

REPORT TO CITY COUNCIL

DATE: JANUARY 13, 2010

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

BY: MIKE KAMINO, DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT

SUBJECT: INTRODUCTION AND FIRST READING OF ORDINANCE NO. 10-373, AMENDING SECTIONS 9312.2.S.19.c, 9312.3, AND 9654.6, AND ADDING SECTION 9396.4, OF THE AGOURA HILLS MUNICIPAL CODE TO ALLOW SELF-STORAGE USE IN THE BP-M-FC ZONE, NORTH OF THE 101 FREEWAY (CASE NO. 09-ZOA-005)

Staff is requesting the City Council conduct a public hearing to introduce Ordinance No. 10-373 for first reading. The ordinance would amend Municipal Code Sections 9312.2.S.19.c, 9312.3, and 9654.6, and add Section 9396.4, to allow self-storage use in the Business Park-Manufacturing – Freeway Corridor Overlay (BP-M-FC) zone, north of the 101 Freeway.

In February of 2005, the City Council conducted a pre-screen review of a proposal to amend and expand the existing zoning ordinance regarding self-storage facilities. The purpose of the pre-screen review was for the City Council to provide non-binding comments and to help provide direction to the applicant as to whether he should proceed with the necessary legislative changes that would allow for his proposed use. At the time, the owner of a 4.8-acre lot in the BP-M-FC (Business Park Manufacturing- Freeway Corridor) zone located at 28661 Canwood Street, west of the Dale Poe Industrial Park, west of Derry Avenue, presented conceptual development plans to the City Council for development of a self-storage facility on the site. The zoning ordinance, as currently written, is quite restrictive regarding self-storage facilities. Self-storage facilities typically consist of structures that have storage units within them that are available to rent for the storage of household goods. They typically also store recreational vehicles and boats outdoors or within the storage structures and usually have a 24-hour caretaker's residence.

Currently, the zoning ordinance allows for self-storage uses only in the Business Park – Manufacturing (BP-M) and Commercial Retail Service (CRS) zones, subject to a Conditional Use Permit, provided that they are conducted in an enclosed building and not located within 5,000 feet of another self-storage facility. Also, the Freeway Corridor (FC) overlay zone standards expressly prohibit self-storage facilities and yards. In order for the property owner to have moved forward with his proposed development, a zoning ordinance amendment would have been necessary to allow storage facilities and yards in the FC Overlay zone, and to remove the criterion requiring a 5,000 foot separation between storage facilities.

There are currently two self-storage facilities in the City of Agoura Hills, which are both considered non-conforming as they existed prior to City's incorporation. Both sites are in the FC overlay zone and are located less than 5,000 feet from each other. Conejo Valley U-Store-It is located on the north side of Agoura Road, east of Kanan Road, in the AV (Agoura Village Specific Plan) zone. Agoura Self Storage is located on the north side of Agoura Road, west of Kanan Road, in the BP-M zone.

Unlike the older, traditional self storage facilities, many new ones are designed to be more compatible with the surrounding uses and greater architectural quality is incorporated into the development. For example, building walls, rather than high perimeter walls, are used to screen outdoor RV and boat storage, and compatible architectural elements and styles are used to help the storage facility blend in with the area. Also, the amount of traffic that would be generated from self storage facilities would be minimal and primarily on weekends. In addition, the development of a self-storage facility near residential communities would provide opportunity for the residents to more conveniently store household goods and recreational vehicles and boats.

The applicant's parcel on Canwood Street was zoned BP-M. The BP-M zone is the most intensive zone in the City and allows industrial-type uses such as wholesale distribution facilities, light manufacturing and assembly, and auto repair. Self-storage facilities in the BP-M zone, north of the freeway, could be considered to be in keeping with the immediate area in relation to the existing surrounding industrial park uses and the scale of existing development. The site is also not as visible from the freeway as other commercial properties and is convenient to the residential communities north of the freeway. In comparison, the BP-M zoned properties on the south side of the freeway, which are located west of Kanan Road, consist of a more office park and corporate environment, is more visible from the freeway, and is adjacent to Ladyface Mountain.

The City Council, as part of the 2005 pre-screen review, found it appropriate to consider expanding the ordinance regarding self-storage facilities with the following criteria:

- That new self-storage facilities be limited to the BP-M-FC zone on the north side of the freeway. This would generally encompass the areas on the north side of Canwood Street from near Derry to near Clareton. With this geographic limitation, the two existing non-conforming self-storage businesses would remain non-conforming.
- That self-storage facilities be subject to development, design, and performance standards. These could include provisions regarding outdoor storage, screening and landscape requirements, types of items that may be stored, etc.
- That self-storage facilities be subject to approval of a Conditional Use Permit. Additional development and operational features can be included in the CUP to further address neighborhood compatibility.

Based on direction given by the City Council at the pre-screen review, the applicant, Tom Gesler of Canwood Storage & Office, filed for a zoning ordinance amendment to allow self-storage facilities in the BP-M zone north of the freeway. The Planning Commission held two public

hearings on May 4, 2006, and June 15, 2006, to consider the applicant’s request for a recommendation to the City Council. Prior to any action taken by the Planning Commission, the applicant sold his property and the application was subsequently withdrawn. Staff has now proceeded in preparing a zoning ordinance amendment to allow self-storage facilities in the BP-M zone, north of the 101 Freeway. Accordingly, the City is the applicant for the new, proposed ordinance. There is no development project associated with this legislative request, however.

On December 3, 2009, the Planning Commission conducted a public hearing to consider the proposed ordinance, which includes proposed amendments to the zoning ordinance to address the requirement for a Conditional Use Permit for self-storage facilities, the permitted locations, development standards, and parking. The Planning Commission unanimously recommended approval of the draft ordinance. A summary of their recommendations and the draft text of the ordinance are provided below.

1. Location

The Planning Commission agreed that new self-storage facilities be located within the BP-M-FC zones on Canwood Street, near Derry Avenue and Clareton Drive, and recommended the boundaries be specifically north of Canwood Street, west of Derry Avenue and east of Clareton Drive. The BP-M-FC zones actually extend south of Canwood Street, adjacent to the 101 Freeway, but the Planning Commission found self-storage facilities to potentially be an incompatible use for the property given proximity of the freeway and the desired image of the city as viewed from the freeway. The BP-M-FC zones also extend east of Derry Avenue and west of Clareton Drive, but the everyday use of self-storage facilities within these areas may be incompatible with neighboring residential uses and the Planning Commission desired to retain the manufacturing and industrial opportunities that are within the existing business parks.

Based on these location preferences, the Planning Commission recommended amending Zoning Ordinance Section 9312.2.S.19.c of the Commercial Use Table, and Section 9312.3 of the Commercial Use Table special conditions as follows (new text underlined):

Section 9312.2.S.19.c (Commercial Use Table)

USE, SERVICE OR FACILITY	COMMERCIAL			BUSINESS PARK	
	CS	CRS	CR	BP-OR	BP-M
“Storage and warehouse uses					
c. Storage building <u>facility</u> , mini self		V			∇ <u>DD</u> ”

Section 9312.3 (Commercial Use Table Special Conditions)

“DD. Permitted in the BP-M-FC zone north of Canwood Street, east of Clareton Drive and west of Derry Avenue, subject to the issuance of a conditional use permit by the

Planning Commission, pursuant to the provisions of chapter 3, Standards for Specific Uses.”

The amendments proposed above would clarify that “self” storage use (rather than “mini” storage use, which was not defined in the Zoning Ordinance) is still allowed in the CRS and BP-M zones. The standards that apply to the CRS zone for the use would remain unchanged as follows:

- “V. Permitted subject to conditional use permit from the planning commission if the following conditions are met:
1. No similar use is within five thousand (5,000) feet of the subject parcel, or within 660 feet of the freeway right-of-way;
 2. Only within an enclosed building”

The provisions of the use in the CRS zone would no longer apply to the BP-M zone with the proposed amendments. Rather, self-storage use would be allowed in the BP-M-FC zone subject to the issuance of a Conditional Use Permit, and only north of Canwood Street, east of Clareton Drive and west of Derry Avenue. Self-storage uses would also be subject to parking and development standards discussed below.

2. Development Standards

The Planning Commission found it appropriate for the ordinance to include specific development standards for self-storage uses within the text of the ordinance, and recommends the Zoning Ordinance be amended to add Section 9361.4 (Special Commercial Use Standards), which would include the following text:

“9396.4 Self storage uses

The purpose of the following standards is to establish minimum criteria for all self storage uses located in the city to ensure that the completed project will be compatible with existing or potential uses in the surrounding area and consistent with the goals, objectives and policies of the general plan.

- A. One caretaker/residential unit may be allowed per facility.
- B. Certain building area may be designated for office and/or retail use as permitted for the zone. The size of the required office and/or retail building area shall be at the discretion of the Planning Commission as part of the Conditional Use Permit.
- C. Indoor storage of vehicles, boats and trailers is allowed. Outdoor storage ancillary to a storage building facility in the BP-M zone, including outdoor storage of vehicles, boats and trailers, shall be screened from public view.
- D. Business storage use is allowed.

- E. A minimum twenty (20)-foot landscape buffer shall be provided adjacent to all public rights-of-way and residential properties. Berming shall be provided within this landscape buffer adjacent to public rights-of-way. No parking or outdoor storage shall be allowed in this setback. A minimum five (5)-foot landscape buffer shall be provided along side property lines. The Planning Commission may increase the landscape buffers as part of its review of the Conditional Use Permit.”

The issue of whether to allow for an on-site caretaker unit was not previously raised at the City Council’s pre-screen review. Many cities allow for caretaker units for storage facilities and the Planning Commission recommends the ordinance allow for one unit for security purposes, if desired by the developer. One of the two existing self-storage facilities in the City includes a caretaker unit.

The Planning Commission also supports the outdoor storage of vehicles, trailers, and boats as an ancillary use to storage buildings. The area allowed for outdoor storage for any self-storage facility project, which is proposed to be screened from public view, would be at the discretion of the Planning Commission as part of the conditional use permit review.

In order to allow for greater compatibility with the neighboring residential property to the north of these BP-M zoned parcels and to enhance the aesthetic appearance of such facilities as viewed from the adjacent streets, the draft ordinance includes the requirement for 20-foot minimum landscape planters adjacent to residential properties and public rights-of-way. The BP-M zone currently requires 20 feet of landscaping adjacent to public rights-of-way and the rear yard landscaping requirement is currently at the discretion of the Planning Commission. A minimum 5-foot wide landscape planter along the side property lines is also recommended.

C. Parking

The Zoning Ordinance does not include an on-site parking requirement for self-storage facilities. The Planning Commission had requested that a parking requirement for this use be included in the draft ordinance, and staff subsequently surveyed other cities in the state regarding this issue. Staff also consulted with the City Traffic Engineer to determine an appropriate parking demand for new self-storage facilities. Based on the survey and the City Traffic Engineer’s recommendation, the Planning Commission recommends that the draft ordinance include an on-site parking requirement of one (1) space for each 75 storage units, plus the required spaced for each additional use on the site. Additional uses would include any office or retail space within the facility. Professional office use requires one (1) on-site parking space per 300 square feet of gross floor area. General retail uses require one (1) on-site parking space per 250 square feet of gross floor area. However, such uses are optional as drafted in the ordinance, and would be limited to those allowed in the BP-M zone.

The Planning Commission reviewed the request and determined that the proposed Zoning Ordinance Amendment required the preparation of an addendum to the General Plan Environmental Impact Report and would not result in significant environmental impacts. The request to allow self-storage facilities in the project area is consistent with the City’s General

Plan (1993) land use designation of Business Park-Manufacturing (BP-M). According to the General Plan Land Use Element, this land use designation includes larger-scale businesses involved in light manufacturing, distribution, or services requiring larger facilities than in conventional retail strip developments. Moreover, considering that self-storage facilities are allowed in the Business Park-Manufacturing land use designation of the General Plan, these and other types of related uses were already assumed in this area as part of the buildout of the City under the General Plan.

Since the proposal is for a Zoning Ordinance Amendment, and not a particular development proposal, there would be no impacts to traffic and circulation. In any case, it is possible that the ZOA's allowance for self-storage facilities may result in less traffic impacts, since most self-storage facilities generate fewer vehicle trips than traditional office and manufacturing uses. However, as individual development projects are proposed, separate CEQA review would be undertaken to determine the specific project's impacts to traffic and circulation. The ordinance would be consistent with all relevant plans, policies and regulations of the City, and so there would be no adverse impact on the environment. The Addendum is attached for review.

RECOMMENDATION

Staff recommends that the City Council conduct a public hearing, introduce, read by title only, and waive further reading of Ordinance No. 10-373, amending Municipal Code Sections 9312.2.S.19.c, 9312.3, and 9654.6, and adding Section 9396.4, to allow self-storage use in the Business Park-Manufacturing – Freeway Corridor Overlay (BP-M-FC) zone, north of the 101 Freeway.

Attachments: Ordinance No. 10-373
 Map of Proposed Zoning Ordinance Amendment Boundaries
 Addendum to the Final General Plan EIR
 Planning Commission Resolution No. 1001
 Draft Planning Commission Meeting Minutes (December 3, 2009)
 Planning Commission Staff Report (December 3, 2009)

ORDINANCE NO. 10-373

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING ZONING ORDINANCE SECTIONS 9312.2.S.19.c, 9312.3, 9654.6, AND ADDING ZONING ORDINANCE SECTION 9396.1 TO ALLOW SELF STORAGE USE IN THE BP-M-FC ZONE, NORTH OF THE 101 FREEWAY (CASE NO. 09-ZOA-005)

THE CITY COUNCIL OF THE CITY OF AGOURA HILLS HEREBY ORDAINS AS FOLLOWS:

Section 1. Section 9312.2.S.19.c of Part 2 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

USE, SERVICE OR FACILITY	COMMERCIAL	BUSINESS PARK
	CS CRS CR	BP-OR BP-M
“Storage and warehouse uses		
c. Storage building facility, mini self	V	∇ <u>DD</u> ”

Section 2. Section 9312.3 of Part 2 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

“DD. Permitted in the BP-M-FC zone north of Canwood Street, east of Clareton Drive and west of Derry Avenue, subject to the issuance of a conditional use permit by the Planning Commission, pursuant to the provisions of Chapter 3, Standards for Specific Uses.”

Section 3. Section 9396.4 of Part 11 of Chapter 3 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby added to read:

“9396.4 Self storage uses

The purpose of the following standards is to establish minimum criteria for all self storage uses located in the city to ensure that the completed project will be compatible with existing or potential uses in the surrounding area and consistent with the goals, objectives and policies of the general plan.

A. One caretaker/residential unit may be allowed per facility.

- B. Certain building area may be designated for office and/or retail use as permitted for the zone. The size of the required office and/or retail building area shall be at the discretion of the Planning Commission as part of the Conditional Use Permit.
- C. Indoor storage of vehicles, boats and trailers is allowed. Outdoor storage ancillary to a storage building facility in the BP-M zone, including outdoor storage of vehicles, boats and trailers, shall be screened from public view.
- D. Business storage use is allowed.
- E. A minimum twenty (20)-foot landscape buffer shall be provided adjacent to all public rights-of-way and residential properties. Berming shall be provided within this landscape buffer adjacent to public rights-of-way. No parking or outdoor storage shall be allowed in this setback. A minimum five (5)-foot landscape buffer shall be provided along side property lines. The Planning Commission may increase the landscape areas as part of its review of the Conditional Use Permit.”

Section 4. Section 9654.6 of Division 4 of Part 2 of Chapter 6 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code is hereby amended to read:

Industrial

“Self-storage: 1 for each 75 storage units, plus 2 for each caretaker’s unit, plus the required spaces for each additional use on the site.”

Section 5. 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.

PASSED, APPROVED, and ADOPTED this _____ day of _____, 2010,
by the following vote to wit:

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

William D. Koehler, Mayor

ATTEST:

Kimberly M. Rodrigues, City Clerk

APPROVED AS TO FORM

Craig A. Steele, City Attorney

**Boundary for Zoning Ordinance Amendment
Case No. 09-ZOA-005**



**ADDENDUM TO THE 1992 CERTIFIED
FINAL ENVIRONMENTAL IMPACT REPORT**

Prepared for the

**CITY OF AGOURA HILLS GENERAL PLAN UPDATE
State Clearinghouse No. 92091035**

**Amendment to Agoura Hills Municipal Code, Article IX-Zoning,
Sections 9312.2.S.19.c; 9312.3; 9396.4 (added); and 9654.6**

Self Storage Facilities Amendment

Prepared by:

**The City of Agoura Hills
Planning and Community Development Department
30001 Ladyface Court
Agoura Hills, CA 9130
(818) 597-7309**

November 2, 2009

INTRODUCTION

The City of Agoura Hills has prepared this Addendum to the Final Environmental Impact Report (EIR) for the City of Agoura Hills General Plan Update (March 24, 1992) (SCH No. 92091035) for various proposed changes to the Agoura Hills Municipal Code Article IX – Zoning, Sections 9312.2.S.19.c; 9312.3; 9396.4 (added); and 9654.6. The proposed amendments are consistent with the General Plan, and are therefore covered under the General Plan Update EIR.

PROJECT DESCRIPTION

The proposed Zoning Ordinance Amendment regarding self-storage facilities consists of the following changes:

1. Storage and Warehouse Uses (Sections 9312.2.S.19.c and 9312.3)
 - a. Re-classify “mini storage buildings” as “self-storage facilities” for clarification purposes. A definition of “mini storage buildings” is not included in the Zoning Ordinance.
 - b. Amend the existing allowance of self-storage facilities as a permitted use in the BP-M (Business Park-Manufacturing) zone, by deleting the requirement for the use to be “permitted subject to conditional use permit from the planning commission if the following conditions are met: 1) No similar use is within five thousand (5,000) feet of the subject parcel, or within six hundred sixty (660) feet of the freeway right of way; 2) Only within an enclosed building; 3) Must be for more than vehicles.” The proposed Zoning Ordinance Amendment would redefine the permitted boundaries of self-storage facilities in the BP-M zone by allowing the use as “permitted in the BP-M-FC (Business Park-Manufacturing-Freeway Corridor Overlay) zone north of Canwood Street, east of Clareton Drive and west of Derry Avenue, subject to the issuance of a conditional use permit by the Planning Commission, pursuant to the provision of chapter 3, standards for specific uses.”
2. Standards for Specific Uses – Self Storage Facilities (Added Section 9396.4) The Zoning Ordinance does not include development or operational standards specifically for self-storage facilities. The proposed Zoning Ordinance Amendment would establish new, minimum criteria for all self-storage uses located in the city to ensure the completed projects will be compatible with existing or potential uses in the surrounding area, and consistent with the goals, objectives, and policies of the general plan. The proposed criteria include types of allowable storage, caretaker units, ancillary office and retail uses, and on-site landscaping.

3. Parking (Section 9654.6) The Zoning Ordinance currently does not have an on-site parking requirement for self storage facilities. The proposed Zoning Ordinance Amendment clarifies the requirement of one (1) parking space to be provided for each 75 storage units, plus 2 parking spaces for each caretaker's unit, plus the number of spaces required of the Zoning Ordinance for each additional use on the site.

RATIONALE FOR USE OF AN ADDENDUM

This document has been prepared as an Addendum to the General Plan Update EIR (1992), in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15164. Section 15164 provides that a Lead Agency “shall prepare an Addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.” These include the following:

1. Substantial changes are proposed in the project that will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Pursuant to Section 15164, an analysis and explanation is provided herein documenting the City’s decision that preparation of a subsequent EIR is not required. Section 15164 was created in response to Public Resources Code (PRC) Section 21166, which provides that no subsequent or supplemental EIR shall be required unless “substantial changes” in the project or the circumstances under which the project is being undertaken will necessitate “major revisions” of the EIR or “new information” which was not known and could not have been known at the time the EIR was certified, becomes available.

The City's existing Zoning Ordinance was adopted in 1987. Since that date, the City Council has identified provisions in the Zoning Ordinance that need to be updated to address current needs and conditions of the community, including self-storage facilities. Therefore, an Amendment to the Zoning Ordinance is proposed. The circumstances, impacts, and mitigation requirements identified in the General Plan EIR remain applicable to the proposed self storage facilities ordinance, and does not cause the level of impacts identified in the General Plan EIR to be exceeded. No changes are needed to the discussion of impacts or mitigation measures in the EIR. The Zoning Ordinance Amendment consists of minor amendments to the Zoning Ordinance that was adopted in 1987. The Amendment clarifies the permitted use, locations, and development standards of self-storage facilities. This Addendum is consistent with the CEQA Guidelines and PRC Sections 15164 and 21166 in that none of the conditions outlined above that necessitate the preparation of a Subsequent EIR (CEQA Guidelines Section 15162) have been met.

This CEQA analysis focuses on the potential impacts of the proposed Amendment to the Zoning Ordinance, and not on the impacts of subsequent development applications that are regulated by the Zoning Ordinance. The City's General Plan EIR undertook a comprehensive analysis of the environmental impacts from the construction and operation of urban uses within the City. Further development applications will undergo a consistency analysis with the General Plan and its policies, and will be subject to permitting and project specific use, development and design conditions, and applicable project specific environmental review as governed by CEQA. Individual analysis of specific self storage development proposals will occur in the future when such signs are proposed for construction and when CEQA review is conducted on projects defined to be within the scope of CEQA review.

The project is a Zoning Ordinance Amendment (ZOA), and therefore is not a physical development capable of dividing an established community. In any case, locating self-storage facilities in the ZOA boundary would be generally consistent with the existing uses in the ZOA area, which consist mostly of large buildings occupied with office and manufacturing uses, including auto-related. Self-storage uses would be considered infill development in the area, given these existing uses, and not expansion into an area with significantly different land uses or development patterns.

The request to amend the City's Zoning Ordinance to allow self-storage in this particular geographical area of the City, even though it is in the Freeway Corridor Overlay Zone and less than 5,000 feet away from any other self-storage use, subject pertinent development standards to strengthen and ensure adequate land use compatibility. Currently, self-storage facilities are allowed in the base Business Park – Manufacturing (BP-M) zone, where the project is located. Additionally, the ZOA proposal includes an allowance for some limited, secondary office and retail uses as part of the self-storage facility, as long as the specific uses are consistent with what is currently allowed in the BP-M by the Zoning Ordinance. Therefore, the secondary office and retail uses allowed would also be consistent with the Zoning Ordinance. Currently, allowance of a residence

for a caretaker, proprietor or owner of a permitted use is permitted in the BP-M zone subject to a conditional use permit by the zoning administrator. The ZOA would allow for such a residence, but would not require it.

The ZOA request to allow self-storage facilities in the project area is consistent with the City's General Plan (1993) land use designation of Business Park-Manufacturing (BP-M). According to the General Plan Land Use Element, this land use designation includes larger-scale businesses involved in light manufacturing, distribution, or services requiring larger facilities than in conventional retail strip developments. Moreover, considering that self-storage facilities are allowed in the Business Park-Manufacturing land use designation of the General Plan, these and other types of related uses were already assumed in this area as part of the buildout of the City under the General Plan.

Since the proposal is for a ZOA, and not a particular development proposal, there would be no impacts to traffic and circulation. In any case, it is possible that the ZOA's allowance for self-storage facilities may result in less traffic impacts, since most self-storage facilities generate fewer vehicle trips than traditional office and manufacturing uses. However, as individual development projects are proposed in the ZOA, separate CEQA review would be undertaken to determine the specific project's impacts to traffic and circulation.

As enumerated above, the ZOA project would be consistent with all relevant plans, policies and regulations of the City, and so there would be no adverse impact on the environment.

RESOLUTION NO. 1001

A RESOLUTION OF THE AGOURA HILLS PLANNING COMMISSION
RECOMMENDING APPROVAL OF A ZONING ORDINANCE AMENDMENT
REGARDING SELF-STORAGE FACILITIES IN THE BP-M-FC ZONE
(CASE NO. 09-ZOA-005)

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

WHEREAS, the Planning Commission has considered the City of Agoura Hills' proposed amendment to Sections 9312.2.S.19.c, 9312.3 and 9654.6 of Article IX of the Municipal Code, and the addition of Section 9396.4 to Article IX of the Municipal Code, to allow self-storage facilities in the BP-M-FC zone (Case No. 09-ZOA-005). A public hearing was duly held to consider the request on December 3, 2009, at 6:30 p.m. in the City Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of the public hearing was duly given; and

WHEREAS, self storage facilities are currently prohibited within the Freeway Corridor Overlay (FC) zone; and

WHEREAS, this Zoning Ordinance Amendment will allow for new self-storage use on parcels within the Business Park-Manufacturing (BP-M), within the Freeway Corridor (FC) zone, north of the 101 freeway, subject to the issuance of a Conditional Use Permit; and

WHEREAS, this Zoning Ordinance Amendment will allow for individual review of self-storage development proposals through public hearings conducted by the Planning Commission to ensure compatibility with neighboring uses and required development standards of the use and zone; and

WHEREAS, this Zoning Ordinance Amendment is consistent of Goal No. 1 of the General Plan Land Use Element in that it provides for a mix of land uses within the BP-M zone which meet the diverse needs of Agoura Hills residents; and

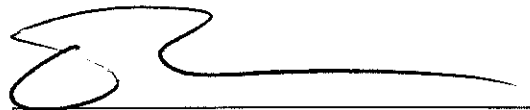
WHEREAS, this Zoning Ordinance Amendment has no likelihood of causing a significant negative effect on the environment and the effects derivative from the adoption of the Ordinance, pursuant to the California Environmental Quality Act, are found to be consistent with the Final General Plan Environmental Impact Report. The Zoning Ordinance Amendment will maintain the current environmental conditions arising from the current land use regulatory provisions as adopted by the City without change or alteration. The Planning Commission recommends adoption of the Addendum to the Final General Plan Environmental Impact Report prepared for this Zoning Ordinance Amendment.

Resolution No. 1001
Case No. 09-ZOA-005
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NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Agoura Hills recommends the City Council adopt the attached Ordinance to amend Sections 9312.2.S.19.c, 9312.3 and 9654.6 of Article IX of the Municipal Code, and to add Section 9396.4 to Article IX of the Municipal Code, to allow self-storage facilities in the BP-M-FC zone.

PASSED, APPROVED, and ADOPTED this 3rd day of December, 2009, by the following vote to wit:

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

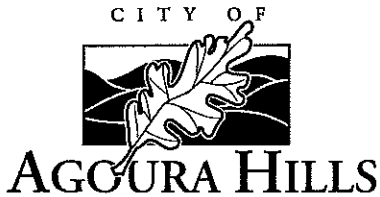


John O'Meara, Chairperson

ATTEST:



Mike Kamino, Secretary



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

**MINUTES OF THE REGULAR SCHEDULED MEETING OF
THE PLANNING COMMISSION
December 3, 2009**

CALL TO ORDER:

Chair O'Meara called the meeting to order at 6:34 p.m.

FLAG SALUTE:

Vice Chair Zacuto

ROLL CALL:

Chair John O'Meara, Vice Chair Curtis Zacuto, Commissioners Illece Buckley Weber and Steve Rishoff.

Also, present were Director of Planning and Community Development Mike Kamino, Assistant Community Development Director Doug Hooper, and Recording Secretary Sheila Keckhut.

APPROVAL OF AGENDA

On a motion by Commissioner Buckley Weber, seconded by Vice Chair Zacuto, the Planning Commission moved to approve the Agenda of the December 3, 2009 Planning Commission Meeting. Motion carried 4-0.

APPROVAL OF MINUTES

1. Minutes – November 19, 2009 Planning Commission Meeting

On a motion by Commissioner Rishoff, seconded by Commissioner Buckley Weber, the Planning Commission moved to approve the Minutes of the November 19, 2009 Planning Commission Meeting. Motion carried 3-0-1. Vice Chair Zacuto abstained.

PUBLIC HEARINGS

2. REQUEST:

Request for a recommendation of approval to the City Council to amend Zoning Ordinance Sections 9312, 9396 and 9654.6 to allow self storage facilities as a permitted use, subject to issuance of a Conditional Use Permit, within the BP-M-FC (Business Park-Manufacturing – Freeway Corridor overly)

zone located north of Canwood Street, east of Clareton Drive and west of Derry Avenue.

DRAFT

APPLICANT:

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

CASE NO.:

09-ZOA-005

LOCATION:

Citywide

ENVIRONMENTAL
DETERMINATION:

Addendum to the General Plan Environmental Impact Report

RECOMMENDATION:

Staff recommended the Planning Commission recommend the City Council approve Zoning Ordinance Amendment Case No. 09-ZOA-005.

PUBLIC COMMENTS:

Chair O'Meara opened the Public Hearing.

The following person spoke on this agenda item:

Dan Motta, Resident

Chair O'Meara closed the public hearing.

ACTION:

On a motion by Vice Chair Zacuto, seconded by Commissioner Buckley Weber, the Planning Commission moved to approve Resolution 1001, recommending the City Council approve the amended draft ordinance for Zoning Ordinance Amendment Case No. 09-ZOA-005. Motioned carried 4-0.

ANNOUNCEMENTS ON ITEMS NOT LISTED ON THE AGENDA

Chair O'Meara thanked everyone for a good year. Vice Chair Zacuto also thanked everyone and announced that he will not be seeking reappointment to the Planning Commission for the next term.

DRAFT

ADJOURNMENT

~~At 7:00 p.m., on a motion by Commissioner Buckley Weber, seconded by Commissioner Rishoff, the Planning Commission moved to cancel the next Regular Meeting of the Planning Commission scheduled for December 17, 2009 and adjourned to 6:30 p.m., Thursday, January 7, 2010, for a Regular Meeting of the Planning Commission. Motion carried 4-0.~~

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**DEPARTMENT OF PLANNING AND
COMMUNITY DEVELOPMENT**

ACTION DATE: December 3, 2009

TO: Planning Commission

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

CASE NO.: 09-ZOA-005

LOCATION: Citywide

REQUEST: Request for a recommendation of approval to the City Council to amend Zoning Ordinance Sections 9312, 9396 and 9654.6 to allow self storage facilities as a permitted use, subject to issuance of a Conditional Use Permit, within the BP-M-FC (Business Park–Manufacturing – Freeway Corridor Overlay) zone located north of Canwood Street, east of Clareton Drive and west of Derry Avenue.

**ENVIRONMENTAL
DETERMINATION:** Addendum to the General Plan Environmental Impact Report

RECOMMENDATION: Staff recommends that the Planning Commission recommend the City Council approve Zoning Ordinance Amendment Case No. 09-ZOA-005.

I. PROJECT BACKGROUND AND DESCRIPTION

In February of 2005, the City Council conducted a pre-screen review of a proposal to amend and expand the existing zoning ordinance regarding self-storage facilities. The purpose of the pre-screen review was for the City Council to provide non-binding comments and to help provide direction to the applicant as to whether he should proceed with the necessary legislative changes that would allow for his proposed use.

At the time, the owner of a 4.8-acre lot in the BP-M-FC (Business Park Manufacturing-Freeway Corridor) zone located at 28661 Canwood Street, west of the Dale Poe Industrial Park, west of Derry Avenue, presented conceptual development plans to the City Council

for development of a self-storage facility on the site. The zoning ordinance, as currently written, is quite restrictive regarding self-storage facilities. Self-storage facilities typically consist of structures that have storage units within them that are available to rent for the storage of household goods. They typically also store recreational vehicles and boats outdoors or within the storage structures and usually have a 24-hour caretaker's residence.

The zoning ordinance allows for self-storage uses only in the Business Park – Manufacturing (BP-M) and Commercial Retail Service (CRS) zones, subject to a Conditional Use Permit, provided that they are conducted in an enclosed building and not located within 5,000 feet of another self-storage facility. Also, the Freeway Corridor (FC) overlay zone standards expressly prohibit self-storage facilities and yards. In order for the property owner to have moved forward with his proposed development, a zoning ordinance amendment would have been necessary to allow storage facilities and yards in the FC Overlay zone, and to remove the criterion requiring a 5,000 foot separation between storage facilities.

There are currently two self-storage facilities in the City of Agoura Hills, which are both considered non-conforming as they existed prior to City's incorporation. Both sites are in the FC overlay zone and are located less than 5,000 feet from each other. Conejo Valley U-Store-It is located on the north side of Agoura Road, east of Kanan Road, in the AV (Agoura Village Specific Plan) zone. Agoura Self Storage is located on the north side of Agoura Road, west of Kanan Road, in the BP-M zone.

The City Council considered that unlike the older, traditional self storage facilities, many new ones are designed to be more compatible with the surrounding uses and greater architectural quality is incorporated into the development. For example, building walls rather than high perimeter walls are used to screen outdoor RV and boat storage and compatible architectural elements and styles are used to help the storage facility blend in with the area. Also, the amount of traffic that would be generated from self storage facilities would be minimal and primarily on weekends. In addition, the development of a self-storage facility near residential communities would provide opportunity for the residents to more conveniently store household goods and recreational vehicles and boats.

The applicant's parcel on Canwood Street was zoned BP-M. The BP-M zone is the most intensive zone in the City and allows industrial-type uses such as wholesale distribution facilities, light manufacturing and assembly, and auto repair. The City Council noted that self-storage facilities in the BP-M zone, north of the freeway, could be considered to be in keeping with the immediate area in relation to the existing surrounding industrial park uses and the scale of existing development. The site is also not as visible from the

freeway as other commercial properties and is convenient to the residential communities north of the freeway. In comparison, the BP-M zoned properties on the south side of the freeway, which are located west of Kanan Rd., consist of a more office park and corporate environment, is more visible from the freeway, and is adjacent to Ladyface Mountain.

The City Council found it appropriate to consider expanding the ordinance regarding self-storage facilities with the following criteria:

- That new self-storage facilities be limited to the BP-M-FC zone on the north side of the freeway. This would generally encompass the areas on the north side of Canwood Street from near Derry to near Clareton. With this geographic limitation, the two existing non-conforming self-storage businesses would remain non-conforming.
- That self-storage facilities be subject to development, design, and performance standards. These could include provisions regarding outdoor storage, screening and landscape requirements, types of items that may be stored, etc.
- That self-storage facilities be subject to approval of a Conditional Use Permit. Additional development and operational features can be included in the CUP to further address neighborhood compatibility.

Based on direction given by the City Council, the applicant, Tom Gesler of Canwood Storage & Office, filed for a zoning ordinance amendment to allow self-storage facilities in the BP-M zone north of the freeway. The Planning Commission held two public hearings on May 4, 2006, and June 15, 2006, to consider the applicant's request for a recommendation to the City Council. Prior to any action taken by the Planning Commission, the applicant sold his property and the application was subsequently withdrawn.

The City Council has now directed staff to proceed in preparing a zoning ordinance amendment to allow self-storage facilities in the BP-M zone, north of the 101 Freeway. With this direction, the City is the applicant for the new, proposed ordinance. There is no development project associated with this legislative request.

II. STAFF ANALYSIS

Staff has prepared the attached draft ordinance for the Planning Commission's review. The ordinance includes proposed amendments to the zoning ordinance to address the requirement for a Conditional Use Permit for self-storage facilities, the permitted

locations, development standards, and parking. A summary of staff's recommendations and the draft text of the ordinance are provided below.

1. Location

The City Council preferred that new self-storage facilities be located within the BP-M-FC zones on Canwood Street, near Derry Avenue and Clareton Drive. Staff is recommending that the boundaries be specifically north of Canwood Street, west of Derry Avenue and east of Clareton Drive. The BP-M-FC zones actually extend south of Canwood Street, adjacent to the 101 Freeway, but staff finds self-storage facilities to potentially be an incompatible use for the property given proximity of the freeway and the desired image of city as viewed from the freeway. The BP-M-FC zones also extend east of Derry Avenue and west of Clareton Drive, but the everyday use of self-storage facilities within these areas may be incompatible with neighboring residential uses and staff desires to retain the manufacturing and industrial opportunities that are within the existing business parks.

Based on the Planning Commission's recommendation, staff proposes to amend Zoning Ordinance Section 9312.2.S.19.c of the commercial use table, and Section 9312.3 of the commercial use table special conditions as follows (new text underlined):

Section 9312.2.S.19.c (Commercial Use Table)

USE, SERVICE OR FACILITY	BUSINESS PARK				
	COMMERCIAL				
	CS	CRS	CR	BP-OR	BP-M
"Storage and warehouse uses					
c. Storage building facility, mini self <u>building facility, mini self</u>		V			∇ <u>DD</u> "

Section 9312.3 (Commercial Use Table Special Conditions)

"DD. Permitted in the BP-M-FC zone north of Canwood Street, east of Clareton Drive and west of Derry Avenue, subject to the issuance of a conditional use permit by the Planning Commission, pursuant to the provisions of chapter 3, standards for specific uses."

The amendments proposed above would clarify that "self" storage use (rather than "mini" storage use, which was not defined in the Zoning Ordinance) is still allowed in the CRS

and BP-M zones. The standards that apply to the CRS zone for the use would remain unchanged as follows:

- “V. Permitted subject to conditional use permit from the planning commission if the following conditions are met:
1. No similar use is within five thousand (5,000) feet of the subject parcel, or within 660 feet of the freeway right-of-way;
 2. Only within an enclosed building”

The provisions of the use in the CRS zone would no longer apply to the BP-M zone with the proposed amendments. Rather, self storage use would be allowed in the BP-M-FC zone subject to the issuance of a Conditional Use Permit, and only north of Canwood Street, east of Clareton Drive and west of Derry Avenue. Self storage uses would also be subject to parking and development standards discussed below.

2. Development Standards

During their pre-screen review of the zoning ordinance amendment in 2006, the City Council directed staff to include specific development standards for self-storage uses within the text of the ordinance. Accordingly, staff recommends that Zoning Ordinance be amended to add Section 9361.4 (Special Commercial Use Standards), which would include the following text:

“9396.4 Self storage uses

The purpose of the following standards is to establish minimum criteria for all self storage uses located in the city to ensure that the completed project will be compatible with existing or potential uses in the surrounding area and consistent with the goals, objectives and policies of the general plan.

- A. One caretaker/residential unit may be allowed per facility.
- B. Certain building area may be designated for office and/or retail use as permitted for the zone. The size of the required office and/or retail building area shall be at the discretion of the Planning Commission as part of the Conditional Use Permit.
- C. Indoor storage of vehicles, boats and trailers is allowed. Outdoor storage ancillary to a storage building facility, including outdoor storage of vehicles, boats and trailers, shall be screened from public view.

- D. Business storage use is allowed.
- E. A minimum twenty (20)-foot landscape buffer shall be provided adjacent to all public rights-of-way and residential properties. Berming shall be provided within this landscape buffer adjacent to public rights-of-way. No parking or outdoor storage shall be allowed in this setback. A minimum five (5)-foot landscape buffer shall be provided along side property lines. The Planning Commission may increase the landscape areas.”

The issue of whether to allow for an on-site caretaker unit was not previously raised at the City Council’s pre-screen review. Many cities allow for caretaker units for storage facilities and staff recommends the ordinance allow for one unit for security purposes. One of the two existing self-storage facilities in the City includes a caretaker unit.

Staff also supports the outdoor storage of vehicles, trailers, and boats as an ancillary use to storage buildings. The area allowed for outdoor storage for any self-storage facility project, which is proposed to be screened from public view, would be at the discretion of the Planning Commission as part of the conditional use permit review.

In order to allow for greater compatibility with the neighboring residential property to the north of these BP-M zoned parcels and to enhance the aesthetic appearance of such facilities as viewed from the adjacent streets, the draft ordinance includes the requirement for 20-foot minimum landscape planters adjacent to residential properties and public rights-of-way. The BP-M zone currently requires 20 feet of landscaping adjacent to public rights-of-way and the rear yard landscaping requirement is currently at the discretion of the Planning Commission. A minimum 5-foot wide landscape planter along the side property lines is also recommended.

C. Parking

The Zoning Ordinance does not include an on-site parking requirement for self-storage facilities. The Planning Commission requested that a parking requirement for this use be included in the draft ordinance and staff subsequently surveyed other cities in the state regarding this issue. Staff also consulted with the City Traffic Engineer to determine an appropriate parking demand for new self-storage facilities. Based on the survey and the City Traffic Engineer’s recommendation, staff recommends that the draft ordinance include an on-site parking requirement of one (1) space for each 75 storage units, plus the required spaced for each additional use on the site. Additional uses would include any office or retail space within the facility. Professional office use requires one (1) on-site parking space per 300 square feet of gross floor area. General retail uses require one (1) on-site parking space per 250 square feet of gross floor area. However, such uses are

optional as drafted in the ordinance, and would be limited to those allowed in the BP-M zone.

Environmental Review

Staff has reviewed the request and determined that the proposed Zoning Ordinance Amendment required the preparation of an addendum to the General Plan Environmental Impact Report and would not result in significant environmental impacts. The Addendum is attached for review.

III. RECOMMENDATION

Staff recommends that the Planning Commission recommend the City Council approve Zoning Ordinance Amendment Case No. 09-ZOA-005.

IV. ATTACHMENTS

- Draft Resolution
- Draft Ordinance
- Map of Proposed Zoning Ordinance Amendment Boundaries
- Addendum to the Final General Plan EIR

Case Planner: Doug Hooper, Assistant Director of Community Development