

REPORT TO CITY COUNCIL

DATE: MAY 26, 2009

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

BY: MIKE KAMINO, DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT

SUBJECT: ADOPTION OF ORDINANCE NO. 09-361, AMENDING ZONING ORDINANCE SECTION 9312.2 (COMMERCIAL USE TABLE) TO ALLOW DAYTIME DOG CARE, INCLUDING OVERNIGHT CARE, IN THE BUSINESS PARK-MANUFACTURING (BP-M) ZONE, SUBJECT TO THE ISSUANCE OF A CONDITIONAL USE PERMIT. (CASE NO. 09-ZOA-003 – PAUL BERKOVITZ, APPLICANT)

At the May 13, 2009 City Council meeting, the Council introduced, read by title only, and waived further reading of Ordinance No. 09-361. The Ordinance will amend Municipal Code Section 9312.2 (Commercial Use Table) to allow daytime dog care, including overnight care in the Business Park-Manufacturing zone with the issuance of a Conditional Use Permit.

The City Council approved the Zoning Ordinance Amendment on a 4-0 vote. Mayor Weber was absent.

RECOMMENDATION

Staff recommends the City Council adopt Ordinance No. 09-361, relative to daytime and overnight dog care.

Attachment: Ordinance No. 09-361

ORDINANCE NO. 09-361

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING ZONING ORDINANCE SECTIONS 9312.2 AND 9312.3 (COMMERCIAL LAND USE TABLE) (CASE NO. 09-ZOA-003)

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

Section 1. Sections 9312.2, and 9312.3, Part 2 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code are hereby amended to read (new text underlined):

“9312.2. Commercial use table I.

The following shall be commercial use table I.

	USE,SERVICE OR FACILITY	COMMERCIAL			BUSINESS PARK	
		<i>CS</i>	<i>CRS</i>	<i>CR</i>	<i>BP-OR</i>	<i>BP-M</i>
	Unless otherwise indicated, listings denote retail sales operations					
D.						
6.	Disinfecting/fumigating service					X
<u>7.</u>	<u>Daytime dog care, including overnight care</u>					<u>DD</u>
7. 8.	Drafting service including incidental white-printing	X	X	X	X	X
8. 9.	Dressmaker	X	X		G,U	G
9. 10.	Drive-in café	X	X			
10. 11.	Drive-in dairy, excluding creamery	X	X			
11. 12.	Drive-in food market	X	X			
12. 13.	Driving school	J	J		J,U	J
13. 14.	Drugstore	X	X		E,U	

9312.3 Special conditions.

DD: A permitted use in the BP-M zone for parcels located south of the 101 Freeway, subject to the issuance of a Conditional Use Permit by the Planning Commission”.

Section 2. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional by any court or competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or applications, and to this end the provisions of this Ordinance are declared to be severable. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof even if one or more sections, subsections, sentences, clauses, phrases, parts or portions thereof is declared invalid or unconstitutional.

Section 3. The City Clerk shall certify to the passage of this Ordinance and shall cause same to be published pursuant to state law within fifteen (15) days after its passage, and said Ordinance shall become effective 30 days after its passage.

PASSED, APPROVED, and ADOPTED this ____ day of _____, 2009, by the following vote to wit:

AYES: (0)
NOES: (0)
ABSTAIN: (0)
ABSENT: (0)

BY:

Denis Weber, Mayor

ATTEST:

Kimberly M. Rodrigues, City Clerk

APPROVED AS TO FORM:

Craig A. Steele, City Attorney