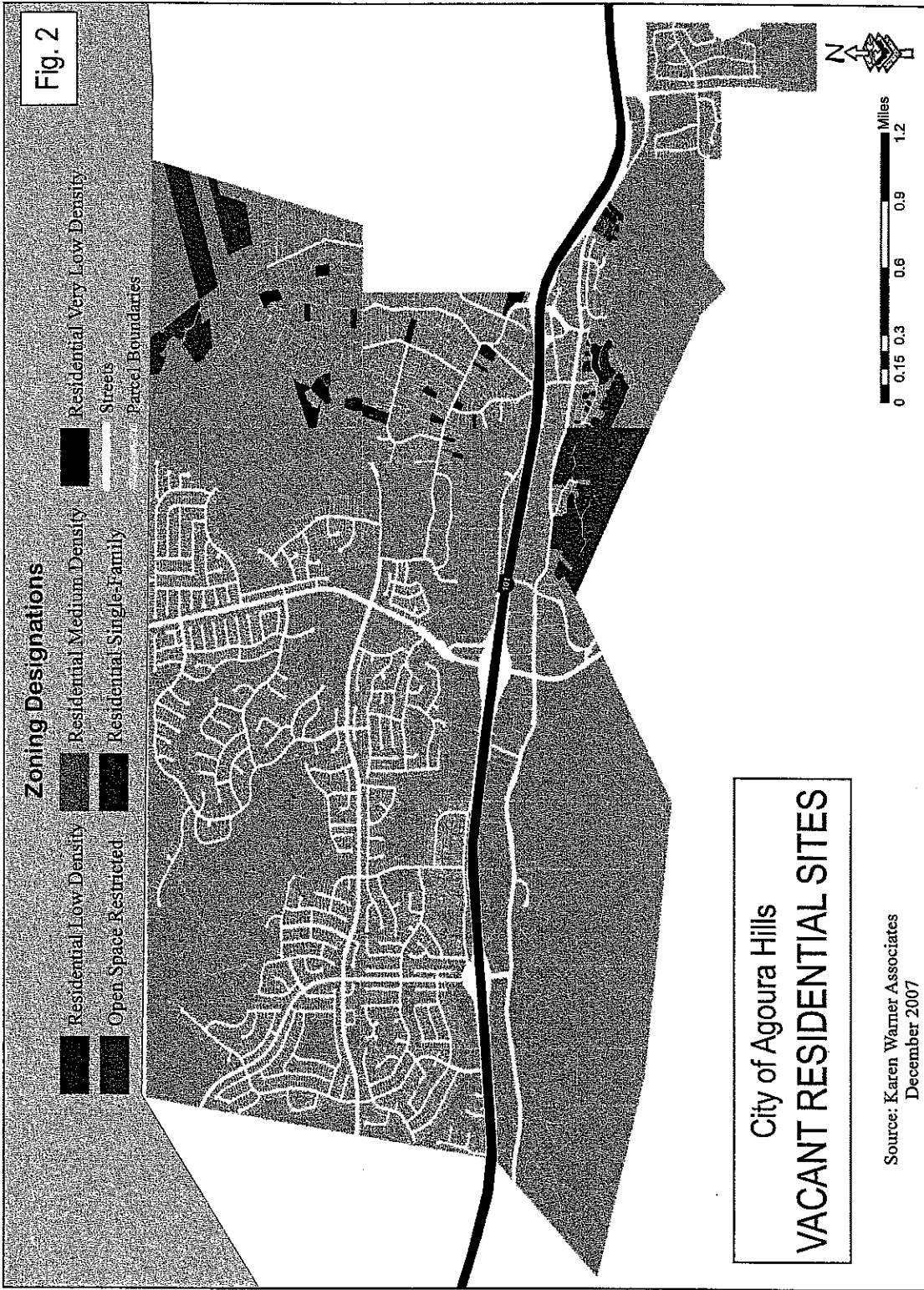


Fig. 2



City of Agoura Hills  
**VACANT RESIDENTIAL SITES**

Source: Karen Warner Associates  
December 2007

## ENVIRONMENTAL FACTORS AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that could be lessened to a level of insignificance through incorporation of mitigation.


- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Aesthetics              | <input type="checkbox"/> Air Quality                   | <input type="checkbox"/> Biological Resources               |
| <input type="checkbox"/> Cultural Resources      | <input type="checkbox"/> Geology/Soils                 | <input type="checkbox"/> Hazards/Hazardous Materials        |
| <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Noise                         | <input type="checkbox"/> Land Use/Planning                  |
| <input type="checkbox"/> Public Services         | <input type="checkbox"/> Population/Housing            | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Transportation/Traffic  | <input type="checkbox"/> Utilities and Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

### DETERMINATION

On the basis of this initial evaluation:

I find that the proposed project <b>COULD NOT</b> have a significant effect on the environment, and a <b>NEGATIVE DECLARATION</b> will be prepared.	<b>X</b>
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A <b>MITIGATED NEGATIVE DECLARATION</b> will be prepared.	
I find that the proposed project <b>MAY</b> have a significant effect on the environment, and an <b>ENVIRONMENTAL IMPACT REPORT</b> is required.	
I find that the proposed project <b>MAY</b> have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An <b>ENVIRONMENTAL IMPACT REPORT</b> is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or <b>NEGATIVE DECLARATION</b> pursuant to applicable standards and (b) have been avoided or mitigated pursuant to an earlier EIR or <b>NEGATIVE DECLARATION</b> , including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	

Report Preparer:

  
 \_\_\_\_\_  
 Allison Cook  
 Senior Planner  
 City of Agoura Hills

\_\_\_\_\_  
 October 1, 2008  
 Date



## EVALUATION OF ENVIRONMENTAL IMPACTS

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
-----------------------------------	--------------------------------	---	------------------------------	-----------

**(1) LAND USE AND PLANNING.** Would the project:

a) Physically divide an established community?				X
b) Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural communities conservation plan?				X

Discussion:

- a) The City of Agoura Hills is essentially a built out community with well-established residential neighborhoods. A large portion of the remaining vacant lands are restricted to open space uses. As described in Section IV of the Housing Element, the City plans on fulfilling its RHNA with a variety of methods, including: vacant sites located in residential zones; vacant sites located within the Open Space-Restricted zone (located primarily in Old Agoura and Indian Hills), which allows limited residential use; and vacant and partially developed commercial use sites located within the Agoura Village Specific Plan area where mixed uses are allowed. Adoption of the Housing Element would not physically divide an established community since the Element does not propose any land use changes or rezoning of land for residential uses, nor does it involve any specific development proposal. The Housing Element includes policies aimed at maintaining and enhancing the quality of existing housing and neighborhoods (refer to Housing Element Goal 1 and associated policies). Any future proposal for residential development would be analyzed specifically pursuant to CEQA, separate from this Negative Declaration (ND). Therefore, the project would result in **no impact**.
- b) The updated Housing Element is consistent with the other elements of Agoura Hills' existing General Plan as well as the City's Municipal Code. In particular, the Element supports many of the goals and policies in the Land Use Element, including Policy 1.1 (full range of housing styles, locations and densities) and Goal 2 (maintain and enhance community identity and development quality). The City is currently undergoing a comprehensive update of its General Plan, with the underlying theme to create a more sustainable community for existing and future residents, including mixed-use developments and green building techniques. This theme of sustainability has also been integrated within the updated Housing Element. Should the General Plan update result in any changes in residential land use or other changes impacting the Housing Element, the City would amend the Housing Element to provide consistency. Therefore, there would be **no impact** from adoption of the Housing Element.
- c) Agoura Hills is not part of any habitat conservation plans or natural communities conservation plans nor is it in the vicinity of such plans and so the project would result in **no impact**.



Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
-----------------------------------	--------------------------------	---	------------------------------	-----------

(2) **BIOLOGICAL RESOURCES.** Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?				X
b) Have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?				X
g) Result in damage to, loss of, or removal of native oak trees or other locally identified specimen trees of significance?				X

Discussion:

- a) – c) As described in Agoura Hills' 1992 General Plan Master Environmental Assessment (MEA) developed in support of the General Plan, the City contains several sensitive plant communities, plant species and animal species. Any future residential projects proposed would be analyzed separately under CEQA and specific impacts to the sites identified and any needed mitigation measures or conditions of approval would be identified at that time. Therefore, there would be **no impact**.
- d) Please see the discussion in Items a) – c) above. The 1992 General Plan MEA identifies important wildlife corridors in Agoura Hills, located in the southeastern portion of the City (please refer to MEA, Figure 6-2). Because the Housing Element is not a physical development, it does not have the potential to interfere with the movement of fish or wildlife. Any future residential projects would be considered separate projects under CEQA and would undergo individual environmental review as they are proposed. Any needed mitigation measures or conditions of approval would be identified at that time. Therefore, there would be **no impact**.
- e), g) Oak trees are considered an important resource within Agoura Hills, and are protected by the City's Oak Tree Preservation Ordinance. As described above, the Housing Element is a policy document and any future proposal to develop the residential sites discussed in the Element would be a separate project under

CEQA and would undergo individual environmental review for potential oak tree impacts on a site-specific basis. Any needed mitigation measures or conditions of approval would be identified at that time, including compliance with the City's Oak Tree Preservation Ordinance and applicable mitigation measures. Therefore, there would be **no impact**.

- f) There are no Habitat Conservation Plans (HCPs), Natural Communities Conservation Plans (NCCPs) or other conservation plans in the City; therefore, **no impact** would occur.

<b>Issues and Supporting Information</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant Impact with Mitigation Measures</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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(3) **AIR QUALITY.** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?				x
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				x
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				x
d) Expose sensitive receptors to substantial pollutant concentrations?				x
e) Create objectionable odors affecting a substantial number of people?				x

Discussion:

a)-e) The City of Agoura Hills is located within the South Coast Air Basin, and is governed by the South Coast Air Quality Management District (SCAQMD). The City has many efforts underway to help reduce air quality pollution in the City, including greenhouse gases. The City is currently undergoing a comprehensive update of its General Plan. A key theme that permeates the General Plan is to create a more sustainable community for existing and future residents. The Plan addresses sustainable land use, sustainable site design and development, and "green" buildings that reduce energy and water consumption, toxic and chemical pollution and waste. As part of the implementation of the General Plan, Agoura Hills anticipates adopting a local green building program. Policy 2.10 in the Housing Element calls for the City to "Encourage use of sustainable and green building design in new and existing housing." Program 11 – Sustainability and Green Building – calls for the City to adopt a local green building program, and to develop educational materials on green building and provide to homeowners and builders in Agoura Hills.

Mixed-use development is one of the strategies identified in the Housing Element to meet the City's residential growth needs (refer to Section IV, Housing Resources, and Policies 3.2 and 3.3). This type of development is seen as a potential way to reduce air pollution, as it places people near jobs, retail and other services and promotes the use of alternative transportation and pedestrian linkages.

Through both the General Plan Update efforts described above, currently underway, Policy 2.10 and Program 11 of the Housing Element, and the use of mixed use development as a development strategy in the Housing Element, the Housing Element would be compatible with efforts to reduce greenhouse gas emissions per AB 32 (California Global Warming Solutions Act of 2006); SB 97 (2007), which amends the CEQA statute regarding greenhouse gas emissions; and the Governor's Executive Order S-3-05 regarding climate change.

No land use changes or rezoning are required for the City to meet its RHNA allocation. The Housing Element is a policy document and does not include any particular development proposal. Any future proposal to develop the residential sites discussed in the Element would be considered a separate project under CEQA and air quality and greenhouse gas impacts assessed on a site-specific basis. Any needed mitigation measures or conditions of approval related to air quality and greenhouse gases would be identified at that time, including applicable SCAQMD standards and climate change analysis standards in effect at that time. Therefore, adoption of the Housing Element would have **no impact** on air quality and greenhouse gas emissions.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
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**(4) CULTURAL RESOURCES.** Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				x
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?				x
c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?				x
d) Disturb any human remains, including those interred outside of formal cemeteries?				x
e) Result in physical disruption of an identified sacred place or other ethnographically documented location of significance to native Californians?				x

Discussion:

a)-e) The Agoura Hills' 1992 General Plan Master Environmental Assessment (MEA) describes the prehistory, archaeological, ethnographic, and historical background of the city. The Reyes Adobe is the principal historic site of interest (General Plan MEA pg. 19-6).

The Housing Element is a policy document and no physical development is proposed at this time. Any future proposal to develop the residential sites discussed in the Element would be a separate project under CEQA and would undergo individual environmental review. This includes evaluating any potential impacts to historical, archaeological or paleontological resources, human remains or identified sacred places. Any needed mitigation measures or conditions of approval would be identified at that time. Therefore, **no impact** would occur to cultural resources.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
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**(5) GEOLOGY AND SOILS.** Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:				
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(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
(ii) Strong seismic ground shaking?				X
(iii) Seismic-related ground failure, including liquefaction?				X
(iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?				X

Discussion:

a)-e) As described in the General Plan MEA, Agoura Hills contains numerous significant topographic features, including Ladyface Mountain, Strawberry Hill, Lindero Canyon, Medea Creek, Palo Comado Canyon and several intervening hills and ridgelines (pg. 3-1). Given this varying topography, geological hazards are a concern for development in the City. Agoura Hills has many regulations and standards in place to help minimize potential impacts.

Per the City's General Plan MEA, there are no active or inactive faults within Agoura Hills, rendering potential hazards from fault rupture remote. However, there are several active and/or potentially active faults in the surrounding region that could produce ground shaking in the area. Other geologic hazards present in the City include liquefaction, landslides, expansive soils and slope instability. The City has in place numerous planning, building and engineering regulations to ensure development is sensitive to local geologic hazards, including:

- Hillside Management Ordinance - Protects the public health and safety with regard to slope stability.
- Geologic Hazard Overlay District - The purpose of the hazard overlay district (GH) is to protect life and property in the City from the hazards of geological conditions and to establish requirements for the level of geological consideration that must be incorporated into development proposals prior to design and construction.
- Grading Ordinance –Establishes development regulations designed to protect residents from geologic hazards and destruction of property.
- All residential developments in the City require the submittal of soil reports for review by City consultants. Additionally, for hillside development, review of geology reports is necessary. This ensures that the grading is done to minimize cuts, fills and retaining walls, and it minimizes the chances of geologic problems.
- As part of the City's local amendments to the California Building Code, Agoura Hills requires: 1) increased setbacks from the top and toe of the slope for mudslide and landslide protection, and 2) larger building footings and sinking deeper into the soil to minimize impacts from expansive soils.

The Housing Element includes identified potential sites and policies to accommodate all new housing developments within existing residential and specific plan areas where housing is allowed and does not call for land use or zoning designation changes. Any potential impacts related to geologic hazards, including the potential for liquefaction, erosion, subsidence or expansive soils, would be analyzed under CEQA as

individual development projects are proposed. Any needed mitigation measures or conditions of approval would be identified at that time, including compliance with the City's building code and engineering requirements mentioned above. Therefore, adoption of the Housing Element would have **no impact** on geology and soils.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
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**(6) HAZARDS AND HAZARDOUS MATERIALS.** Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?				x
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?				x
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				x
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				x
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				x
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				x
g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?				x
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wild lands?				x

Discussion:

- a)-d) The Agoura Hills Housing Element is a policy document that includes goals, policies and programs to meet the existing and projected housing needs of the City. While residential uses do not generate, emit or transport substantial hazardous materials, new residences will likely increase the amount of household hazardous waste generated in the City. Agoura Hills participates in regular collection and disposal programs for household hazardous waste administered by the Los Angeles County Fire Department at which residents can discard hazardous waste. In addition, Agoura Hills residents will soon be able to have their Household Hazardous Waste (HHW) and Electronic Waste (E-Waste) items collected from their homes by scheduling an at home pickup.

The majority of sites discussed in the Housing Element for future residential development are vacant and have never been built upon, and therefore do not have residual contamination from previous uses. As a specific development project is proposed, any potential impacts related to hazardous materials would be

analyzed under CEQA in conjunction with the approval of a particular project. Any needed mitigation measures or conditions of approval would be identified at that time. Therefore, adoption of the Housing Element would have **no impact**.

- e)-f) There are no airports or airstrips in the vicinity of the City of Agoura Hills. Therefore, adoption of the Housing Element would result in **no impact**.
- g) The Housing Element is a policy document that does not include any specific development proposal. As specific development projects are proposed, they would be analyzed under separate CEQA review to ensure that they do not conflict with emergency plans. Any impacts would be assessed at that time. Therefore, adoption of the Housing Element would result in **no impact**.
- h) Due to the topography and open space areas in and around the City, some residential areas are located in an urban/wildland interface. Many tools are in place to minimize the potential risk of wildland fires, including standard fire protection measures, the City's Hillside Management Ordinance and the City's local amendments to the California Building Code requiring fire retardant roof materials and non-combustible exterior materials. The Housing Element does not require any change in zoning or land use to meet the RHNA, and future residential development would be accommodated under currently designated residential areas. Moreover, the Housing Element is a policy document and does not include any development proposal. Any future residential developments proposed in these urban/wildland interface areas would be analyzed under separate CEQA review. Therefore, adoption of the Housing Element would result in **no impact**.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
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**(7) HYDROLOGY AND WATER QUALITY.** Would the project:

a) Violate any water quality standards or waste discharge requirements?				x
b) Substantially degrade groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				x
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off site?				x
d) Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				x
e) Otherwise substantially degrade water quality?				x
f) Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				x
g) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				x
h) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				x

i) Inundation by seiche, tsunami, or mudflow?				X
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Discussion:

a-e) As described in Agoura Hills' 1992 General Plan Master Environmental Assessment (MEA), water supplies for the City are imported from the Metropolitan Water District of Southern California (MWD) and local groundwater sources are not used for domestic purposes (page 5-4). There are four drainage areas in the City – West, Central, South and East – that are served by several creeks and canyons including Lindero Canyon, Medea Creek, Palo Comado Canyon and Cheeseboro Canyon (General Plan MEA page 5-1).

Any future development on vacant land would increase the amount of impervious surfaces, potentially resulting in storm water quality impacts. The City of Agoura Hills is a co-permittee of the Los Angeles County Municipal Storm Water National Pollutant Discharge Elimination System (NPDES) Permit No. CAS004001 issued by the Los Angeles Regional Water Quality Control Board (LARWQCB). The purpose of this permit is to govern non-point discharges associated with storm water drainage. Regulations under this permit include preparation of a Storm Water Pollution Prevention Plan (SWPPP), which lists a series of measures and best management practices to be employed during construction to prevent storm water runoff pollution. In addition, a Standard Urban Storm Water Mitigation Plan (SUSMP) must be prepared to address post construction best management practices to reduce the potential for pollutants to enter the storm drain system.

The Agoura Hills Housing Element is a policy document that includes goals, policies and programs to meet the existing and projected housing needs of the City. The Housing Element does not include changing any existing land use designations or zoning designations to allow residential uses, nor does it include any specific development proposals. Any potential impacts related to water quality or drainage systems for individual projects would be analyzed under CEQA as they are proposed. Any needed mitigation measures or conditions of approval would be identified at that time, including compliance with the City's NPDES permit mentioned above. Therefore, adoption of the Housing Element would result in **no impact**.

f-i) The City's MEA identifies four designated floodways that flow through Agoura Hills – Liberty Canyon, Lindero Canyon, Palo Comado Canyon and Medea Creek (page 11-12). The Housing Element does not include changing any existing land use designations or zoning designations to allow residential uses, nor does it include any specific development proposals. Any potential impacts related to flooding or mudflows from possible future residential development described in the Housing Element would be analyzed separately under CEQA as the projects are proposed. Due to the City's inland location, the City does not have a high susceptibility to seiches or tsunamis. Therefore, adoption of the Housing Element would result in **no impact**.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
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**(8) AESTHETICS.** Would the project:

a) Have a substantial adverse affect on a scenic vista?				X
b) Substantially damage scenic resources including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the project site and its surroundings?				X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X

e) Significantly impact any existing streetscape or public space which has been designed to provide areas of public assembly and congregation?				x
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Discussion:

- a) The City's General Plan Scenic Highways Element identifies Local Scenic Highways, County Scenic Highways, and areas eligible for state scenic highway designation. Many of the City's residential areas provide excellent vistas of Ladyface Mountain and the ridgelines along the south side of the City. The City's Grading Ordinance includes a number of grading criteria in order to maintain consistency with, and ensure the implementation of, the policies in the Scenic Highways Element. Nonetheless, the Housing Element is a policy document, and does not include any specific development proposal. Any potential impacts related to scenic vistas from future residential development described in the Housing Element would be analyzed separately under CEQA as each project is proposed. Therefore, adoption of the Housing Element would result in **no impact**.
- b-e) The Agoura Hills Housing Element is a policy document that includes goals, policies and programs to meet the existing and projected housing needs of the City, and does not include any specific development proposal. The Element calls for maintaining and enhancing the quality of existing housing and residential neighborhoods (Goal 1). Any new residential development would need to be consistent with General Plan and Specific Plan policies and City Codes and guidelines. As future residential projects are proposed, they would be analyzed under separate CEQA review to ensure that they do not substantially damage scenic resources, degrade the existing visual character or quality of the project site, create a new source of substantial light or glare or impact any existing streetscape or public space. Therefore, adoption of the Housing Element would result in **no impact**.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
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(9) **NOISE.** Would the project result in:

a) Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) A substantial, temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Discussion:

- a-d) Noise level (or volume) is generally measured in decibels (dB) using the A-weighted sound pressure level (dBA). For the most sensitive uses, such as single-family residential, 60 dBA Day-Night average level (Ldn) is the maximum normally acceptable exterior level. Ldn is the time average of all A-weighted levels for a 24-hour period, with a 10 dB upward adjustment added to those noise levels occurring between 10:00

PM and 7:00 AM to account for the general increased sensitivity of people to nighttime noise levels. The Community Noise Equivalent Level (CNEL) is similar to the Ldn except that it adds 5 dB to evening noise levels (7:00 PM to 10:00 PM). The City of Agoura Hills utilizes the CNEL for measuring noise levels. Sensitive noise receptors include residential units, libraries, hospitals and nursing homes.

The City's General Plan Noise Element and Noise Ordinance set noise standards for Agoura Hills. In addition, the Department of Housing and Urban Development (HUD) has established mandatory noise guidelines for residential construction. New residential development cannot be exposed to outdoor ambient noise levels in excess of 65 dBA (CNEL or Ldn) and sufficient insulation must be provided to reduce interior ambient levels to 45 dBA.

Agoura Hills has an identified regional housing growth need (RHNA) of 109 units for the 2008-2014 planning period. The Housing Element illustrates that, under current General Plan and zoning designations, the City has an estimated additional capacity for 357 residential units that can be developed on vacant and underutilized sites. Some of these residential parcels are located along the Ventura Freeway corridor and are exposed to noise levels of 65 CNEL and above. However, sound attenuation techniques, including freeway soundwalls, double pane windows and building orientation can all be utilized to reduce noise to acceptable levels for residential development.

The Housing Element is a policy document, and does not identify any specific development projects. As development projects are proposed, they would be analyzed separately under CEQA as part of project specific environmental review. The site-specific noise conditions, including temporary increases in noise levels due to construction and possible groundborne vibrations, would be assessed at that time. Any needed mitigation measures or conditions of approval would be identified during the individual project or plan review, including compliance with the General Plan Noise Element and the City's Noise Ordinance. Therefore, adoption of the Housing Element would result in **no impact**.

- e),f) There are no airports or airstrips in the vicinity of the City of Agoura Hills. Therefore, adoption of the Housing Element would result in **no impact**.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant impact with Mitigation Measures	Less Than Significant Impact	No Impact
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**(10) POPULATION AND HOUSING.** Would the project:

a) Result in direct or indirect population related growth inducement impacts (significantly expand employment opportunities, remove policy impediments to growth, or contribute to potential extensions of growth inducing infrastructure)?				x
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				x

Discussion:

- a) As described in the draft Housing Element (Section IV, Housing Resources), the Element is one of the seven state-mandated elements of the City's General Plan and must be updated pursuant to California Government Code Section 65588 for the 2008-2014 planning period. Agoura Hills has an identified regional housing growth need (RHNA) of 109 units for the 2008-2014 planning period. The Element also illustrates that, under current General Plan and zoning designations, the City has an estimated additional capacity for 357 residential units that can be developed on vacant and underutilized sites. As future residential development projects are proposed, they would each be analyzed individually pursuant to CEQA

for potential impacts to population and housing. Therefore, adoption of the Housing Element, which is a policy document, would result in **no impacts** on direct or indirect population related growth inducement.

- b) Since the Housing Element is a policy document, its adoption would not displace substantial numbers of housing or people. Agoura Hills plans to fulfill its RHNA allocation mostly through development on vacant parcels. The single underutilized parcel included in the Element's sites inventory currently contains a variety of commercial uses. Future development proposals on these vacant and underutilized sites would be analyzed separately under CEQA, but since the sites are vacant and/or occupied by non-residential uses, it is likely that no existing housing would be displaced. Therefore, no housing would be displaced as a result of adopting the Housing Element and **no impact** would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
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(11) **PUBLIC SERVICES.** Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, the need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?

a) Fire protection				X
b) Police protection				X
c) Schools				X
d) Parks				X
e) Other public facilities				X

Discussion:

- a-e) Public services in Agoura Hills are provided by the Los Angeles County Fire Department (LACFD), Los Angeles County Sheriff's Department (LACSD), Las Virgenes Unified School District and the City's Community Services Department. The City's General Plan includes goals and policies to ensure that adequate public services are available to meet the City's residences and businesses. This includes Goal 5 in the Land Use Element, which calls for new development to be coordinated with the availability of public services (page II-21).

The Agoura Hills Housing Element addresses the City's residential growth needs (RHNA) of 109 units for the 2008-2014 planning period. The Element also illustrates that, under current General Plan and zoning designations and in the Agoura Village Specific Plan, the City has an estimated additional capacity for 357 residential units that can be developed on vacant and underutilized sites. No land use or zoning designation changes are required as part of the Element. As individual development projects are proposed in the future, the specific environmental effects of the future developments, including impacts on public services, would be evaluated pursuant to CEQA. Any needed mitigation measures or conditions of approval would be identified at that time in order to ensure adequate public services. Therefore, adoption of the Housing Element would result in **no impacts**.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
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**(12) RECREATION.** Would the project:

a) Increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

Discussion:

- a),b) As described in Agoura Hills' 1992 General Plan Master Environmental Assessment (MEA), numerous recreational facilities and trails are located in Agoura Hills, including parks, hiking trails, equestrian trails, bike paths and the City's Recreation Center. The City's Park Master Plan establishes a standard of 8 acres of park/open space per 1,000 people (MEA, page 18-4). Of this, three acres per 1,000 persons includes local park and recreation space, and the remaining 5 acres per 1,000 is designated as open space. Any future proposal for residential development discussed in the Housing Element would be analyzed separately under CEQA as part of project specific environmental review. The impacts on existing parks/recreational facilities or impacts from new or expanded facilities would be assessed at that time. Any needed mitigation measures or conditions of approval would be identified during the individual project or plan review, including compliance with the City's Park Master Plan. Therefore, adoption of the Housing Element would result in **no impact**.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
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**(13) TRANSPORTATION/TRAFFIC.** Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				X
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards related to existing intersections or roadway design features (e.g., sharp curves or dangerous intersections), or to incompatible uses (e.g., residential traffic conflicts with farm equipment)?				X
e) Result in inadequate secondary or emergency access?				X
f) Result in inadequate parking capacity?				X

Discussion:

a, b, d-f) The City's existing street network includes arterial and local streets as well as U.S. Highway 101 (Ventura Freeway). The General Plan's Land Use Element calls for new development to be coordinated with the availability of infrastructure (Land Use Goal 5).

As described in Section 3, Air Quality, above, the City is undergoing a comprehensive General Plan Update that emphasizes sustainable land uses and alternative transportation. A majority of the sites included in the Housing Element residential lands inventory are located in the Agoura Village Specific Plan, which also emphasizes a mix of uses and transportation options.

The Agoura Hills Housing Element is a policy document that includes goals, policies and programs to meet the existing and projected housing needs of the City. The Element identifies policies and potential sites to accommodate all new housing developments within existing residential and specific plan areas and does not call for land use or zoning designation changes. The Housing Element does not include any specific development proposal. Any potential impacts related to increases in the existing traffic load, level of service standards, hazards due to design features, emergency access and parking capacity would be analyzed as future residential projects and are subject to separate CEQA review. Any needed mitigation measures or conditions of approval would be identified during the individual project or plan review. Therefore, adoption of the Housing Element would result in **no impact**.

c) There are no airports or airfields in the vicinity of Agoura Hills, so the proposal would result in **no impacts**.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
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**(14) UTILITIES AND SERVICE SYSTEMS.** Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

Discussion:

a- e) The Las Virgenes Municipal Water District (LVMWD) provides all water and wastewater service to the City of Agoura Hills. Please refer to Section 7, Hydrology and Water Quality, of this document regarding storm drainage.

The City's General Plan includes goals and policies to ensure that adequate utility systems are available to meet the City's residences and businesses. This includes Goal 5 in the Land Use Element, which calls for new development to be coordinated with the availability of infrastructure (page II-21). As described in Section 3, Air Quality, above, the City is undergoing a comprehensive General Plan Update that emphasizes sustainable land uses, site design and development that maximizes the use of existing infrastructure, and reduces energy and water consumption. The Housing Element reflects this overall theme with Policy 2.10 and Program # 11 that addresses sustainability and green building.

The Agoura Hills Housing Element addresses the City's RHNA of 109 units for the 2008-2014 planning period. No land use or zoning designation changes are required as part of the Element to meet the RHNA. The Housing Element is a policy document, and does not identify any development proposals. The specific environmental effects to utility and service systems of future residential development that may be proposed in the Housing Element policies and programs would be evaluated as individual project proposals or plans are submitted. Any needed mitigation measures or conditions of approval would be identified at that time. Therefore, adoption of the Housing Element would result in **no impacts**.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
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**(15) MANDATORY FINDINGS OF SIGNIFICANCE.**

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?				X
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)?				X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X

Discussion:

a-c) As described throughout this document, the Housing Element is one of the elements of Agoura Hills' General Plan, and must be updated pursuant to California Government Code Section 65588 for the 2008-2014 planning period. The Housing Element identifies and assesses projected housing needs and provides an inventory of constraints and resources relevant to meeting these needs.

The City's RHNA for the 2008-2014 planning period is 109 units. The Element illustrates that, under current General Plan and zoning designations and the AVSP, the City has an estimated additional capacity for 357 residential units that can be developed on vacant and underutilized sites where residential use is currently allowed. No land use or zoning designation changes are required as part of the Element. The Housing Element does not include any specific development proposal for residential units. All environmental effects of future residential development would be evaluated as individual project proposals or plans are submitted to the City for consideration, pursuant to CEQA. Therefore, adoption of the Housing Element would not degrade the quality of the environment, result in cumulatively considerable impacts or cause substantial adverse effects on human beings.

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## REFERENCES

Agoura Hills, City of. *General Plan*. May 1993.

Agoura Hills, City of. *General Plan Master Environmental Assessment*, July 1992.

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Agoura Hills, City of. *Center Court Plaza Draft Initial Study and Mitigated Negative Declaration (04-CUP-010 and TTM 62211 and 04-OTP-022)*. May 2006.

Agoura Hills, City of. *Inclusionary Housing Zoning Ordinance Amendment Draft Initial Study and Negative Declaration (08-ZOA-002)*. May 2008.

Agoura Hills, City of. *Ordinance Number 07-350 – Adoption of the 2007 California Construction Codes*. Adopted by the Agoura Hills City Council on January 9, 2008.