



**DEPARTMENT OF PLANNING AND  
COMMUNITY DEVELOPMENT**

**TO: PLANNING COMMISSION**

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

**DATE: FEBRUARY 16, 2006**

**SUBJECT: AGOURA VILLAGE SPECIFIC PLAN AND DRAFT ENVIRONMENTAL  
IMPACT REPORT – INFORMATION ITEM**

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The purpose of this report is to provide an update on the Agoura Village Specific Plan (AVSP or Plan) and Draft Environmental Impact Report (DEIR), and the steps necessary for Plan adoption. After the background information, the report consists of two main components: (1) status of the DEIR; and (2) summary of the range of actions to approve both the AVSP and DEIR that the Planning Commission will need to consider. The presentation of the Specific Plan and Draft Environmental Impact Report at this time is intended for information purposes only and no action is required by the Planning Commission. However, staff will be glad to explain or clarify items for the Planning Commission at the Planning Commission meeting. Staff anticipates that the Specific Plan and Environmental Impact Report will be brought before the Planning Commission for consideration and recommendation to City Council in March or April of this year at a noticed public hearing where there will be an opportunity for the public to comment on both documents. Therefore, if any Commissioners have specific questions about the Specific Plan or DEIR, staff would like to return with responses in greater detail at the public hearing.

**I. BACKGROUND**

The AVSP is the result of a long range planning effort launched about nine years ago by the City of Agoura Hills that will lead to the revitalization, appropriate use, and the beautification of the Agoura Road corridor generally between Kanan and Cornell Roads. The AVSP is a comprehensive document that identifies the vision for Agoura Village and provides regulations and guidelines for new development and redevelopment. It establishes a framework for development within the area, with a logical system of circulation and parking, improvements to the streetscape, and a cohesive set of public improvements that would lead to the creation of a true pedestrian-friendly sense of place in Agoura Hills.

The components of the Specific Plan include: (1) an assessment of existing physical, circulation and market conditions; (2) mobility, including traffic calming measures, parking strategies, street improvements, and pedestrian and bicycle circulation; (3) land use and development standards, including allowed uses, physical and site layout standards, site grading and natural resource protection,

and open space requirements; (4) design guidelines for landscaping, parking lots, pedestrian and vehicular connections, lighting, building design principles, building signage; (5) street beautification and public improvements that consist of gateways and signage into the Village area, street furnishings, and landscape palette; (6) provision of infrastructure and public services; (7) plan implementation including necessary capital projects, potential funding sources, and potential business recruitment strategies; and (8) plan administration, which consists of the relationship of the AVSP to other planning and policy documents and various administrative procedures to implement the Plan.

The vision for Agoura Village is to create a welcoming, pedestrian-friendly atmosphere that captures the character of Agoura Hills. The Village would become a destination and not just a pass through area for highway users and visitors to the area. It would be shaped into an identifiable and inviting place with an intimate streetscape lined with unique storefronts and would become a comfortable place to gather, shop and stroll. To achieve this vision, the Village would begin a transition from its current state toward a unique balance of land uses over time, consisting of retail, office, entertainment, restaurant and residential. The residential units are critical to providing support for the retail and other commercial development. In summary, the key components of the Agoura Village would include: traffic calming devices such as landscaped medians and diagonal parking along the main streets; a roundabout at Kanan and Agoura Roads as a traffic measure as well as a focal point and gateway into the Village; a focus on pedestrian orientation through connected walkways both within individual developments and throughout the greater Village area, with a de-emphasis on the automobile as the primary mode of travel within the Village area; a mix of land uses, including residential, to provide mutual support to the various developments, as well as encourage a varied and vibrant urban environment; development that is more human in scale, with smaller tenant spaces and varied and unique storefronts; and preservation of important open space and natural resources.

The Plan allows for more flexibility than what is presently allowed by City zoning regulations, and calls for more unique developments than those anticipated under existing rules and procedures. It establishes appropriate land uses, urban design concepts, architectural design guidelines, and sets into place regulations to implement the vision. As shown in Attachments A and B, Projection of Full Buildout of Project Area Under Current General Plan Land Use Designations, and Maximum Buildout Potential for the AVSP, respectively, buildout of the Agoura Village as anticipated in the AVSP would result in roughly the same overall density of development than that allowed under the current General Plan. The main difference between the type and amount of development anticipated in the AVSP and General Plan is that the AVSP would allow for multi-family residential uses (apartments, townhouses) as a complement to the commercial uses. Under the current General Plan, full buildout of the Agoura Village area would result in 952,970 square feet of non-residential development (assuming an additional 580,928 square feet over what now exists). With the proposed AVSP, the full buildout would be 948,500 square feet of non-residential development (assuming an additional 576,458 square feet beyond what currently exists), and 293 dwelling units. Under both scenarios, density is calculated using an FAR or Floor Area Ratio (total lot area over building square footage) of 0.35. This FAR was identified in the General Plan as a potential buildout scenario, and this FAR is also a reasonable maximum buildout scenario for Agoura Village, considering the types of development that are anticipated. Note, however, that the FAR is a maximum allowed; in actuality, not all of the parcels in the AVSP may be developed at this level of density. The primary reason for the minor difference in total square footage in these two documents, even with using the same FAR, is that the western portion of the AVSP area that is currently

within the Ladyface Mountain Specific Plan would be allowed a slightly less amount of development under the Agoura Village Specific Plan.

Without the Specific Plan, commercial uses could continue to develop incrementally in this same area at the density allowed by the General Plan, but without the benefit of a framework to guide the development and achieve a more consistent theme and appearance throughout the Village. With the Specific Plan, the City has a unique opportunity to help guide the pattern of development in this area in a comprehensive, not piece-meal, fashion.

In 1997, the City hired Envicom Corporation to conduct a charette and workshop to help develop the vision for Agoura Village. In 2001, the City hired RRM Design Group to further develop the vision through the preparation of the Agoura Village Strategic Plan and Agoura Village Specific Plan. RRM worked with the Agoura Village Task Force and staff in developing the Plan. Plan development occurred through input at several public joint City Council/Planning Commission meetings and workshops, stakeholder interviews, and a public open house held in 2002, where over 60 people were in attendance.

The Draft Specific Plan was completed by August 2005, and an informational open house attended by over 70 people was held in October 2005 to describe the Plan and get feedback from the public. Early in 2005, Rincon Consultants was hired to assist the City in preparing the Environmental Impact Report (EIR) for the AVSP. The Draft EIR was completed in November 2005, as described further below, and a public hearing on the DEIR was conducted on December 1, 2005.

## II. DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)

### Public Comments

The Draft Environmental Impact Report (DEIR) was released for public review on November 15, 2005. The official public review period closed on January 3, 2006. A Notice of Availability of the DEIR for public comment was mailed to about 180 individuals/entities. These included property owners and tenants in the Agoura Village Specific Plan area boundary, public interest/non-profit groups, homeowners associations, public agencies at the local, state and federal level, and interested individuals who asked to be placed on the notification list. Notices were posted at City Hall, the Agoura Hills Library and the Los Angeles County Clerk's Office, as well as in the local newspaper. Twenty eight comment letters were received on the DEIR, with some of the commenters providing multiple letters. Of these, thirteen were from public agencies; twelve were from community members/interest groups, the majority of which were from individuals residing outside of the City of Agoura Hills; and three (from the same individual) were written by a representative of a property owner in the AVSP area. Public comments were accepted beyond the January 3, 2006 deadline, at the request of commenters from regulatory agencies, with the last letter submitted on January 24, 2006. The most common topic themes found in the public comment letters were concerns about the following:

- Roundabout safety – driver lack of familiarity and access for emergency vehicles
- Traffic congestion
- Open space and natural resource protection, including sensitive species

- Density of commercial and residential development

Additionally, a review of the entire scope of the comments indicated a common misunderstanding of the purpose of the AVSP and the type of Environmental Impact Report prepared, which is referred to as a Program EIR. The following discussion addresses these misconceptions. Some of the commenters requested more detailed data (e.g., geotechnical and biological), as well as more detailed mitigation measures, than provided in the DEIR. According to Section 15168 of the California Environmental Quality Act (CEQA) Guidelines, a Program EIR is prepared for an agency program or series of actions that can be characterized as one large project. Typically, such a project involves actions that are closely related either geographically or temporally. Program EIRs generally analyze broad environmental effects of the program with the acknowledgement that site-specific environmental review may be required for particular aspects of portions of the program when those aspects are proposed for implementation. According to Section 15168(b) of the CEQA Guidelines, there are several advantages to using a Program EIR:

- Provision for a more exhaustive consideration of impacts and alternatives than would be practical in an individual EIR.
- Focus on cumulative impacts that might be slighted in a case-by-case analysis.
- Avoidance of continual reconsideration of recurring policy issues.
- Consideration of broad policy alternatives and programmatic mitigation measures at an early stage when the agency has greater flexibility to deal with them.
- Reduction of paperwork by encouraging the reuse of data (through tiering)

As noted earlier, the AVSP is the regulatory framework for future development of the Plan area, and establishes land uses, systems of circulation and parking, streetscape and other public improvements, and design and development standards. Therefore, the AVSP is not a specific development proposal. The AVSP is more detailed than the City's General Plan, which encompasses the entire City limits and so by its nature is broader in scope, but less detailed than individual development proposals are required to be when they are submitted to the Planning and Community Development Department as applications for review and consideration. While the City is preparing the AVSP to guide development in a local area, as allowed by State regulations, the City would not serve as developer of the individual parcels. There are numerous property owners in the AVSP area, and development of the AVSP area would be left to private developers and would proceed incrementally as the market dictates. There are a number of development proposals for specific parcels in the AVSP that City staff has been reviewing on an informal basis. These projects have been waiting for the AVSP process to be completed. If the AVSP is approved and the EIR certified, the entitlement for individual development proposals would be processed for formal review, similar to any other development proposal in the City. These proposals would need to be considered by the Planning Commission on a case by case basis, as separate project approvals.

The CEQA Guidelines (Section 15168(c)) state that once a Program EIR has been prepared, subsequent

activities within the program (i.e., individual projects) must be evaluated to determine whether an additional CEQA document needs to be prepared. In some cases, the Program EIR may be sufficient, and in others, an additional EIR or Negative Declaration or Mitigated Negative Declaration may be required. The City would need to evaluate the environmental impacts of each development proposal in the AVSP area as they are submitted to the City, and make such a determination. The Program EIR will be used to evaluate the individual projects. However, it is anticipated that many of the larger projects in the AVSP area would require supplemental geotechnical, biological and traffic studies that are site specific, which along with the Program EIR, will form the basis of the environmental evaluation for the particular individual project. It is at this time, when the specific details of the development proposal (site layout, grading plans, etc.) are known that specific analysis of the project and creation of more detailed project conditions can be made. So, the general mitigation measures in the Program EIR will apply to the individual projects, and more specific mitigation measures and/or project conditions of approval may be added as well. The level of environmental analysis and detail of the mitigation measures provided in the Program EIR is consistent with the CEQA Guidelines, and is the maximum feasible without knowing the precise footprint of buildings, the overall site layout, and the details contained in grading, engineering, and architectural plans. Therefore, the Program EIR is not the last CEQA review that a development proposal in the AVSP area will undergo.

The City's EIR consultant is currently working on responding to each comment received during the public review period. A copy of each comment and the corresponding response will be published as part of the Final EIR and will be provided to the Planning Commission and all agencies that commented, as well as made available to the public, sufficiently in advance of the Planning Commission hearing where approval of the AVSP and certification of the EIR will be considered. For informational purposes, the Public Resources Code Section 21092.5(a) requires that the City provide responses to all comments received at least ten days prior to certifying the Final EIR. The responses to the comments are expected to be completed by early March 2006.

#### Level of Impacts Identified in the DEIR

The Draft EIR has identified a series of project impacts that are divided into four categories: Class I, Class II, Class III, and Class IV. Class I impacts are unavoidable adverse impacts that cannot be mitigated to a less than significant level. What this means is that after applying the mitigation measures, the level of a certain environmental impact, while lessened, is still considered to be above the level of significance. In the DEIR, Class I impacts are identified for short-term construction air quality emissions and ongoing long-term air quality emissions associated with operation of the development projects. For projects of this scale, air quality impacts are typically found to be Class I given the strict South Coast Air Quality Management District standards.

Another Class I impact would be the operation of the Agoura Road segment between Kanan and Cornell Roads at a level below the City's normally accepted LOS C standard. The DEIR states that the buildout of the Plan over many years would result in vehicle trips along the Agoura Road segment between Kanan and Cornell Roads to operate with LOS D characteristics, due to traffic calming measures, such as diagonal street parking and landscaped medians. This level of service condition would probably not occur in the short-term. This impact is considered

unmitigable, as circulation improvements would involve widening the road segment, thereby encouraging vehicles to quickly pass through the area. This would be inconsistent with the Plan objectives of utilizing traffic calming measures to create an intimate, pedestrian-oriented village in the Plan area.

For Class I impacts, a Statement of Overriding Considerations (SOC) per CEQA Guidelines Section 15093 would be required. A SOC is a written statement explaining why an agency (City) is willing to accept each significant effect, after weighing the specific benefits and environmental disadvantages associated with the project. Please see below for further discussion of the SOC.

Class II impacts are significant impacts that can be mitigated to less than significant levels with incorporation of certain measures. Class III impacts are less than significant impacts. Both of these types of impacts are identified for almost all of the environmental issue areas analyzed in the DEIR. A Class IV impact is a beneficial impact. The DEIR identifies one beneficial aesthetic impact from implementation of the project.

### III. ACTIONS NECESSARY TO APPROVE THE AVSP AND CERTIFY THE EIR

In order to approve the AVSP, certify the EIR, and ensure consistency among the AVSP and the General Plan, Zoning Code and Ladyface Mountain Specific Plan, several actions would be required. Since many of the actions are legislative in nature, the Planning Commission would be the recommending body and the City Council would be the final approving body. The following is a list of the actions the Planning Commission would need to undertake:

1. A Resolution recommending that City Council do the following: certify the EIR; make findings to support the City's approval of the Specific Plan and adopt the Specific Plan; adopt a Statement of Overriding Considerations; adopt a Mitigation Monitoring and Reporting Program; and make General Plan consistency findings.
2. A Resolution recommending an amendment to the Ladyface Mountain Specific Plan to remove the parcel on the southwest corner of Kanan and Agoura Road, since the parcel will now be included in the Agoura Village Specific Plan boundary.
3. A Resolution recommending adoption of an Ordinance approving a Zoning Map amendment and Zoning Code amendment.
4. A Resolution recommending approval of a General Plan Map amendment and directing staff to make any needed General Plan text/exhibit changes as part of the General Plan Update, which is currently underway.

These items are explained further in the following paragraphs.

#### Environmental Impact Report - Actions

The City must certify the Final EIR prepared for the AVSP. According to the CEQA Guidelines, certification consists of three steps. Prior to approving a project, the lead agency must certify that: (1) the Final EIR was completed in compliance with CEQA; (2) the Lead Agency (City) reviewed and considered the Final EIR before approving the project; and (3) the Final EIR reflects the agency's independent judgment and analysis. (Section 15090(a)).

State CEQA Guidelines Section 15091 requires written findings to support an agency's approval of the project. The findings must be supported by substantial evidence in the record. The following two findings would be necessary.

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environment effect as identified in the Final EIR.
2. Specific economic, legal, social, technological or other considerations make infeasible the mitigation measures or project alternatives. (CEQA Guidelines, Section 15091).

The latter finding relates to the Statement of Overriding Consideration, mentioned earlier in this report. If there remain significant environmental effects even with the adoption of all feasible mitigation measures or alternatives, the agency (City) must adopt a Statement of Overriding Considerations before it can proceed with the project. A Statement of Overriding Considerations explains why the benefits of the project outweigh the significant unavoidable effects disclosed in EIR.

CEQA Guidelines Section 15097 requires an approving agency to adopt a Mitigation Monitoring and Reporting Program (MMRP) for measures needed to avoid or lessen a project's significant effects. The purpose of such a program is to ensure that mitigation measures identified in the EIR are implemented. These measures then become project conditions of approval.

#### Specific Plan - Actions

As part of the Planning Commission's recommendation in approving the Specific Plan, a finding of Specific Plan consistency with the General Plan must also be made. Consistency will be demonstrated through a discussion of the individual policies and programs of the AVSP and how each consistently implements the General Plan.

Prior to the Planning Commission public hearing, staff will be providing a list of recommended changes to the AVSP. Most of the recommended changes will be administrative and for clarification purposes. Some of the changes, however, will be a result of mitigation measures identified in the EIR. The recommended changes will be provided to the Commission through the use of an errata sheet. The errata sheet would be adopted along with the Specific Plan, and then once the public hearings are concluded, all the approved changes would be incorporated into the final document.

### Zoning Map - Actions

The following changes to the Zoning Map are necessary:

1. Rezone properties covered by the Agoura Village Specific Plan from the current zoning to Specific Plan (SP), including removing the Freeway Corridor (FC) overlay and the Agoura Village (AV) overlay.

### Zoning Code-Actions

The only item necessary would be to eliminate the AV Overlay section references in the Zoning Code.

### General Plan Amendments - Actions

The General Plan would need to be amended to add “Agoura Village Specific Plan” as a land use designation in the General Plan text. The City is currently in the process of updating the General Plan, so any proposed amendments to the General Plan will be listed in the Resolution, with direction to staff to make the changes as part of General Plan Update.

### General Plan Land Use Map - Actions

The following two map changes would be necessary:

1. Add Agoura Village Specific Plan as the new land use designation in the Plan area. The Agoura Village Specific Plan designation would replace the current Commercial-Retail/Service (CG) designation in the majority of the Plan area, with the exception noted below.
2. Amend the boundary of the Ladyface Mountain Specific Plan designation to remove the properties at the southwest corner of Kanan and Agoura Roads, changing them to the Agoura Village Specific Plan designation.

The Planning Commission may wish to discuss at this time how to best review the AVSP and EIR during the upcoming public hearing. This discussion could include the process for reviewing the documents and what opportunities the public would have to comment on the documents. For instance, the Commission may wish to consider both documents separately but allow the public to speak only once in which they would have an opportunity to address both documents. In reviewing the AVSP, the Commission could follow the chapters outlined in the Specific Plan or it may wish to break the discussion into issue areas, such as traffic/roundabout, allowed buildout densities, development standards (parking, building height, etc.), design guidelines, etc.

Additional copies of the Draft AVSP and Draft EIR are available through staff.



ATTACHMENTS

- A. Table: Projection of Full Buildout of Project Area Under Current General Plan Land Use Designations
- B. Table: Maximum Buildout Potential for the AVSP

CASE PLANNER: Allison Cook, Senior Planner