

ATTACHMENT C

Planning Commission Resolution

RESOLUTION NO. 955

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF AGOURA HILLS
RECOMMENDING APPROVAL OF ZONING ORDINANCE AND MAP AMENDMENTS
(RESIDENTIAL NEIGHBORHOOD COMPATIBILITY ORDINANCE)
(CASE NO. 08-ZOA-003)**

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

WHEREAS, on April 17, 2008 and August 7, 2008 , the Planning Commission held public study sessions on a draft Residential Neighborhood Compatibility Ordinance (RNCO) and design guidelines; and

WHEREAS, Planning staff held a community workshop on June 4th to further discuss the proposed ordinance and guidelines; and

WHEREAS, upon considering oral and written testimony at the aforementioned public study sessions and community workshop, on August 7, 2008 the Planning Commission provided direction to staff on the RNCO and guidelines; and

WHEREAS, the Planning Commission has considered amendments to the Zoning Ordinance of the City of Agoura Hills Municipal Code and the adoption of new sections to the City's design guidelines. The Zoning Ordinance sections proposed for amendment include Section 9143.3 (Land Use Districts), Section 9212.2 (RR Residential-Rural District), Sections 9223.3, 9223.4 and 9223.9 (RV Residential-Very Low Density District), Sections 9233.3, 9233.4 and 9233.9 (RL Residential-Low Density District), Sections 9241, 9242.4 and 9243.9 (RS – Residential Single Family District), Sections 9551, 9553, 9553.1-9553.7 and 9554.4 (OA Old Agoura Design Overlay District), Sections 9677.1, 9677.2, and 9677.7 (Site Plans/Architectural Review), Section 9605.1 (Yard Standards), Section 9804.4 (Public Hearing Procedures), Section 9120 (Definitions) and Section 9833 (Zoning Map). A new Equestrian Overlay District Section 9590 – 9592 and an amendment to the Zoning Map to place the Equestrian Overlay District on all residential properties zoned RR, RL, RV, RS and OS in Old Agoura along with two new sections to the City's *Architectural Design Standards and Guidelines* including Neighborhood Compatibility Guidelines for RS zoned properties outside of Old Agoura and Old Agoura Design Guidelines for residential properties in the Old Agoura neighborhood were also considered. A public hearing was duly held on November 6, 2008, in the Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of the public hearing was duly given; and

WHEREAS, proposed amendments to the Zoning Ordinance and adoption of design guidelines are necessary to maintain and strengthen existing residential neighborhoods in the City by ensuring that new homes or additions to an existing home is designed in a manner that is compatible with the surrounding neighborhood; and

WHEREAS, the proposed amendments to the Zoning Ordinance are consistent with the purposes of the General Plan. The proposed changes will provide further regulations and guidance to create more cohesive and visually compatible neighborhoods while providing a flexible approach to help achieve neighborhood compatibility, and

WHEREAS, the Planning Commission has considered the information contained in the Mitigated Negative Declaration (MND) prepared for this application and finds that a MND is appropriate because no significant impacts are anticipated and no substantial mitigation planning is necessary for project implementation.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Agoura Hills recommends the City Council adopt the attached amendments to the Zoning Ordinance including Section 9143.3 (Land Use Districts), Section 9212.2 (RR Residential-Rural District), Sections 9223.3, 9223.4 and 9223.9 (RV Residential-Very Low Density District), Sections 9233.3, 9233.4 and 9233.9 (RL Residential-Low Density District), Sections 9241, 9242.4 and 9243.9 (RS – Residential Single Family District), Sections 9551, 9553, 9553.1-9553.7 and 9554.4 (OA Old Agoura Design Overlay District), Sections 9677.1, 9677.2, and 9677.7 (Site Plans/Architectural Review), Section 9605.1 (Yard Standards), Section 9804.4 (Public Hearing Procedures), Section 9120 (Definitions), and Section 9833 (Zoning Map). The Planning Commission further recommends the City Council adopt a new Equestrian Overlay District Section 9590 – 9592 and an amendment to the Zoning Map to place the Equestrian Overlay District on all residential properties zoned RR, RL, RV, RS and OS in Old Agoura as well as two new sections to the City’s *Architectural Design Standards and Guidelines* including Neighborhood Compatibility Guidelines for RS zoned properties outside of Old Agoura and Old Agoura Design Guidelines for residential properties in the Old Agoura neighborhood. Be it further resolved that the Planning Commission recommends to the City Council that (1) the Residential Neighborhood Compatibility Ordinance and Guidelines be reviewed by the Planning Commission two (2) years after its adoption to ensure that the ordinance and guidelines are working as intended, (2) the City’s administrative process be modified to include a requirement for the posting of an early notification sign advising of application submittal to allow greater public participation in the planning review process, and (3) the application submittal requirements be modified to provide discretion to the Director of Planning and Community Development or the Planning Commission to require story poles on a case-by-case basis to provide a visualization tool to assist the Commission and public in understanding what the project will look like when built.

PASSED, APPROVED and ADOPTED this 6th day of November, 2008, by the following vote to wit:

AYES:	O’Meara, Nouzille, Buckley-Weber, Rishoff, Zacuto
NOES:	None
ABSENT:	None
ABSTAIN:	None

John O'Meara, Chairperson

ATTEST:

Mike Kamino, Secretary

ATTACHMENT D

Planning Commission Staff Reports



**DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT
MEMORANDUM**

ACTION DATE: November 6, 2008

TO: Planning Commission

APPLICANT: City of Agoura Hills

SUBJECT: Residential Neighborhood Compatibility Ordinance and Guidelines

REQUEST: That the Planning Commission conduct a public hearing and formulate its recommendations to the City Council on amendments to the Zoning Ordinance including: 1) Section 9142.3 (Land Use Districts), Section 9120 (Definitions), Section 9212.2 (RR Residential-Rural District), Sections 9223.3, 9223.4 And 9223.9 (RV Residential-Very Low Density District), Sections 9233.3, 9233.4 And 9233.9 (RL Residential-Low Density District), Sections 9241, 9242.4 And 9243.9 (Rs – Residential Single Family District), Sections 9551, 9553, 9553.1-9553.7 And 9554.4 (OA Old Agoura Design Overlay District), Sections 9677.1, 9677.2, and 9677.7 (Site Plans/Architectural Review), Section 9605.1 (Yard Standards), Section 9804.4 (Public Hearing Procedures) and 9833 (Zoning Map) and 2) Approving a new Equestrian Overlay District Section 9590 – 9592 and an amendment to the Zoning Map to place the Equestrian Overlay District on all residential properties Zoned RR, RL, RV,RS And OS In Old Agoura as well as two new sections to the City's *Architectural Design Standards and Guidelines* including Neighborhood Compatibility Guidelines for RS zoned properties outside of Old Agoura and Old Agoura Design Guidelines for residential properties in the Old Agoura neighborhood

ENVIRONMENTAL
ANALYSIS:

Mitigated Negative Declaration

RECOMMENDATION:

Staff recommends that the Planning Commission adopt the attached Resolution recommending that the City Council approve the Residential Neighborhood Compatibility Ordinance and Guidelines

I. BACKGROUND

The Planning Commission held study sessions on the draft Residential Neighborhood Compatibility Ordinance and related guidelines on April 17, 2008 and August 7, 2008. In addition, staff held a community workshop on June 4, 2008 to discuss the proposed ordinances and guidelines and made a presentation to the Old Agoura Homeowners Association (OAHA) members on July 27th. At the August 7th meeting the Planning Commission provided direction to staff on the recommended changes to the proposed ordinance amendments and guidelines

II. STAFF ANALYSIS

At the August 7th Planning Commission meeting, three Commission members (O'Meara, Nouzille, and Rishoff) that were in attendance provided comments and direction to staff on changes to the following areas: administrative sections of the Code (noticing requirements and story poles), Old Agoura Overlay (Floor Area Ratio Chart), Equestrian Overlay (square footage set aside and uses allowed in horse keeping area), RR, RV and RL (height, setbacks and lot coverage) and Old Agoura Design Guidelines. A copy of the August 7 staff report is included in the attachments.

There was considerable discussion regarding whether the FAR and slope ratios should be in the ordinance or guidelines and about the equestrian provisions and notification. While the three Commission members agreed on direction for many of the changes, in some instances the Commission indicated a desire to hear from the full Commission before making a final decision. Staff has made changes to the draft ordinance mainly based on direction received at the August 7th meeting although staff has also taken in account prior Planning Commission discussions at the two study sessions. Staff has organized the discussion in the staff report according to the order of the zoning amendments in the attached Ordinance.

Section 9142.3

The change to this section addresses the administrative changes necessary to accommodate the new Equestrian (EQ) Overlay Zone. The change to Section 9142.3 establishes the EQ Overlay Zone.

Section 9120.S (Definitions)

This proposed change provides a definition of a substantial remodel. This definition will provide clarity on when a remodel project will be referred to the Planning Commission.

Section 9212.2 (Residential-Rural RR Zoning District)

Changes to this section add substantial remodels as a conditional use permit (CUP).

Section 9223 (Residential-Very Low – RV Zoning District) and Section 9233 (Residential Low – RL Zoning District)

The changes to these two sections accomplish several things. First, impermeable driveways and patios are added to the list of items that are counted in lot coverage. Staff has also addressed the issue of long flag lot driveways and Fire Department turn around areas by allowing the Planning Commission discretion in excluding all or a portion of the driveway if they are designed consistent with the Old Agoura Design Guidelines.

At the direction of the Commission, staff deleted the changes to the maximum height and setbacks. The remaining changes to the building height section merely make the language consistent between the two zones. And for both of these zones, substantial remodels have been added to the list of items that require Planning Commission approval.

Sections 9241, 9242 and 9243 (Residential Single Family – RS Zoning District)

Changes to the RS Zone include language in the “Purpose” section concerning neighborhood compatibility. This section also includes modifications to the review authority to make the Planning Commission the review authority for most projects including larger additions, substantial remodels, and all new second story additions. Findings have also been added that would address neighborhood compatibility.

Section 9551-9553 (Old Agoura - OA Overlay)

Modifications to the Old Agoura Design Overlay District include adding text regarding the equestrian nature of the area in the "Purpose" section and adding language elsewhere in the OA Overlay fine tuning some of the existing text as well as indicating that all development must be consistent with the Old Agoura Design Guidelines.

The existing Section 9554, which provides the standards for the commercial uses in Old Agoura, was moved to Section 9553. Moving this section to follow Section 9552, which lists the uses allowed in the Old Agoura commercial areas, will not change the ordinance in substance and will make this portion of the Code more understandable. The order of the section would then be 1) allowed commercial uses, 2) standards for the commercial uses, and 3) guidelines for both commercial and residential uses in Old Agoura.

At the direction of the Planning Commission, staff removed the Floor Area Ratio and Slope Density Chart from the Old Agoura Overlay Zone and placed the charts in the Old Agoura Design Guidelines.

Section 9590 – 95 - Equestrian Overlay District

This is a new section in the Code which provides standards for a new Equestrian Overlay (EQ) District. Staff has made changes to this section which include adding a more detailed description of the types of uses that would be allowed in the horse keeping area and providing language indicating that the proposed 1,500 square foot horse keeping area is a minimum requirement that may need to be increased if horse keeping facilities cannot be located in a functional manner given the constraints of the lot such as slope. This is one area in particular where staff would like the Planning Commission to provide feedback to ensure that staff captured the Commission's direction adequately.

Section 9605.1 (Side and Rear Yards)

The change to this section is proposed in order to make this section consistent with the changes in the various residential zones in the City as they relate to review authority for additions to existing single family homes.

Section 9677.1, 9677.2 and 9677.7 (Site Plans/Architectural Review)

The text changes to the Site Plans/Architectural Review section are proposed to ensure the section is consistent with other changes made in the Code regarding review authority. In addition, the proposed changes also clarifies that the Director is responsible for Administrative Site Plan Reviews while the Planning Commission is the reviewing authority for all Site Plan Reviews.

Section 9804.4 (Public Hearing Procedures)

Currently the notice requirements for Site Plan Review are the abutting properties. As directed by the Commission, staff has changed this section to utilize the CUP noticing requirement which is 750 feet. In addition, to notifying all property owners within 750 feet of a proposed project, an early notification sign will be posted on the property advising neighbors of the submittal of a development application on the property. This sign would be in addition to the public hearing requirements of posting the property a minimum of 10 days before a public hearing and a notice in the newspaper.

There was some discussion at the Commission hearing about utilizing a 750 foot radius or a minimum of three properties whichever is greater but no consensus was reached on that proposal. Staff is recommending utilizing only the 750 foot radius since this change will apply to all Site Plan Reviews and Conditional Use Permits in the City regardless of whether they are in Old Agoura. Staff believes that increasing the noticing requirement from abutting properties to a 750 foot radius in addition to the sign placed on the property and in the newspaper will provide adequate notice to residents.

Section 9833 (Zoning Map)

The change to Section 9833 adds the Equestrian Overlay zone in Old Agoura to the zoning categories that will be placed on the City's zoning map.

Neighborhood Compatibility Guidelines

The Neighborhood Compatibility Guidelines will be placed in the City's existing *Architectural Design, Standards and Guidelines*. The proposed Neighborhood Compatibility Guidelines address setbacks, height, second story design, roof pitch, window placement and other design elements that would address compatibility with adjacent structures. These guidelines would be utilized by the Director and Planning Commission for properties located in the Residential Single Family zone outside of Old Agoura.

Old Agoura Design Guidelines

While the proposed guidelines focus only on the Old Agoura community, they will not be stand alone guidelines but will be placed in the City's existing *Architectural Design, Standards and Guidelines* under a separate Old Agoura section.

The Old Agoura Design Guidelines are not intended to mandate a certain architectural style or theme but to encourage the design of homes that fit into the existing neighborhood and environment. The Guidelines contain recommendations to maintain neighborhood scale. As noted above, the FAR and slope density charts that established the maximum allowed house size based on the size of the lot were removed from the

Code (Old Agoura Design Overlay District) and placed in the Guidelines. This will give the Planning Commission flexibility to view each project on a case by case basis. In addition, staff is recommending that the FAR chart only apply to a single family dwelling with a 3 car garage and any enclosed attached structure. Detached accessory structures are no longer included in the recommended maximum allowed FAR. Because there was no consensus of what should be included, staff is seeking confirmation from the Planning Commission on this direction.

The Planning Commission also discussed whether remodels should be treated differently from new construction but decided that since the FAR and slope density chart would be adopted as guidelines, remodels should be treated the same as new construction. Another item that the Planning Commission did not reach consensus on was whether the Guidelines should include a maximum structure size of 8,000 square feet.

Summary

Significant demand for housing continues in Old Agoura and the Planning Commission is challenged with addressing the issue of neighborhood compatibility on each project. The Residential Neighborhood Compatibility Ordinance and the associated Guidelines are intended to guide the applicant in design, the planning staff in analysis, and the Planning Commission in judging the project's compatibility with the neighborhood. The draft ordinance and guidelines recognize that the issue of neighborhood compatibility is best dealt with on a case-by-case basis as all lots in Old Agoura are different in terms of size, topography, access and the existence of natural resources. Since Old Agoura is also characterized by a mixture of custom designed homes, the guidelines provide flexibility in design to help maintain the area's eclectic nature. Neighborhood input is also important factor in neighborhood compatibility and thus the proposed changes include additional neighborhood notification. The new Equestrian Overlay (EQ) zone is intended to reinforce the importance of Old Agoura's equestrian character and heritage.

The existing single family neighborhoods outside Old Agoura have been fairly stable, but recent trends toward remodeling and substantial additions have raised issues of neighborhood compatibility. Changes are proposed to notification and review procedures to increase neighborhood input. Guidelines are also proposed to help maintain neighborhood compatibility and privacy.

Staff is recommending that the Planning Commission make any final changes to the residential neighborhood compatibility ordinance and guidelines and forward the proposed Ordinance to the City Council for final consideration.

ENVIRONMENTAL REVIEW

A Mitigated Negative Declaration (MND) was prepared in compliance with the California Environmental Quality Act (CEQA) and is included as Attachment B. The Mitigated Negative Declaration was circulated from March 20, 2008 to April 9, 2008.

The Planning Commission's action on the Mitigated Negative Declaration will be in the form of a recommendation to the City Council who will have the final decision making authority on the Master Plan and the MND.

III. RECOMMENDATION:

Staff recommends that the Planning Commission adopt the attached draft Resolution recommending that the City Council approve the residential neighborhood compatibility ordinance and guidelines.

SPECIAL PROJECTS PLANNER: Joyce Parker-Bozylinski

ATTACHMENTS:

- A. PC Resolution with Draft City Council Ordinance and Guidelines
- B. Mitigated Negative Declaration
- C. Prior Planning Commission Reports
- D. Notes from June 4, 2008 Community Workshop
- E. Correspondence by Date Received



DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT
MEMORANDUM

DATE: AUGUST 7, 2008

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: PLANNING COMMISSION STUDY SESSION ON RESIDENTIAL NEIGHBORHOOD COMPATIBILITY ORDINANCES, NEIGHBORHOOD COMPATIBILITY DESIGN GUIDELINES, AND OLD AGOURA DESIGN GUIDELINES.

The Planning Commission held a study session on the draft Residential Neighborhood Compatibility Ordinances and related guidelines on April 17, 2008. After discussing the proposed changes and receiving comments from the public, the Planning Commission asked staff to hold a community workshop in order to receive more feedback on the various components of the draft ordinance and guidelines.

The purpose of this meeting is for staff to present the results of the community workshop and receive direction from the Planning Commission on various aspects of the proposed changes. In addition, the meeting will provide an opportunity for additional public input. Once staff has received direction from the Commission, the ordinances will be revised and the matter will be scheduled for a future public hearing.

I. COMMUNITY WORKSHOP

Staff held a community workshop on June 4, 2008 to discuss the proposed ordinances. About 34 people attended the workshop and staff heard a wide variety of opinions on each of the discussion areas. Commissioner's Zacuto and Buckley Weber attended as observers. As noted in the April 17, 2008 staff report (Attachment A), staff created two separate ordinances to address neighborhood compatibility, one that would apply to all properties located in the RS (Residential-Single Family District) zone except those in Old Agoura and another one that would apply to properties in Old Agoura in the RR (Rural Residential District) RV (Residential Very

Low Density District), RL (Residential Low Density District) and OS (Open Space District) zones. There was no one at the study session that wished to discuss the changes in the RS Zone.

Staff distributed a list of discussion areas (Attachment B) at the June 4 workshop. The discussion areas were broken into four categories as follows: Administrative Changes, Old Agoura, Equestrian Overlay, and changes to existing Code. Summary of the various comments received during the workshop is included as Attachment C and Attachment D includes all of the comments received to date. Some of the people who attended the workshop mailed in the discussion area document after the workshop.

II. DISCUSSION

In addition to the community workshop on June 4, 2008, staff made a presentation to the Old Agoura Homeowners Association (OAHA) members on July 27, 2008. Approximately 30 people were in attended the meeting. Staff provided an overview of the proposed ordinance and answered questions. People were encouraged to fill out the list of discussion areas and send them to the City.

The format of this staff report will provide the questions staff is seeking direction on with options for direction on each area. Staff is seeking direction only on some of the broader discussion areas and will be modifying the remaining sections consistent with Planning Commission direction on the broader subject matters. Given the wide variety of comments on the discussion areas, staff has not tried to capture all the comments but have included them as attachments for Planning Commission reference. In addition, staff has included the Planning Commission staff report from April 17, 2008 for reference purposes because the report provides additional details on the proposed changes and the reasons the changes were proposed by staff.

A. Administrative Changes (Increased public participation/notification)

- 1. Should the City expand the noticing requirements from the current requirement of adjacent properties to properties within a 750-foot radius of the site, which is the noticing requirement for Conditional Use Permits? Should small remodels be exempt or only require notification of abutting properties?*

Currently the Code requires notification of only the adjacent property owners for pending projects (except Conditional Use Permits). The purpose of the proposed amendment is to increase public participation by increasing the number of people notified of a proposed project. This Code requirement was to be accommodated by a requirement for early posting of a sign on the property. Typically, a public hearing sign only has to be posted 10 days before any public hearing on the project. Staff had decided to institute changes to application requirements that would require notices of a

pending project to be placed on the property early in the process. This would allow residents to participate in the earlier review stages of an application.

Some comments on the increased radius for notification were whether the 750 feet would capture enough properties in the parts of Old Agoura with large lots. Leaving the notification requirement as currently written, which would include only abutting properties, would ensure that the adjacent property owner, who would likely be most affected by project, received notification. However, in the areas of Old Agoura that have smaller lots, property owners that could be affected would not be notified by mail

Utilizing the 750-foot radius would be consistent with what is currently required for Conditional Use Permit applications. Many of the projects in Old Agoura require a CUP because they are on hillside lots. Since the 750-foot radius is the standard for other projects, increasing the notification to a 750-foot radius would be consistent with existing Code provisions.

In addition, posting the property with a sign would also capture people that lived in the neighborhood but were outside the 750-foot radius. Early notification was generally seen as a good idea but there were comments on where to place the sign on some lots such as flag lots. Details on where to place the sign on the property are details staff would work out and include in the ordinance.

OPTIONS FOR THE PLANNING COMMISSION WOULD BE AS FOLLOWS:

- a. Leave the notification requirements at abutting properties for all projects or only for small remodels
 - b. Expand the notification requirements to a 750 foot radius for all projects or exclude small remodel
 - c. Increase the notification requirements beyond 750 foot radius
 - d. Place sign on property or mail notices to neighbors notifying them that an application has been received.
 - e. Leave Code as currently written which requires that the sign be posted 10 days before the hearing.
2. *Should the property owner/applicant be required to construct story poles (silhouette) that depicts the proposed house prior to review and approval by the Planning Commission?*

Staff had suggested this requirement not as a new Code requirement but as a new submittal requirement with the Director making a determination if the story poles

where needed based on factors such as the proposed location and size of the house. The Planning Commission could also request story poles if during the public hearing process they thought they were needed. The main concern raised about the use of story poles was cost and details of installation and removal. Many people felt that story poles would be helpful in visualizing a project. Story poles can be very helpful for both the public and the Planning Commission in visualizing what a proposed house may look like. Utilizing story poles could be a benefit to not only the Planning Commission and general public but also applicants because they have the potential to reduce the need for numerous Planning Commission hearings on a project.

OPTIONS FOR THE PLANNING COMMISSION INCLUDE:

- a. Place a requirement for story poles in the Code.
- b. Place the requirement for story poles in the submittal requirements and as determined by the Director/Planning Commission on a case by case basis.
- c. Direct staff not to include a provision in the submittal requirements or Zoning Code regarding story poles.

B. Old Agoura Overlay Proposed Changes

1. *Should the FAR and Slope Density charts be placed in the Zoning Ordinance or the Old Agoura Design Guidelines?*

The proposed change that generated the most discussion was the proposed Floor Area Ratio (FAR) chart and slope density chart. The proposed FAR and slope density charts specified the size of the house allowed on a lot based on the size of the lot. The discussion about the FAR chart centered on whether the chart should be modified in some way or left as currently written but placed in the Old Agoura Guidelines as opposed to the Code.

The advantage of including an FAR chart is that it can assist the Planning Commission in making decisions about the size of a proposed home during the public hearing process. In addition, it gives applicants the ability to understand what the City believes is the appropriate size for homes prior to purchasing a property and/or during the design process. Generally, if a requirement is codified even if there are provisions that allow exceptions, it provides a stronger message regarding the expectations of the City. However, placing the FAR and slope density chart in the Guidelines may provide more flexibility to view each project based on the unique characteristics of the property.

OPTIONS FOR THE PLANNING COMMISSION INCLUDE:

- a. Leave the FAR and Slope Density Chart in the Zoning Code
 - b. Place the FAR and Slope Density Chart in the Old Agoura Design Guidelines.
 - c. Eliminate the FAR and Slope Density Chart from both the Zoning Code and Old Agoura Design Guidelines.
2. *What should be included in the FAR square footage? Covered patios? Accessory buildings? Garages? Second units? Horse keeping facilities?*

If the Planning Commission decides to leave the FAR chart in either the Zoning Code or Design Guidelines, another question under consideration is what items should be included in the FAR square footage.

As currently drafted all structures on the site are included in the FAR square footage except for the following items:

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

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

One option for the Planning Commission to consider is whether the FAR chart should only include the size of a house and garage and not accessory structures or covered patios. The reason accessory structures were included in the chart was that they all add

to "look and feel" of a lot and can add to the feeling of a lot being over built. If the accessory structure is attached to the house, it appears as part of the house. Also depending on the design of a covered patio, they can add to the mass and bulk of the main structure. However, all accessory structures, by code, are limited to one story and 14 ft. in height.

The main issue that the FAR chart is intended to address is to make sure the mass and scale of a project doesn't overwhelm the lot and eliminate the rural ambience that exists in Old Agoura. However, in addition to the provisions for limiting house size, there are separate lot coverage provisions that address whether the lot maintains an open rural character.

OPTIONS THE PLANNING COMMISSION COULD CONSIDER INCLUDE:

- a. Include all structures on a lot in calculating FAR with the exceptions noted above.
 - b. Include only the main house and garage (either 2 car or 3 car) and any attached enclosed structures (patio, atrium, garden room, etc.).
3. *Should remodels have different standards? For example, additions up to a certain size could be exempt from the FAR chart.*

Currently there are no special provisions for whether remodels should be subject to the FAR chart. Whether remodels should be treated differently is probably a question that is best answered based on the size and scope of a remodel. Remodels do pose certain challenges because the location of the house and infrastructure is already established. If the Commission felt that remodels should be treated differently than new homes, staff would need to develop a very strong definition of what constitutes a remodel and what size remodel would be exempt. These are items staff can bring back to the Commission if they felt remodels should be given special consideration. However, if the Commission decides to place the FAR and slope density charts in the guidelines, special provisions exempting remodels from the FAR chart would not be necessary. Text could be added to the guidelines that clearly indicate that remodels of a certain size are projects the Planning Commission will give special consideration to in their review of the project as they relate to house size.

IF THE FAR CHART REMAINS IN THE ZONING CODE, OPTIONS FOR PLANNING COMMISSION CONSIDERATION INCLUDE:

- a. Treat remodels the same as new homes as they relate to the FAR chart
- b. Provide special provisions for remodels as they relate to the FAR chart

4. *Should the FAR chart establish a maximum structure size regardless of lot size? And if there is a maximum structure size established, should the maximum allowed structure size remain as proposed or be modified?*

The maximum size of all structures allowed on a lot in Old Agoura regardless of the size of the lot is proposed to be 8,000 square feet. Based on the FAR chart, a lot would need to be over 5 acres in size before an 8,000 square foot structure or structures would be allowed so this provision would apply to only the very large lots in Old Agoura. One consideration on whether to keep the maximum structure size could be whether the FAR chart is placed in the Code or guidelines.

OPTIONS FOR THE PLANNING COMMISSION INCLUDE:

- a. Leave a maximum structure square footage in the Code/Guidelines.
- b. Delete the maximum structure square footage from the Code/Guidelines.
- c. Modify the size of the maximum structure square footage.

C. Equestrian Overlay (EO) District Proposed Changes

1. *Should a minimum 1,500 square feet be set aside for horse keeping? Should that amount be increased or decreased?*
2. *Should it be a guideline instead of a requirement? Should steep lots be exempted from horse keeping requirements?*

Currently the Code contains provisions regarding maximum allowable lot coverage to retain sufficient open areas so that the lot is not rendered untenable for horse keeping. Given there is no specific criteria for establishing a horse keeping area, the purpose of this proposed change is to establish a minimum horse keeping area and criteria for the area. Generally, people supported the concept of requiring a horse keeping area but some people felt this should only be the case if the horse keeping area did not impact their ability to build what they wanted on their property.

OPTIONS FOR THE PLANNING COMMISSION INCLUDE:

- a. Continue to utilize the provisions in the existing Code regarding lot coverage to protect areas for horse keeping.
- b. Establish a minimum 1,500 square foot horse keeping area in the Code.
- c. Establish a minimum 1,500 square foot horse keeping area in the Guidelines.

- d. Increase or decrease the size of the minimum horse keeping area
3. *What types of improvements should be allowed within 1,500 square feet if a property owner does not wish to keep a horse? Paving or other hardscape?*

If the Planning Commission agrees that a horse keeping areas should be provided, another other item under consideration is what types of improvements should be allowed in the area. The proposed language would allow site improvements consisting of landscaping and irrigation; detached trellises, patio covers or gazebos; above-grade/portable spas; barbeques and fire pits; temporary (as defined by the building code) non-habitable accessory structures that are no more than one hundred twenty (120) square feet in size and private sewage disposal systems for those applicants that do not wish to have horses. The question is whether and how much concrete or hardscape should be allowed with the trellises, patio covers or gazebos. The main concern about allowing concrete is whether it would be cost prohibitive for future property owners that wanted to have horses to remove the concrete. Another consideration is if someone wanted to construct a barn in the 1,500 square foot area in the future they might be able to utilize the concrete for the floor of the barn.

OPTIONS FOR PLANNING COMMISSION CONSIDERATION INCLUDE:

- a. Allow no permanent hardscape or concrete in the 1,500 square foot area.
- b. Allow only hardscape (pavers, etc.) that would be easy to remove in the 1,500 square foot area.
- c. Allow only a certain percentage of the 1,500 square foot to have hardscape or concrete.

D. Existing Zoning Code Provisions

1. *Should the maximum allowed height be reduced from 35 feet to 30 feet in the RL and RV zones?*
2. *Should the required front yard setback be increased from 25 feet to 30 feet in the RL, RV, RR, and OS zone?*

The proposed changes to the height and setback were intended to address the bulk and mass of a structure. Reducing the height of homes is one tool to reduce the overall bulk and mass of a structure and increasing the front yard setback would move the building further away from the street which would help reduce the visual mass and bulk of the structure from the street. However, the bulk and mass of a structure can also be addressed by establishing maximum structure size and having strong design guidelines.

OPTIONS FOR PLANNING COMMISSION CONSIDERATION INCLUDE:

- a. Do not make changes to the height and setback requirements.
 - b. Make changes to the height and setback requirements.
3. *For maximum allowable lot coverage, should there be special provisions for flag lots, required Fire Department turn around areas and/or alternative paving?*

Staff was not proposing to change the maximum building coverage (25% in RV and 35% in RL) currently allowed in the Code but had recommended that all impervious surfaces including driveways and patios be included when determining maximum building coverage. Currently concrete or impervious driveways and patios are excluded when determining building coverage. Paved driveways and patios can impact the rural character and ambience of the area which is why staff recommended including them in lot coverage calculations. However, there may be special circumstances that warrant some consideration in the maximum lot coverage. These include flag lots with long access driveways and turn around areas required by the Fire Department. However, alternative paving methods can often be utilized for these areas.

While impervious surfaces impact drainage and runoff, the Public Works Department has standards to address these issues so the main planning issue is one of maintaining a rural ambience. One item for consideration is alternative paving methods that do not include pervious surfaces but are designed to maintain a rural ambience. An example could be the use of concrete mixed with gravel or other materials, such as decomposed granite.

OPTIONS FOR PLANNING COMMISSION CONSIDERATION INCLUDE:

- a. Provide lot coverage exceptions for driveways for flag lots and Fire Department turn around areas but require alternative paving whenever possible.
 - b. Exempt certain types of impervious paving materials from the lot coverage if they maintain a rural character.
4. *Do the proposed Old Agoura Design Guidelines need to be strengthened or changed?*

Design Guidelines are proposed to complement the standards in the Code and will help ensure that the new or remodeled homes are designed consistent with the semi-rural character of Old Agoura.

The draft Old Agoura Design Guidelines provide a history of the Old Agoura area as well as establish goals for development to help retain and promote the Old Agoura ambience. Standards are provided for the following elements: neighborhood scale, horse keeping, site planning, heritage tree protection, minimizing lot coverage, architectural style, roofs, color, hardscape and driveways, storm water drainage, fences, landscape areas and outdoor lighting. Understanding the history of an area will help architects and designers design a house that fits into the existing fabric of the area. Traditionally an eclectic style which includes a wide range of architecture has been encouraged in Old Agoura.

If the Planning Commission's direction is to have elements such as FAR and slope density as guidelines rather than code, those elements would be included in The Old Agoura Design Guidelines. In addition, staff will be making certain refinements to these design guidelines prior to final presentation to the Planning Commission.

As a complement to the Old Agoura Design Guidelines, a photo booklet entitled "Old Agoura, Elements of Style", that visually represents many successful architectural styles and elements, was included. While the booklet is referenced in the guidelines it was not intended to be adopted as part of the design guidelines. The purpose of the booklet was to provide photos that define the style and ambience the design guidelines are trying to create. The photos present architectural elements that can be incorporated into any architectural style including modern design. The photos represent design "elements" that speak to a certain design style that is timeless. Providing applicants with the design guidelines will assist in giving them a better understanding of the expectations of design in Old Agoura. This could make the review process much shorter and easier for applicants.

OPTIONS FOR PLANNING COMMISSION INCLUDE:

- a. Direct staff to prepare a final draft of the Old Agoura Design Guidelines with modifications and refinements as appropriate.
- b. Provide further direction to staff on additional elements to be addressed in the Guidelines or modify the Guidelines.

III. SUMMARY

In summary, staff is seeking direction from the Planning Commission on the questions presented in this report. Once staff has direction from the Commission, they will revise the proposed ordinance as appropriate. A noticed public hearing will then be scheduled for a future Planning Commission meeting. As with all zoning ordinance amendments, the Planning

Commission's recommendations would be forwarded to the City Council for another public hearing prior to ordinance adoption.

IV. RECOMMENDATION

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

Prepared by: Joyce Parker-Bozylinski, Special Projects Planner

ATTACHMENTS:

- A. April 17, 2008 Staff Report
- B. Discussion Areas
- C. Summary Notes from June 4th Workshop
- D. Correspondence Received



**DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT
MEMORANDUM**

DATE: April 17, 2008

TO: Planning Commission

FROM: Planning Staff

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

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

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

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

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

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

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

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

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

RS (Residential Single Family District)

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

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

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

RS (Residential Single Family District)

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

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

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

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

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

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

Noticing Requirements

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

Yard Standards

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

Neighborhood Compatibility Guidelines

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

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

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

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

Old Agoura

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

The following changes area proposed in the Old Agoura neighborhood.

Equestrian Overlay District

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

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

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

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

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

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

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

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

Old Agoura Design Overlay District

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

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

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

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

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

Exemptions from FAR calculations include the following:

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

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

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

- Step 1 = Determine where the lot falls in the "Lot Size" column
- Step 2 = Determine base house size allowed in the corresponding "Maximum Allowed Structure Size" column
- Step 3 = Subtract the size of the lot from the base lot size in the "Lot Size" column
- Step 4 = Multiple the percentage identified in the "Maximum Allowed Structure Size" column by the base lot size determined in Step 1 and add the resulting number to the base house size determined in Step 2

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

- Step 1: Lot Size falls in the 20,001 to 40,000 square foot range
- Step 2: Base house size allowed in that range = 4,000 square feet
- Step 3: Size of lot subtracted from base lot size = 21,780 sq. ft. (lot size) – 20,001 (base lot size) = 1,779 sq. ft.
- Step 4: Percentage allowed over 20,001 is .06 = .06 x 1,779 sq. ft. = 106.74 sq. ft.

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

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

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

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

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

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

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

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

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

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

OS, RR, RV, RL, Zones

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

Staff is not proposing to eliminate lot coverage requirements in lieu of the FAR chart. The purpose of the FAR and Slope Density Chart in the Old Agoura Design Overlay is to address the mass and bulk of structures whereas lot coverage which is found in each of the zones (RR, RV and RL) is intended to address things like runoff and the ambience of the area. Structures, patios, swimming pools and paved driveways impact the rural character and ambience of the area. To address this issue in the RV and RL zones, the maximum building coverage would remain the same (25% in RV and 35% in RL) but all impervious surfaces including driveways and patios will be included when determining building coverage. Currently driveways and patios are excluded when determining building coverage.

Old Agoura Design Guidelines

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

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

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

Applications Currently Under Review

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

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

SUMMARY

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

RECOMMENDATION

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

Prepared by: Joyce Parker-Bozylinski, Special Projects Planner

ATTACHMENTS:

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

ATTACHMENT E

Neighborhood Compatibility Design Guidelines

City of Agoura Hills Zoning Code Amendment 08-ZOA-03
Neighborhood Compatibility Guidelines

For insertion into the City's existing
"Architectural Design
Standards & Guidelines"

Neighborhood Compatibility Guidelines for Single Family Homes in Existing Neighborhoods

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

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

1. Early Neighbor Notification. Applicants are encouraged to notify owners of property located within 100 feet of the property and any homeowners' association within 30 days of application submittal.
2. Setbacks. The minimum front yard setback should be equal to the average of the front yards of existing buildings within the block face.
3. Heights. Building heights should be compatible with the size of a lot, as well as the context of the surrounding neighborhood. The height of a structure should be compatible with the established building heights in the neighborhood.
4. Roof Pitch. Roof lines influence the overall mass and scale of a structure. Low to medium roof pitch should be provided with a minimum number of hips and valleys.
5. Plate Height. Tall plate heights unnecessarily add to the volume of a structure. Eight foot plate heights, the most common for single family homes, are encouraged.
6. Eaves. Adjusting the height of an eave may be used to lower the mass and scale of a structure by lowering the building plate.
7. Second Story Wall Height. Second story wall heights greater than six feet, as measured from the second story finished floor, should have building wall offsets

to help articulate second story mass. The offsets should comprise the full height of the wall plane.

8. Entry Feature Height. The height of entry features should match the height of eaves in the neighborhood so not to create an overwhelming entry feature
9. Second Story Decks. New or expanded second story decks or balconies with views into neighboring residential side or rear yards should address privacy protection to the greatest extent possible. The Director may refer second story decks or balconies to the Planning Commission if issues of privacy are present.
10. Second Story Design. Special sensitivity must be shown in the design of two story homes and additions, as they have a greater visual impact on the neighborhood. The construction of two-story buildings or additions can be compatible provided the design incorporates features which reduce the visual prominence of the second floor. Design features which generally reduce visual prominence include:
 - Provision of second floor offsets to avoid an unrelieved two-story wall.
 - Placing the second floor towards the back of the house to avoid a two-story profile at the street.
 - Placing the second floor in the middle of the footprint to provide a one-story transition to adjacent homes.
 - Where appropriate to the architectural style, consider architectural features that indicate where a first story ends and a second story begins when the structure is viewed from the street. Examples of appropriate floor delineations for some architectural styles include adding rooflines.
 - Where appropriate, some portions of the second story roof should be brought down to the gutter or eave line of the first story roof to reduce the apparent volume of the building.
 - First and second floor plate heights should be consistent with those established on other homes in the neighborhood.
 - Long, uninterrupted side walls should be avoided. Second stories should be setback further from the side property line than the first floor.
 - Windows on side elevations should have window and sill heights high enough to mitigate intrusion into a neighbor's privacy.

ATTACHMENT F

Old Agoura Design Guidelines

City of Agoura Hills Zoning Code Amendment 08-ZOA-03

OLD AGOURA RESIDENTIAL DESIGN GUIDELINES

For insertion into the City's existing
"Architectural Design
Standards & Guidelines"

OLD AGOURA RESIDENTIAL DESIGN GUIDELINES

INTRODUCTION

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

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

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

HISTORY

Agoura's hills are occupied by wide stretches of rolling terrain, cut by meandering creeks and studded with oak trees, a habitat type commonly referred to as an "Oak Savanna." The area was originally settled by the Chumash Indians, later by the Spanish.

In 1862, Congress passed The Homestead Act, whereby settlers could own 160 acres by living on it, building a home and raising a family. European homesteaders, such as Miguel Leonis and Pierre Agoure, a French shepherd, settled in the area and developed livestock and agricultural ranches. Agoure's Ranch totaled over 16,800 acres of grazing land and covered much of present day Agoura. The name was later altered to Agoura.

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

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

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

In the early 1970s, as housing tract developments sprang up in other parts of Agoura, Old Agoura strove to maintain its unique characteristics. Even today, there are no streetlights or sidewalks in Old Agoura.

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

DESIGN GUIDELINES

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

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

1. Preserve existing hills by situating buildings to use the existing contours of the land, incorporate surrounding oak trees and creeks, and minimize grading and destruction of the natural landscape and view sheds; conform to the land, not impose upon it.
2. Integrate into the surrounding neighborhood, considering compatible scale, style, color, and feel.
3. Respect Old Agoura's history and create architecture that incorporates both the essence of the historical periods of the area and the designs dictated by the local climate.
4. Use natural and traditional materials with an emphasis on excellent design and detail.
5. Use of eco-friendly design including the use of green building materials and energy efficient lighting, heating and cooling systems.
6. Design or preserve horse keeping areas so that the land is not made untenable for horses.

Home designs should use materials and forms that reflect the semi-rural character of the area and its climate in order to create places intimately connected with nature. Imitation of non-indigenous styles that are closely identified with other geographics is discouraged.

The following are design guidelines for new development and remodels in Old Agoura:

Maintain Neighborhood Scale

A new or remodeled home should not be out of proportion with adjacent houses. A home should be designed to fit the lot and surroundings and with internal design integrity. To help define an acceptable buildable area for each lot, the following Floor Area Ratio (FAR) and Slope Density charts were developed. The FAR is intended to guide the structure's size based on the lot size and slope. The charts are designed to preserve the character of Old Agoura's existing neighborhood by ensuring that new and remodeled homes are compatible and appropriate in scale and bulk with the existing neighborhood.

Table 1 and Table 2 below set forth the recommended maximum size of a new single family home or remodel of an existing single family home including any accessory structures with less than 50% open lattice covering.

Lofts and mezzanines are included in the calculation of floor area. Fractions of .5 or larger should be rounded to the nearest whole number. For the purposes of these Guidelines, a remodel is defined as a project that does not meet the threshold for an administrative site plan review as defined in Section 9233.8 of the Zoning Code.

The maximum size of any single family dwelling including any accessory structures, regardless of lot size, should not exceed 8,000 square feet.

Table 1 – Floor Area Ratio (FAR)

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

2. Exemptions from FAR calculations:

- a. Space for a three car garage (230 square feet per space up to a maximum of 690 square feet for a single-family residence).
- b. Attic space under six feet in height.
- c. A basement with no exposed sides in which the finished floor of the level above the basement level, at any point, is not more than three feet above adjacent natural or finished grade, whichever is lower. Such floor area may abut light wells which may occupy not more than forty percent (40%) of the lineal perimeter of that level of the building.
- d. Roofed porches attached to the primary residence, and facing the street, with no enclosure between the height of three feet and seven feet except for the building face to which it is attached.
- e. Unenclosed roofed structures for the keeping or maintaining of horses up to three hundred (300) square feet in area and one detached one story barn for the keeping or maintaining of horses up to five hundred seventy six (576) square feet in area.

The following slope factor table was developed to address hillside lots. The slope factor table further reduces the size of the house based on the slope of the parcel. Once the maximum size of the house has been determined using the FAR table (Table 1 above), that number is then multiplied by the related slope factor and the resulting number represents the maximum square footage allowed for the structure.

As average lot slope increases, allowable floor area is lowered per Table 2 below. Fractions of .5 or over are rounded to the nearest whole number.

Table 2 - Slope Factor as Related to Average Slope

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

It should be noted the established square footages represent the maximum recommended not the minimum recommended FAR. The established FAR may need to be reduced if special circumstances exist of the lot that would reduce the actual buildable area of the lot. These special circumstances could include but are not limited to flood zones and irregular shaped lots.

Height

Although the Zoning Code allows up to 35 feet in height for single family homes, homes should be designed to be compatible with the size of the lot, as well as the context of the surrounding neighborhood. Appropriate building heights may vary from site to site in order to be compatible with the established building heights in the area.

Tall plate heights (over ten feet) that unnecessarily add to the volume of a structure should be avoided. Where appropriate to the architectural style, architectural features that delineate where a first story ends and a second story begins when the structure is viewed from the street should be considered.

Horse Keeping

Details for minimum horse-keeping facilities per horse would consist of a 12 ft x 12 ft stall or shelter (or 144 square ft with a 10 ft minimum interior clearance) and a basic pipe corral paddock, minimum size 12 ft x 24 ft. However, for the large majority of horses that are not

worked daily, a minimum 24 ft x 48 ft turnout should be provided, with length for running and kicking up their heels. Larger or multiple turnouts should be planned if more animals are on a property. High use areas should be located on higher ground away from streams, with a 1-2% minimum slope for drainage. Paddocks should have sand or gravel substrate for filtration and not be built on areas with a greater than 10% slope. For pasture areas, avoid steep slopes that are susceptible to erosion; geologists recommend that horse facilities, including barns, turnouts and pasture, not be placed on areas over 10% because of potential slope failure.

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

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

Site Design

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

Oak Tree Preservation

The existence of oak trees adds to the character of the house as well as to the Old Agoura community as a whole. The City's oak tree ordinance sets forth carefully crafted rules to preserve oak trees and mitigate the loss of oaks. A copy of the ordinance is available from the City.

Minimize lot coverage

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

Style

The visual mass of a structure should be reduced with deliberate architectural elements. With the use of windows, porches, balconies, trellises, and terraces help create free-flowing space to the outdoors. Preferred basic features include:

- Wrap-around porches, balconies;
- Rear or side yard-facing garage doors;
- Front door or entryway distinctly visible from the road giving a sense of human scale;

- Generous roof overhang (where appropriate to architectural style);
- Use of natural materials such as wood and stone.

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

Roofs

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

Color

Bright colors and reflective surfaces are strongly discouraged. Dominant exterior colors that are warm, rich and reflect natural regional earth tones are preferred.

Hardscape & Driveways

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

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

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

- Stained or stamped concrete
- Exposed aggregate concrete

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

Storm Water Drainage

There are very stringent and well-defined laws dealing with water drainage. Basically, the natural or traditional path of water across their property cannot be altered without a legally approved engineering plan.

Fences

Unfenced front yards help promote openness in Old Agoura. If fencing is proposed, white or natural wood, equestrian style fencing is recommended in all yard areas visible from the road. The use of wrought iron with sharp-pointed posts or stakes is discouraged, as is the use of chain link fencing.

Landscape Areas

Landscape plants should be selected with wildfire fuel modification, water conservation, and summer heat and winter cold snaps in mind. Old Agoura has a number of microclimates and frost sensitive trees and plants may be severely damaged during the cold spells, especially in the lowlands along creek beds. The use of native plants is encouraged.

Native California heritage trees should be preserved in place whenever possible and incorporated into the project design.

Outdoor Lighting

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

The source of light in any light fixture, i.e., the bulb or other source of indirect illumination, should not be visible off-site. All light fixtures should be selected for their ability to focus light on the feature (i.e. step, path, entry) to be lighted and to have minimum light spillage.