



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

ACTION DATE: March 17, 2011

TO: Planning Commission

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

CASE NO.: 10-ZOA-003

LOCATION: Citywide

REQUEST: Request for a recommendation of approval to the City Council regarding an amendment to Zoning Ordinance Section 9654.5.A. and 9654.5.C. to modify the development standards for parking lot landscaping; amendment to the Architectural Design Standards and Guidelines; establishment of a landscape installation in-lieu fee; and adoption of a Negative Declaration.

ENVIRONMENTAL DETERMINATION: Negative Declaration

RECOMMENDATION: Staff recommends that the Planning Commission adopt a motion to recommend that the City Council adopt the Draft Resolutions and Draft Ordinance.

I. BACKGROUND AND DISCUSSION

At their October 27, 2010 meeting, the City Council conducted a Pre-Screen Review, and directed staff to prepare a Zoning Ordinance Amendment to modify the development standards for parking lot landscaping of non-residential development, specifically to change the tree canopy coverage requirements at retail developments. The Planning Commission is being asked to provide comments and a recommendation to the City Council on the proposed amendment. This matter was continued by the Planning Commission at their February 17, 2011 meeting without taking public comments.

The tree canopy coverage is one of three principal minimum requirements for providing new landscaping and maintaining landscaping over the life of a non-residential project. The Zoning

Ordinance requires that parking lot landscaping to include shade trees, from an approved list, placed so as to cover fifty (50) percent of the total parking area with tree canopies within fifteen (15) years after the issuance of the building permit for the related building, structure or other improvements.

The Zoning Ordinance also requires commercial projects provide a Landscape Plan to demonstrate that the site will provide a minimum of 10% to 20% landscape coverage of the entire parcel, and a minimum 15% landscaping of the parking lot area.

Together, these requirements contribute to a reduction in the heat island effect, a result of long exposure of paved surfaces to the sun, and the reduction of noise and pollution. They also provide shade coverage for parked vehicles, break-up the visual "sea of parking" effect, and improve the outdoor experience for pedestrians. Moreover, reintroducing trees after the development of a vacant parcel helps retain some of the vegetation that once occupied the site and contributes to the regional biodiversity.

These requirements have been systematically applied to all new projects but the expected benefits of the canopy coverage specifically have been diminished for several reasons. Landscape plans are subject to the Los Angeles County Fire Department's requirements which have increasingly become more stringent. Currently, the Fire Department's policies dictate that no trees be planted in parking lots in which canopies could overhang in fire equipment access areas (primarily driveways), and that trees cannot be located close to buildings for fuel modification reasons. As a result, these policies reduce the choice of trees that can be planted in an urbanized setting and the maturity a tree can reach.

Furthermore, the parking lot tree canopy coverage requirement can cause, over time, unintended consequences such as a reduced visibility of tenant signage at retail centers. This is based on the testimony of shopping center owners and commercial brokers describing their tenants' specific desire for more visibility from the frontage street and freeway. In order to remedy the issue, the maintenance crews have often been directed to prune, thin and sometimes remove trees. As a result, the landscaping tree canopy no longer complies with the requirement and the shopping center loses its visual quality.

Finally, with respect to the requirement itself, difficult sites, such as small, unusually shaped or sloped properties, can constrain the ability to meet the 50% tree canopy requirement. Also, unlike other development standards in the Zoning Ordinance in which the requirements are met when the construction is completed, the 50% tree canopy coverage requirement is not expected to be achieved until 15 years in the future, and is subject to natural and man-made events that could profoundly affect its growth.

Prior to the City Council's discussion of these issues in their Pre-Screen Review, staff discussed amending the Zoning Ordinance with the Economic Development Committee (EDC) specifically for retail projects, including shopping centers. The EDC recommended reducing the 50% tree canopy shade requirement to 30%, and supplementing the canopy coverage with more permanent improvements such as pedestrian amenities. The EDC felt this solution would provide an immediate impact and would be the most effective way to resolve the challenges. Examples of pedestrian amenities could include shade structures, trellised carports, enhanced pavement

materials, planter benches, fountains, pedestrian scaled landscaping, arbors, public art, bike racks and the like. The combination of tree canopy coverage and pedestrian amenities would allow for greater creativity in developing a site layout and provide flexibility in the design for difficult sites. Trees and other amenities can be strategically placed such that they do not interfere with tenant storefront sign visibility. The EDC also recommended quantifying the coverage of amenities to match the 20% reduction in canopy coverage. This would translate into a site that would progressively develop shade coverage over a period of 15 years to reach 30% of the total paved parking area and an additional 20% of the same parking area plus hardscape areas to be enhanced by other amenities immediately upon completion of the project. These recommended modifications would apply to new retail development and major redevelopment and could also apply to redevelopment of existing parking lots. The revised standards would not apply to office and manufacturing properties.

In the event that a commercial property cannot meet the requirement of the tree planting, property owners could have the option to pay an in-lieu fee. In the past, the City has used the payment of an in-lieu fee option for projects that could not meet the City's Oak Tree Ordinance. The in-lieu fee funds have been used by the City to preserve and enhance oak habitat by planting oaks in City-owned properties and rights-of-way, and to purchase open space land for permanent preservation. Consideration could be given to extending this option to the tree canopy requirement. Acceptance of the in-lieu fee option would be at the discretion of the City and could be limited to on-site physical hardship cases.

During their Pre-Screen Review discussion, the Council agreed with the recommendation of the EDC on reduced canopy coverage, but that the on-site amenities provided in lieu of tree coverage be reviewed on a case-by-case basis with the goal to encourage more canopy overall and that it only apply to retail centers. The City Council has given direction to staff to proceed in drafting an ordinance to allow pedestrian amenities on commercial property to offset of tree canopy coverage reductions.

II. STAFF ANALYSIS

Within the list of amenities, staff recommends the coverage credit be applied in two ways. For amenities such as trellises which offer shade coverage 100% of the total square footage could be applied toward the required tree canopy coverage whereas amenities such as planters, pavers, benches, fountains, and pedestrian separated walkways 50% of coverage requirement be applied. Trellises have multiple advantages in that they can be built over parking spaces and walkways and can be used as extensions of the tenant spaces. They have the same benefits as tree canopy coverage, yet they are lower than a tree and remain the same height and volume over time, provide constant shade, and can be built with non-combustible materials. Other amenities are more conducive to just pedestrian usage and should be distributed in a manner as to serve all users of the center and not one specific business and maintain a safe pedestrian circulation throughout the site. They can be utilitarian such as benches or decorative such as art pieces. This proposed amendment provides another option for developing parking areas. In addition, to tree canopy, certain amenities in parking lots can be credited toward the parking lot shading requirement.

These recommendations are also intended to encourage property owners to refurbish the parking lot landscaping rather than forcing the City to consider implementing punitive measures. The City does not have a current mechanism in place to control tree pruning other than for oak trees. Landscape maintenance practices are enforced through Code Enforcement. The amendments would not change the required landscaping coverage for the site, nor would it cause the removal of the existing healthy and protected trees in the parking lot. The landscape plan still incorporates the same number and size of planters and the variety of planting as currently required by the Code.

Some of the Council members considered an in-lieu fee as an option to be used only in the case of extreme site hardships or non-conforming sites where redevelopment is proposed. The in-lieu fees can be calculated based on industry standards similar to oak tree mitigation in-lieu fee and could be based on the overall square footage of the canopy coverage deficiency. Typically, it equates to the cost of one 24"-box tree (including the purchase, installation and one year worth of maintenance) for every 400 square feet of area not shaded. The collected fees could be used to purchase open space land and/or replant landscaping elsewhere in the City.

However, in-lieu fees can discourage property owners from making the physical improvements if the option is available. Therefore, if the in-lieu fee is considered as an option, staff recommends that applicants be required to demonstrate, on a landscape plan reviewed by City staff, that it is in fact unfeasible.

The proposed Ordinance amendment complies with the General Plan goals LU-5.3, LU-10 and 22, LU-13.4 and NR-11 by reducing the heat island effect, improving the pedestrian experience and visual interest of commercial properties and economic benefit. Furthermore, the implementation of the amendment strikes a balance between the City's goals of quality sustainable development with the economic viability. The proposed language for this Zoning Ordinance amendment is as follows:

Section 9654.5.A.

"Purpose. The intent and purpose of this section is to provide ~~attractive landscaping by regulative~~ an enhanced pedestrian experience and exterior visual interest of non-residential properties with regulative size, placement, and design of said landscaping and other amenities accessible to the public. ~~Parking area landscaping~~ Together, landscaping and other outdoor amenities are is intended to enhance the visual environment, promote public safety, moderate the temperature, and reduce noise and glare."

Section 9654.5.C:

"Special landscape design standards.

1. Parking lot landscaping shall include shade trees, from an approved list, placed so as to cover fifty (50) percent of the total parking area with tree canopies within fifteen years after the issuance of the building permit for the related building, structure or other improvement.

2. ~~Reserved.~~

This provision shall apply to new retail development, major remodel in existing retail centers, and redevelopment of existing parking lots at retail developments.

The fifty (50) percent tree canopy coverage requirement of Section 9654.5.C.1, parking lots may be reduced up to twenty (20) percent provided that the parking area including driveways are enhanced with pedestrian amenities with an equivalent area to offset the reduction of said area. The amenities shall include carports, shade structures, enhanced pavement, public sitting areas, and a combination of raised landscape planter, benches and other amenities of similar intent approved by the City. Full credit for meeting this requirement shall be given to structures that provide shade coverage and half credit shall be given for other pedestrian amenities serving other purposes.

An in-lieu fee may be considered to compensate for the lack of amenities. The amount will be based on the cost of one 24"-box tree (including purchase, installation and maintenance) for every 400 square feet of canopy coverage deficiency. The in-lieu fee shall be considered only after the applicant has demonstrated on a landscape plan prepared by a licensed landscape architect that the 30% canopy coverage and/or the 20% added pedestrian amenities cannot be met."

Staff also recommends amending the City Architectural Standards and Guidelines for consistency with the proposed Zoning Ordinance amendment.

The Architectural Design Standards and Guidelines:

"Section D. Parking/Site Circulation/Site Access

2. Parking Area Design

- c. Parking areas, both interior and perimeter, shall be landscaped. The Zoning Ordinance requires 50% shade cover at 15 years maturity.

Exception: In the case of retail centers, a minimum of 30% of the total parking area shall be shaded at 15 years maturity with tree canopies.

In addition, parking lots shall be enhanced with public amenities to offset the reduction of the tree canopy coverage in retail centers. The amenities shall include carports, shade structures, arbors, trellis covers, enhanced pavement, public sitting areas, a combination of raised landscape planter, fountains, artwork, benches and other amenities of similar intent approved by the City. A credit of one hundred percent of the coverage provided by the shade structures shall be counted toward the requirement, and a credit of fifty percent for other types of amenities."

As mentioned in this report, the EDC and City Council recommended additional landscape maintenance enforcement. One option is to require a permit for the pruning of any tree on retail property. Although the discussion of "enforcement" may have a punitive connotation, it provides an avenue by which the City's can become pro-active in encouraging property owners of retail shopping centers in maintaining their landscaping.

Other than in the case of impacts to an oak tree, the City has initiated code enforcement actions only in rare instances when the landscaping of a non-residential property was deteriorating or the new landscaping did not meet the city guidelines. Currently, the property maintenance is broadly defined in the Code. The Code simply states that landscaping shall be maintained in perpetuity and also states that the Planning Department can collect a security deposit for a period of one-year after completion of a project to monitor the maintenance.

The Planning Commission may wish to consider three different approaches to parking lot landscaping maintenance enforcement. One approach, least regulatory, is an educational approach that would involve staff developing information material to educate the retail property owners and the public about proper maintenance policies and inform landscape design and maintenance professionals. It could take the form of handouts, guidelines and standards, and downloadable flyers which provide advice on how to trim trees, and landscape maintenance tips. In the past, the City also solicited the assistance of other organizations such as the Chamber of Commerce, to disseminate information to their members which could be an avenue to further educate the business community. This effort could start upon City Council approval of the revised ordinance and would not require other procedural changes. This approach may not generate enough interest and incentive to change current pruning practices but it would certainly start a process of education.

A second approach, in addition to handing out educational material, could be to discuss pruning issues with the maintenance crews and arrange meetings at City Hall or in the field to provide advice before the tree trimming occurs. This approach, although more pro-active, may lack incentives for property owners to comply. This approach could be supplemented by providing financial incentives such as reduced fees for oak tree trimming permits.

The third and the most regulatory approach is to expand the City's Tree Preservation Ordinance beyond Oak Trees by requiring Tree Trimming Permits, conduct periodic inspections, and initiate code enforcement actions when poor trimming practices are occurring and institute financial penalties. This option would require the adoption of a new Ordinance, a new permitting process, allocation of time for the City Oak Tree/Landscape Consultant and Code Enforcement Officer and legal cost in the event of poor compliance or blatant violation of the code.

Staff researched other cities' practices and found that landscaping is enforced at installation of new projects and most landscape enforcement actions on existing sites are referral-based and most cities do not pro-actively enforce proper maintenance of the landscaping on commercial properties. However, several cities have adopted Tree Preservation Ordinances to control the removal and/or trimming of protected indigenous trees. The Planning Commission's recommendation on these enforcement options will be forwarded to the City Council.

Attached to the report, are a Draft Resolution recommending approval to the City Council of the text amendment to the Zoning Ordinance and the Architectural Design Standards and Guidelines; a draft Ordinance for the proposed Zoning Ordinance amendment. Staff has also prepared a Draft Resolution to consider the adoption of an in-lieu fee for the Planning Commission's consideration for recommendation to the City Council.

III. ENVIRONMENTAL REVIEW

Staff has reviewed the project and finds the proposed Ordinance will not cause a significant negative effect on the environment and the effects derivative from the adoption of the Ordinance are found to have no impacts per the application of the California Environmental Quality Act of 1970, as amended, pursuant to Section 15070 of the State CEQA Guidelines (Title 14 CCR. 15061(b)(3).) This finding is premised on the fact that the adoption of this Ordinance will maintain the current environmental conditions arising from the current land use regulatory structure as adopted by the City without change or alteration. The Agency and has made a determination that the Zoning Ordinance Amendment, Case No. 10-ZOA-003, is consistent with the 2010 General Plan EIR and no significant impacts will occur based on the findings of the Negative Declaration as a result of the proposed amendment.

The Planning Commission's recommendation will be forwarded to the City Council for final action.

IV. RECOMMENDATION

Staff recommends the Planning Commission adopt a motion to approve the attached Draft Resolutions recommending the City Council approve Zoning Ordinance Amendment Case No. 10-ZOA-003; amend the Architectural Design Standards and Guidelines; recommend payment of landscape installation in-lieu fee; and recommend adoption of Negative Declaration. The recommendation of the Planning Commission will be forwarded to the City Council for final action.

V. ATTACHMENTS

- Draft Resolution (Zoning Ordinance & Architectural Design Standards and Guidelines Amendment)
- Draft Ordinance (Exhibit A)
- Draft Architectural Design Standards and Guidelines Amendments (Exhibit B)
- Draft Resolution (In-Lieu Fees)
- Zoning Ordinance Excerpts
- Negative Declaration

Case Planner: Valerie Darbouze, Associate Planner

DRAFT RESOLUTION NO. _____

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF AGOURA HILLS
RECOMMENDING APPROVAL OF A ZONING ORDINANCE AMENDMENT
PERTAINING TO PARKING LOT LANDSCAPING STANDARDS AND
RECOMMENDING APPROVAL OF
ARCHITECTURAL DESIGN STANDARDS AND GUIDELINES AMENDMENTS
(CASE NO. 10-ZOA-003)**

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

WHEREAS, the Planning Commission has considered an amendment to the Zoning Ordinance to add Article IX, Chapter 6, Part 2, Division 4, Section 9654.5.A. and C, of the Agoura Hills Municipal Code to amend the parking lot landscaping standards and amending Section D.2.c. of the Architectural Design Standards and Guidelines. A public hearing was duly held on March 17, 2011, in the Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of public hearing was duly given;

WHEREAS, the request complies with the General Plan Land Use and Community Form Element Goal in that it encourages the development of exterior spaces that are of human scale and encourage pedestrian activity.

WHEREAS, the proposed Ordinance has no likelihood of causing a significant negative effect on the environment and the effects derivative from the adoption of the Ordinance are found to have no impacts per the application of the California Environmental Quality Act of 1970, as amended, pursuant to Section 15070 of the State CEQA Guidelines (Title 14 CCR. 15061(b)(3).) This finding is premised on the fact that the adoption of this Ordinance will maintain the current environmental conditions arising from the current land use regulatory structure as adopted by the City without change or alteration.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Agoura Hills recommends the City Council adopt the attached Ordinance amendment to Article IX, Chapter 6, Part 2, Division 4, Section 9654.5.A. and C of the Agoura Hills Municipal Code to amend the parking lot landscaping standards (Exhibit A) and Section D.2.c. to the Architectural Design Standards and Guidelines (Exhibit B).

PASSED, APPROVED, and ADOPTED this March 17, 2011, by the following vote to wit:

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

Steve Rishoff, Chairperson

ATTEST:

Mike Kamino, Secretary

EXHIBIT A

DRAFT ORDINANCE NO. 11-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS AMENDING SECTIONS 9654.5.A. & 9654.5.C. OF THE AGOURA HILLS MUNICIPAL CODE PERTAINING TO PARKING LOT LANDSCAPING

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

SECTION 1. Article IX, Chapter 6, Part 2, Division 4, Section 9654.5.A of the Agoura Hills Municipal Code is amended to read:

“Purpose. The intent and purpose of this section is to provide attractive landscaping by regulative an enhanced pedestrian experience and exterior visual interest of non-residential properties with regulative size, placement, and design of said landscaping and other amenities accessible to the public. Parking area landscaping Together, landscaping and other outdoor amenities are is intended to enhance the visual environment, promote public safety, moderate the temperature, and reduce noise and glare.”

SECTION 2. Article IX, Chapter 6, Part 2, Division 4, Section 9654.5.C. of the Agoura Hills Municipal Code is amended to read:

“Special landscape design standards.

1. Parking lot landscaping shall include shade trees, from an approved list, placed so as to cover fifty (50) percent of the total parking area with tree canopies within fifteen years after the issuance of the building permit for the related building, structure or other improvement.

2. ~~Reserved.~~

These requirements shall apply to new retail development, major remodel in existing retail centers, and in the case of retail centers seeking greater visibility.

The fifty (50) percent tree canopy coverage requirement of Section 9654.5.C.1, parking lots may be reduced up to twenty (20) percent provided that the parking area including driveways are enhanced with pedestrian amenities with an equivalent area to offset the reduction of said area. The amenities shall include carports, shade structures, enhanced pavement, public sitting areas, and a combination of raised landscape planter, benches and other amenities of similar intent approved by the City. Full credit for meeting this requirement shall be given to structures

that provide shade coverage and half credit shall be given for other pedestrian amenities serving other purposes.

An in-lieu fee may be considered to compensate for the lack of amenities. The amount will be based on the cost of one 24"-box tree (including purchase, installation and maintenance) for every 400 square feet of canopy coverage deficiency. The in-lieu fee shall be considered only after the applicant has demonstrated on a landscape plan prepared by a licensed landscape architect that the 30% canopy coverage and/or the 20% added pedestrian amenities cannot be met."

SECTION 3. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional by any court of 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 4. The proposed Ordinance will not cause a significant negative effect on the environment and the effects from the adoption of the Ordinance are found to have no impacts per the application of the California Environmental Quality Act of 1970, as amended, pursuant to Section 15070 of the State CEQA Guidelines (Title 14 CCR. 15061(b)(3).) This finding is premised on the fact that the adoption of this Ordinance will maintain the current environmental conditions arising from the current land use regulatory structure as adopted by the City without change or alteration.

SECTION 5. The City Clerk shall publish and cause notice of this ordinance to be given according to law.

PASSED, APPROVED, AND ADOPTED this ___ day of _____, 2011, by the following vote:

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

Harry Schwarz, Mayor

ATTEST:

Kimberly M. Rodrigues, City Clerk

APPROVED AS TO FORM:

Craig Steele, City Attorney

Exhibit B

Proposed Amendment to the City of Agoura Hills Architectural Design Standards and Guidelines

“Section D. Parking/Site Circulation/Site Access

2. Parking Area Design

- c. Parking areas, both interior and perimeter, shall be landscaped. The Zoning Ordinance requires 50% shade cover at 15 years maturity.

Exception: In the case of retail centers, a minimum of 30% of the total parking area shall be shaded at 15 years maturity with tree canopies.

In addition, parking lots shall be enhanced with public amenities to offset the reduction of the tree canopy coverage in retail centers. The amenities shall include carports, shade structures, arbors, trellis covers, enhanced pavement, public sitting areas, a combination of raised landscape planter, fountains, artwork, benches and other amenities of similar intent approved by the City. A credit of one hundred percent of the coverage provided by the shade structure shall be counted toward the requirement, and a credit of fifty percent for other types of amenities.”¹

¹ Proposed amendment to be considered at the Planning Commission Public Hearing on March 17, 2011.

DRAFT RESOLUTION NO. ____

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF AGOURA HILLS
RECOMMENDING APPROVAL OF AN IN-LIEU FEE TO BE COLLECTED IN
CONJUNCTION WITH PARKING LOT LANDSCAPING IMPROVEMENTS
(CASE NO. 10-ZOA-003)**

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

WHEREAS, the Planning Commission has considered an amendment to the Zoning Ordinance to add Article IX, Chapter 6, Part 2, Division 4, Section 9654.5.A. and C, of the Agoura Hills Municipal Code to amend the parking lot landscaping standards and to include an in-lieu fee option. A public hearing was duly held on March 17, 2011, in the Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of public hearing was duly given;

WHEREAS, the revised Zoning Ordinance allows for a reduction in tree canopy coverage up to 20% in all parking lots of retail centers provided that the parking area and driveways be enhanced with other pedestrian amenities coverage equivalency; and

WHEREAS, the revised Zoning Ordinance recognizes that the requirement may not be met as a result of unforeseen reasons; and

WHEREAS, the Planning Commission desires to establish a fee to be paid in lieu of providing tree canopy and pedestrian amenities coverage to parking lots in retail centers; and

WHEREAS, the Planning Commission desires that the In-Lieu Fee consist of an amount representing the planting of a tree for every 400 square feet of canopy coverage deficiency; and

WHEREAS, the Planning Commission desires that the In-Lieu Fee be considered only after the applicant has demonstrated on a landscape plan prepared by a licensed landscape architect that the 30% tree canopy coverage and/or the 20% added pedestrian amenities cannot be met based on findings of hardship.

WHEREAS, the accumulation of the In-Lieu Fee payments will enhance the City of Agoura Hills' ability to preserve open space elsewhere in the City and replenish the open space zone with flora in order to mitigate impacts to the environment caused by urban development and to preserve the semi-rural character of the community.

WHEREAS, the amendment complies with the General Plan in that the In-Lieu Fee represents an implementation measure of the Land Use and Community Form specifically Goal LU-16.3 which allows the City to expand the urban forest to mitigate impacts caused by traffic and developments.

Draft Resolution No. ____

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NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends the City Council adopt the attached amendment to Article IX, Chapter 6, Part 2, Division 4, Section 9654.5.C. of the Agoura Hills Municipal Code to amend the parking lot landscaping standards including the In-Lieu Fee.

PASSED, APPROVED, and ADOPTED this 17th day of March, 2011, by the following vote to wit:

AYES: (0)

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

Steve Rishoff, Chairperson

ATTEST:

Mike Kamino, Secretary

C. The transfer shall not unduly increase the mass, population density or intensity of use on the receiver parcel to the detriment of neighboring properties.

9653.6. Findings.

Before approving the transfer of development rights, the city must find that:

- A. The transfer will result in the dedication, protection, and preservation of open space;
- B. Appropriate guarantees exist and will be provided to ensure that the transfer conforms to the intent and purposes of the general plan;
- C. The transfer will not result in a detrimental effect on the area surrounding the receiver parcel.

9653.7. Example of transfer of development rights from donor parcel to receiver parcel.

Donor parcel, located within the OS district, is entitled "X" number of dwelling units. Receiver parcel, located within either the RS, RM, RMH or RH districts is entitled "Y" number of units. Subject to prior city approval the donor parcel can transfer its "X" number of units to the receiver parcel. Receiver parcel may be approved for its "Y" number of units, plus the "X" number of units not to exceed twenty (20) percent more than the density otherwise prescribed for the receiver.

9653.8. Rules and procedures.

The council may adopt those rules and procedures it considers necessary to implement these provisions to facilitate the transfer of allowable development. Such rules and procedures shall be adopted by resolution.

DIVISION 4. OFF-STREET PARKING, LOADING AND LANDSCAPING

9654. Parking standards; purpose.

The intent and purpose of this section is to provide adequate and properly designed parking areas. The parking standards imposed hereunder

are intended to promote vehicular and pedestrian safety; compatibility between parking areas and surrounding neighborhoods, protect property values by providing such amenities as landscaping, walls, and setbacks, and improve the appearance of the city.

9654.1. Definitions.

Notwithstanding the provisions of section 9120 et seq. of this article, for the purposes of this division, the following words and phrases are defined as follows:

- A. *Alternative transportation* means the use of modes of transportation other than the single passenger motor vehicle, but not limited to carpools, vanpools, buspools, public transit, walking and bicycling, motorcycles, mopeds, and electric powered vehicles are excluded from this definition.
- B. *Applicable development* means any development project that is determined to meet or exceed the project size threshold criteria contained in section 9654.4 (Transportation demand management).
- C. *Buspool* means a vehicle carrying sixteen (16) or more passengers commuting on a regular basis to and from work with a fixed route, according to a fixed schedule.
- D. *Carpool* means a vehicle carrying two (2) to six (6) persons commuting together to and from work on a regular basis.
- E. *Developer* means the builder who is responsible for the planning, design and construction of an applicable development project. A developer may be responsible for implementing the provisions of this section as determined by the property owner.
- F. *Development* means the construction or cumulative additions of new building square footage. Existing square footages shall be exempt from these requirements. All calculations shall be based on gross square footage.
- G. *Employee parking area* means the portion of total required parking at a development used by on-site employees. Unless specified

in this article, employee parking shall be calculated as follows:

<i>Type of Use</i>	<i>Percent of Total Required Parking Devoted to Employees</i>
Commercial	30
Office/professional	85
Industrial/manufacturing	90
Other	70

- H. *Preferential parking* means parking spaces designated or assigned, through use of a sign or painted space markings for carpool and vanpool vehicles carrying commute passengers on a regular basis that are provided in a location more convenient to a place of employment than parking spaces provided for single occupant vehicles.
- I. *Property owner* means the legal owner of a development who serves as the lessor to a tenant. The property owner shall be responsible for complying with the provisions of this section either directly or indirectly or by delegating such responsibility as appropriate to a tenant and/or his (her) agent.
- J. *Tenant* means the lease of facility space at an applicable development project.
- K. *Total area* means the area of all floors or levels included within exterior walls of a building or structure. If a building or structure does not have exterior walls, the "total area" of the building or structure shall be the useable floor area of the building or structure, or the usable area under the horizontal projection of the roof.
- L. *Transportation demand management (TDM)* means the alteration of travel behavior, usually on the part of the commuters, through programs of incentives, services, and policies. TDM addresses alternatives to single occupant vehicles such as carpooling and vanpooling, and changes in work schedules that move trips out of the peak period or eliminate them altogether (as is the case in telecommuting or compressed workweeks).

- M. *Trip reduction* means reduction in the number of work-related trips made by single occupant vehicles.
- N. *Vanpool* means a vehicle carrying seven (7) or more persons commuting together to and from work on a regular basis, usually in a vehicle with a seating arrangement designed to carry seven (7) to fifteen (15) adult passengers, and on a prepaid subscription basis.
- O. *Vehicle* means any motorized form of transportation, including but not limited to automobiles, vans, buses and motorcycles.

(Ord. No. 93-226U, § 3, 3-10-93)

9654.2. General standards.

Accessible off-street parking areas shall be provided and maintained as set forth in this section. Parking access areas shall provide parking and maneuvering room for motor vehicles and for pedestrian safety based on the anticipated occupancy of the related building, structure or area of land or water. Where there is a combination of principal uses in any one (1) facility, the sum of the parking requirements of these uses shall be provided unless otherwise provided. If the calculation of parking requirements results in the requirement for a fraction of a parking space, such parking space need not be provided unless the fraction exceeds fifty (50) percent. This section shall not be construed to prohibit the installation and maintenance of more parking spaces than the minimum required.

- A. *Seats or seating capacity.* Where the standards for parking set forth in this section are based upon seating capacity, the capacity shall be determined by reference to the actual seating capacity of the subject area based upon the number of seats or one (1) seat per eighteen (18) inches of bench or pew length and one (1) seat per twenty-four (24) inches of booth length for dining, but in no case shall seating be less than as required by the Uniform Building Code. For other areas where seats are not fixed, the seating capacity shall be determined in accordance with the Uniform Building Code.

- B. *Planter or landscaped areas.* Where the standards set forth in this section or elsewhere in this Code require the installation of planters or landscaped areas within or adjacent to parking areas, such planters or landscaped areas shall be planted, irrigated and maintained with live landscaping such as lawn, ground cover, trees or shrubs, and surrounded by a six-inch-high curb. The landscaped areas shall not be less than the width specified excluding any perimeter curbing. Parking in the oak tree drip lines shall be discouraged and regulated by the provisions of section 9657 et seq.
- C. *Building permit.* Plans submitted for a building permit to construct a building which has public parking areas shall include the design of the required parking area drawn to scale. Such plans shall include all parking spaces and maneuvering areas, curb cuts, landscaping and other improvements. The building permit shall not be issued until such parking plans have been approved by the director of planning and community development or his or her designee and no final completion inspection shall be approved until the parking spaces and required landscaping are installed.
- D. *Change of occupancy.* Whenever the parking demand is increased due to a change of occupancy which does not involve any new construction requiring a building permit, the director of planning and community development or his or her designee shall review the parking requirements of the proposed use if new business license is required for the change of use. In such case no new business license shall be issued until the department of planning and community development has approved the parking plan. Two (2) copies of such plan drawn to scale shall be submitted to the director of planning and community development or his or her designee for approval. The plan shall show the entire subject property and shall show the means of ingress and egress, location of the building, parking spaces, landscaping, barrier curbs, irrigation system, lights and any other proposed facilities. The plan shall be approved if it conforms to the intent and provisions of this part.
- E. *Parking reductions.* A proponent of a business or industrial project may provide alternative facilities or programs which serve to reduce parking demand or return for a reduction in vehicle parking requirements, subject to the provisions below. Vehicle parking requirements shall be reduced in accordance with the following provisions:
1. *Preferred carpool/vanpool parking spaces.* The parking requirements for developments which guarantee preferred parking spaces (e.g., covered, shaded, or near building entrance) to employees who participate regularly in a carpool or vanpool shall be reduced by one (1) vehicle space for every one (1) space which is marked and reserved for carpools/vanpools at a preferred location provided that the maximum reduction shall not exceed two (2) percent of the required parking.
 2. *Request for special review of parking.* Parking reductions exceeding the maximums specified in subparagraph (1) above, or modifications of parking improvement requirements, may be granted by the planning commission, whenever such reduction or modification is considered in connection with a review of site plans by the commission, or is heard in connection with a rezoning, use permit, or variance. Such reduction or modifications shall only be permitted in unusual circumstances. The project proponent shall submit with the request whatever evidence and documentation is necessary to demonstrate that unusual conditions warrant a parking reduction, such as the multiple use of a parking area by uses having peak parking demands which occur at different times; floor plans which indicate that the floor area devoted to customer or employee use is less typical for the building proposed; or that other programs will be implemented by the developer or tenant(s) which will result in a de-

mand for parking at the site which is less than would otherwise occur, such as the provision of monetary incentives to employees who regularly utilize public transit or participate in a carpool or vanpool.

The recordation of agreements or covenants, prior to issuance of a building permit, which ensures that appropriate programs are implemented for the life of the use shall be required as a condition of approval of the parking reduction.

- F. *Existing facilities.* Any building or use for which parking facilities become substandard by the adoption of this part shall be considered a nonconforming use. Such nonconforming use may continue, but no enlargement or expansion shall be made in such use or building, unless the required number of parking spaces or parking areas imposed by this part are provided. Any change of occupancy or use in an existing building or lot which requires more parking space shall provide the additional parking areas required by this section.
- G. *Parking of nonregistered vehicles.* Automotive vehicles or trailers of any kind or type without current registration shall not be parked or stored in the front yard or side street yard of any lot.
- H. *Change of parking requirements.* The amendment of the parking requirements set forth in this section shall not render a use previously approved in accordance with the provisions of this section nonconforming.
- I. *Tandem parking.* Except where specifically permitted by this section, parking spaces shall not be in tandem. All parking spaces shall be free of obstructions, and parking shall be accomplished in a continuous forward movement. Tandem parking shall mean one (1) parking space located behind another parking space which has no direct access to the driveway or street.
- J. *Provisions for residential uses.*
1. *Parking locations.* Off-street parking spaces for single-family detached dwellings shall be located on the same lot or parcel on which the dwelling is located. Off-street parking spaces for all other dwellings shall be located on the same development site and on the same lot or parcel or not more than two hundred (200) feet from the lot or parcel on which the dwelling is located.
 2. *Senior citizen parking.* The planning commission may reduce the total number of parking spaces required for senior citizen housing by up to twenty-five (25) percent, based upon a finding that the proposed development is located within five hundred (500) feet of a shopping center or is served adequately by a transportation system. The number of spaces which are required to be covered may be reduced by up to fifty (50) percent, based upon evidence submitted by the developer that the reduction is directly related toward providing dwelling units to meet the needs of low and moderate income senior citizen households as defined and provided for in the housing element of the General Plan. In no instance shall the number of covered parking spaces be fewer than one (1) per four (4) dwelling units.
 3. *Commercial vehicles in residential zones.* No vehicle which is registered for commercial purposes pursuant to applicable provisions of the Vehicle Code, which exceeds five thousand five hundred (5,500) pounds in unladen gross weight, shall be parked or such vehicles left standing on any residentially zoned property in excess of thirty (30) consecutive minutes, unless the actual loading or unloading of such vehicle is in progress on such property, or is fully screened from view from any public street. Violation of this section is an infraction and shall be punishable as provided in section 1200(b) of the Agoura Hills Municipal Code.
 4. *Assigned spaces.* One (1) of the required parking spaces for each multifamily dwelling unit shall be an assigned park-

ing space, not more than two hundred (200) feet away from the unit to be served.

K. *Provisions for commercial uses.*

1. *Parking locations.* In commercial zones, off-street parking shall be located on the same lot as, or on a lot contiguous to, the building, structure, or use to be served. The required parking spaces shall not be located in the rear of a commercial building, unless direct customer access to the facility from the parking area is provided.
2. *Double counting.* At the discretion of the director of planning and community development or the planning commission, whichever has jurisdiction, where two (2) or more commercial uses in a planned commercial development share parking facilities, and the business hours of such uses do not overlap, the minimum space requirement may be reduced by up to fifty (50) percent of the parking requirement for the use requiring the least parking, subject to a minimum of twenty (20) parking spaces being provided. Such reduction shall be subject to the approval of the covenants, conditions, and restrictions for the project by the director of planning and community development or planning commission, whichever has jurisdiction.
3. *Spaces not for repair, servicing or storage.* Required parking spaces shall not be used, or be permitted to be used, for the repair, servicing, or storage of vehicles or for the storage of materials.
4. *Racks not counted as parking spaces.* For auto repair shops or other similar uses, the racks and pump blocks shall not be considered in calculating the required parking spaces.
5. *Uses not specified.* Commercial parking requirements for uses not specified in this part shall be based upon a standard of one (1) space per two hundred fifty (250) square feet of gross floor area, unless the director of planning and com-

munity development or planning commission approve a different parking requirement, based on the most comparable uses specified in this part.

6. *Shopping center parking.* For the purposes of this section, "shopping center" shall mean a group of architecturally unified commercial establishments, containing twenty-five thousand (25,000) square feet or more, built on a site which is planned, developed, and managed as an operating unit. In shopping centers where office spaces exceed ten (10) percent of the total gross floor area, that portion in excess of ten (10) percent of the gross floor area shall be calculated at one (1) parking space per three hundred (300) square feet. Where cinema spaces exceed ten (10) percent of the total gross floor area, that portion in excess of ten (10) percent of the gross floor area shall be calculated at one (1) parking space per thirty-five (35) square feet. Where restaurant, cafe, or other food and beverage service uses exceed ten (10) percent of the total gross floor area, that portion in excess of ten (10) percent of the gross floor area shall be calculated at one (1) parking space per one hundred (100) square feet.

1. *Provisions for industrial uses.*

1. *Parking locations.* For industrial uses, all parking shall be on the same site. Off-site parking may be permitted by a conditional use permit if the applicant can demonstrate the need therefor and a covenant running with the off-site parking lot is executed and recorded to ensure that the required parking will be provided for the life of the use. The off-site parking may be located up to five hundred (500) feet from the lot to be served, but no more than fifty (50) percent of the required off-street parking spaces may be located off the site.
2. *Spaces not for repair, servicing or storage.* Required parking spaces shall not

be used or be permitted to be used for the repair, servicing, or storage of vehicles or for the storage of materials.

- 3. *Racks not counted as parking spaces.* For auto repair shops or other similar uses, the racks and pump blocks shall not be considered in calculating the required parking spaces.

(Ord. No. 142, § 2, 12-9-87; Ord. No. 226U, § 2, 3-10-93)

9654.3. Design standards.

A. *Parking stall sizes.* Each standard off-street parking space shall be at least the following minimum sizes:

<i>Angle (in degrees)</i>	<i>Curb Length Per Car</i>	<i>Stall Depth</i>
0	24' 0"	8' 6"
30	16' 6"	16' 0"
45	11' 6"	19' 0"
60	10' 0"	20' 0"
90	8' 6"	18' 0"

Unless approved by the planning commission, compact off-street parking spaces are not permitted. The planning commission may allow no more than thirty (30) percent of the required number of parking spaces to be sized for compact vehicles in instances where on-site design constraints, such as irregular topography, lot configurations, or parcel size necessitate the use [of] compact parking spaces. The planning commission may also allow no more than thirty (30) percent of the required number of parking spaces to be sized for compact vehicles in instances where additional on-site landscaping is provided beyond the requirement for the zoning district and the provisions of section 9654.5 et seq. The additional landscaping shall be equal in size to at least fifty (50) percent of the parking area saved by installing compact parking spaces in lieu of standard parking spaces. For purposes of this section, additional landscaping located in required yard areas shall not apply.

All compact off-street parking spaces approved by the planning commission shall be at least the following minimum sizes:

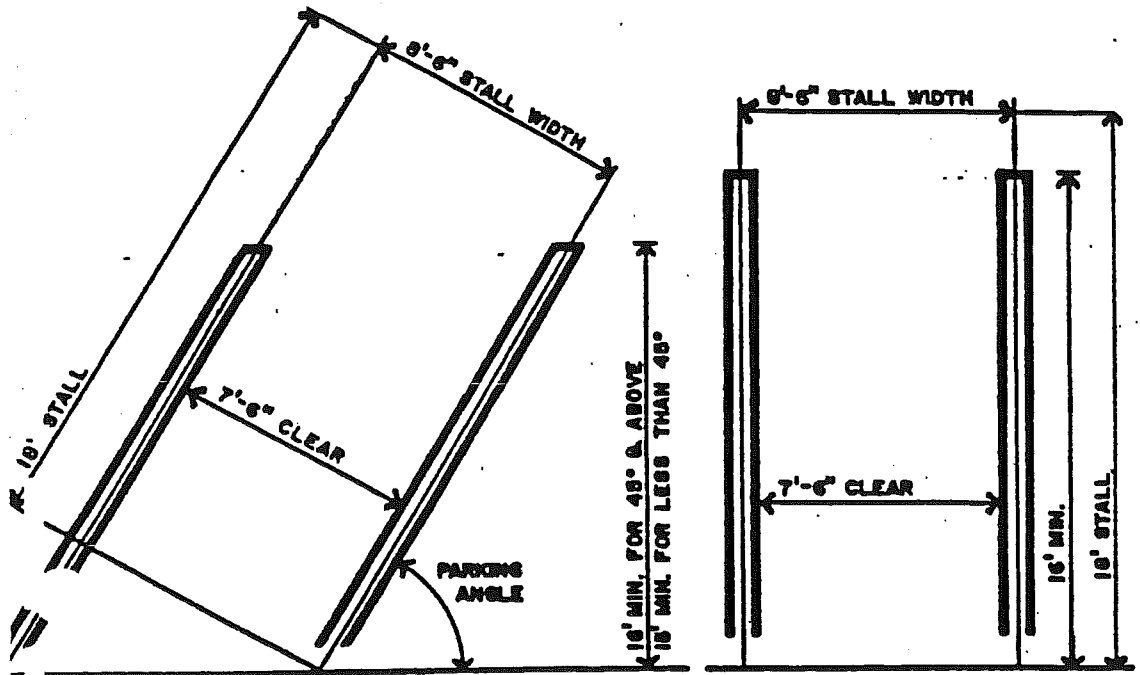
<i>Angle (in degrees)</i>	<i>Curb Length Per Car</i>	<i>Stall Depth</i>
0	21' 0"	8' 6"
30	16' 6"	14' 0"
45	11' 6"	15' 6"
60	10' 6"	16' 6"
90	8' 6"	15' 0"

All compact off-street parking spaces approved by the planning commission shall be clearly marked "Compact Cars Only." Compact spaces shall not be permitted for automotive repair facilities.

All standard and compact parking stalls shall be clearly pinstriped.

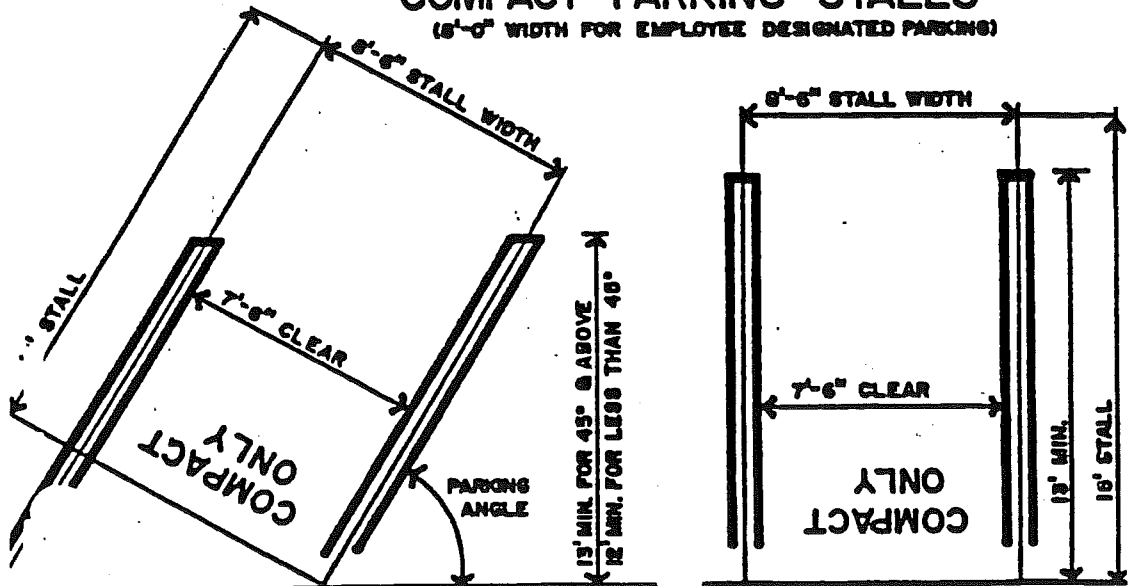
STANDARD PARKING STALLS

(8'-0" WIDTH FOR EMPLOYEE DESIGNATED PARKING)



COMPACT PARKING STALLS

(8'-0" WIDTH FOR EMPLOYEE DESIGNATED PARKING)



B. *Handicapped requirements.* Off-street parking spaces shall be provided for handicapped persons. The number of parking spaces to be provided therefor shall be as follows:

Total Number of Parking Spaces	Required Number of Handicapped Parking Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 and above	2 percent of total spaces
1001 and above	20 plus 1 for each 100 over 1,000

All parking spaces for the physically handicapped shall be located in proximity to curb ramps or other pedestrian walks providing the most direct access to the primary entrance(s) of the building(s) served by the parking lot.

Each handicapped off-street parking space shall be at least fourteen (14) feet wide and striped to provide a nine-foot parking area and a five-foot loading and unloading area. When more than one (1) space is provided, in lieu of providing a fourteen-foot space for each parking space, two (2) spaces can be provided within a twenty-three-foot wide area striped to provide a nine-foot-wide parking area on each side of a five-foot loading and unloading area in the center. The minimum length of each stall shall be eighteen (18) feet.

Each handicapped parking space shall be clearly marked with the international symbol of accessibility in white paint, at least three (3) feet in size.

C. *Covered parking spaces.* Covered off-street parking spaces provided for commercial and industrial uses shall follow the minimum size standards as outlined in subsection A. Covered off-street parking spaces provided for residential uses shall be at least ten (10) feet by twenty (20) feet inside clear space.

D. *Access and circulation.* Each entrance and exit to a parking area shall be constructed and

maintained so that any vehicle entering or leaving the parking area shall be clearly visible at a distance of not less than ten (10) feet to a person approaching such entrance or exit on any pedestrian walk or footpath shall be visible to each other. Speed bumps shall be considered for parking areas over one hundred (100) parking spaces.

All exits from parking lots shall be clearly posted with stop signs, and stop bars, and appropriate directional signs shall be maintained when necessary and as required by the director of planning and community development.

1. *Residential access.* Driveway access to parking spaces for a single-family dwelling unit shall not be less than fifteen (15) feet in width. Driveway access used to serve more than two (2) dwelling units shall not be less than twenty (20) feet in width. Driveway access to all uses other than residential shall have a width of not less than fourteen (14) feet if one-way, or not less than twenty-six (26) feet for a two-way, combined entrance and exit, access.
2. *Commercial access.* Additional limited time parking shall be provided in conjunction with the placement of automatic tellers and similar structures or facilities.

E. *Paving.* All areas used for parking and accesses to such parking areas shall be completely paved with asphalt or concrete surfacing, or such other alternative materials as approved by the city engineer. Further, all parking areas and accesses shall be provided with adequate drainage as approved by the city engineer. Any portion of the parking area not paved shall be landscaped.

F. *Aisle width.* Minimum aisle widths shall be as follows:

Angle (in degrees)	Aisle Width
30*	14' 0"
45*	14' 0"
60*	20' 0"
90	26' 0"

* Denotes one-way aisles only.

Where two-way traffic is permitted, the minimum aisle width shall be twenty-six (26) feet.

G. *Wall.* A parking area which abuts a residentially zoned parcel or lot shall be separated therefrom by a six-foot-high solid masonry wall. Such wall shall be reduced to three (3) feet in height within the front yard area of an abutting residential zone. Along the freeway a combination of a mounded, enlarged landscaped area and a three and one-half (3½) foot wall shall be provided.

A parking area which is separated by a street from a parcel or lot in a residential zone or a freeway shall have a solid masonry wall or mounded landscaping averaging three and one-half (3½) feet in height along such street.

H. *Parking structure standards.* Parking structures, underground parking, subterranean parking, and similar parking facilities shall be permitted only upon planning commission approval. Underground and subterranean parking is encouraged to increase landscaping and minimize hillside grading.

All parking spaces within such facilities shall be restricted for the exclusive use of property owners, tenants, employees, and other users of the building which such facilities serve. Such restrictions shall be implemented through the installation of appropriate signing and circulation and controlled access devices.

Appropriate security measures shall be incorporated into the design of such facilities including but not limited to security gates, fencing, and lighting.

I. *Parking lot illumination.* Parking lot illumination shall be directed away from residential areas and public streets so as not to produce a glare as seen from such areas in order to ensure the general safety of other vehicular traffic and the privacy and well being of the residential areas.

All light poles, standards, and fixtures shall be a maximum of sixteen (16) feet in height.

J. *Parking lot slope.* Parking lots shall not have a slope exceeding four and one-half (4.5) percent, except for access ramps or driveways which shall not exceed a slope of ten (10) percent.

K. *Wheel stop standards.* Wheel stops shall be installed two (2) feet from the edges of the re-

quired sidewalks, planters, and landscaped areas for all parking spaces in order to protect the required sidewalks, planters and landscaped areas from vehicular overhang and to protect any structure from vehicular damage. The regular planter curb may function as the wheel stop but the planter shall be a minimum of six (6) feet in width. All wheel stops shall be maintained in good condition.

L. *Bicycle parking standard.* A stationary bicycle rack or facility designed to secure the frame and both wheels of the bicycle, where the bicyclist supplies only a locking device, shall be provided at the ratio of one (1) bicycle space for every twenty-five (25) parking spaces. A fully enclosed bicycle space or locker which is accessible only to the owner or operator of the bicycle and protects the bicycle from inclement weather may be provided, but not in-lieu of the required bicycle rack(s). Specific facilities and location (i.e. provision of racks, lockers, or locked room) shall subject to approval by the City."

M. *Off-street loading and unloading spaces.* General office uses shall have the following off-street loading and unloading spaces:

<i>Square feet</i>	<i>Spaces required</i>
Under 30,000	0
30,001 to 50,000	1
Excess of 50,000	2

Retail/commercial and industrial/manufacturing uses shall have the following off-street loading and unloading spaces:

<i>Square feet</i>	<i>Spaces required</i>
Under 5,000	0
5,000 to 30,000	1
Excess of 30,000	2

Each loading space for general office uses and for retail/commercial uses less than thirty thousand (30,000) square feet shall be located off the street and shall be twelve (12) feet in width by twenty-five (25) feet in width by twenty-five (25) feet in depth by fourteen (14) feet in vertical clearance. All other loading spaces, regardless of use, shall be twelve (12) feet in width by fifty (50) feet in depth by fourteen (14) feet in height.

(Ord. No. 223, § 2, 1-27-93; Ord. No. 226U, §§ 2, 5, 3-10-93; Ord. No. 96-265, § 1, 1-15-97)

9654.4. Transportation demand management.**A. Transportation demand and trip reduction measures.**

1. Applicability of requirements. Prior to approval of any development project, the applicant shall make provision for, as a minimum, all of the following applicable transportation demand management and trip reduction measures. All facilities and improvements constructed or otherwise required shall be maintained in a state of good repair.
2. Development standards.
 - a. Nonresidential development of twenty-five thousand (25,000) square feet or more shall provide, to the satisfaction of the city, a bulletin board, display case, or kiosk displaying transportation information located where the greatest number of employees are likely to see it. Information in the area shall include, but is not limited to, the following:
 1. Current maps, routes and schedules for public transit serving the site;
 2. Telephone numbers for referrals on transportation information including numbers for the regional ridesharing agency and local transit operators;
 3. Ridesharing promotional material supplied by commuter-oriented organizations;
 4. Bicycle route and facility information, including regional/local bicycle maps and bicycle safety information;
 5. A listing of facilities available for carpoolers, vanpoolers, bicyclists, transit riders and pedestrians at the site.
 - b. Nonresidential development of fifty thousand (50,000) square feet or more shall comply with section

9654.3.A.2.a. above and shall provide all of the following measures to the satisfaction of the city:

1. Not less than fifteen (15) percent of employee parking area, shall be located as close as is practical to the employee entrance(s), and shall be reserved for use by potential carpool/vanpool vehicles, without displacing handicapped and customer needs. This preferential carpool/vanpool parking area shall be identified on the site plan upon application for a building permit, to the satisfaction of the city. A statement that preferential carpool/vanpool spaces for employees are available and a description of the method for obtaining such spaces must be included on the required transportation information board. Spaces will be signed/marked as demand warrants.
2. Preferential parking spaces reserved for vanpools must be accessible to vanpool vehicles. When located within a parking structure, a minimum vertical interior clearance of seven (7) feet, two (2) inches shall be provided for those spaces and accessways to be used by such vehicles. Adequate turning radii and parking space dimensions shall also be included in vanpool parking areas.
- c. Nonresidential development of one hundred thousand (100,000) square feet or more shall comply with sections 9654.3.A.2.a. and 9654.3.A.2.b. above, and shall provide all of the following measures to the satisfaction of the city:
 1. A safe and convenient zone in which vanpool and carpool vehicles may deliver or board their passengers.

2. Sidewalk or other designated pathways following direct and safe routes from the external pedestrian circulation system to each building in development.
3. If determined necessary by the city to mitigate the project impact, bus stop improvements must be provided. The city will consult with any public agency which provides or is authorized by law to provide transit services to the general public in the project area for the purpose of determining whether or not such plans or permits shall include provisions for transit waiting shelter(s). The building inspector shall not issue any building permits or approve any improvement plans for any applicable project unless (s)he has received one of the following from the transit agency;
 - (a) Written certification that adequate provisions have been made for the construction and/or placement of a transit waiting shelter at the public right-of-way adjacent to the project, including the granting of any easement necessary to accommodate the shelter, or
 - (b) Written notification that no transit waiting shelter is needed adjacent to the project.
4. Safe and convenient access from the external circulation system to bicycle parking facilities onsite.

designed to provide safe and efficient access to nearby transit stations/stops.

B. Monitoring. All facilities and improvements required to be constructed pursuant to Ordinance No. 226U shall be shown on building plans for the development. The building owner shall submit annual reports to the director of planning and community development which indicate the participation rate of the tenant(s) and the implementation procedures used in the transportation demand management program. The first report shall be submitted one (1) year after a certificate of occupancy has been issued by the department of building and safety, and annually thereafter.

C. Enforcement. A violation of the provisions of this chapter shall be punishable as provided in chapter 2, article I of this Code, and/or any other remedy provided by the law. (Ord. No. 226U, § 4, 3-10-93)

9654.5. Parking lot landscaping.

A. Purpose. The intent and purpose of this section is to provide attractive landscaping by regulating the size, placement, and design of said landscaping. Parking area landscaping is intended to enhance the visual environment, promote public safety, moderate the temperature, and reduce noise and glare.

B. Area requirements. Fifteen (15) percent of the total parking area, including the driveway areas, shall be landscaped. Such landscaped areas shall be distributed throughout the entire parking area, as evenly as possible, in a manner approved by the director of planning and community development.

In addition, except for approved access ways, a twenty-foot-wide fully landscaped planter shall be provided along the full property lines adjacent to any public or private street or highway whenever the parking area abuts a public or private street. The planning commission may allow for up to ten (10) feet of parking space encroachment

This section shall not be interpreted to require the construction or placement of transit waiting shelters at a distance of more than one hundred (100) feet from the perimeter of the project site. When locating bus stops and/or planning building entrances, entrances must be

within this landscape planter where it can be adequately demonstrated that the encroachment is necessitated due to on-site design constraints such as irregular lot configurations or parcel size, or would result in an improved site design. No more than fifty (50) percent of the length of the required twenty-foot-wide fully landscaped planter located along the full property lines adjacent to a public or private street or highway may be encroached upon. Any reduction in the landscape area due to parking encroachment shall be substituted for an equal amount of landscaping elsewhere on the property.

A ten-foot-wide fully landscaped planter shall be provided along the property lines adjacent to properties zoned residential, whenever the parking area abuts such properties.

C. Special landscape design standards.

1. Parking lot landscaping shall include shade trees, from an approved list, placed so as to cover fifty (50) percent of the total parking area with tree canopies within fifteen (15) years after the issuance of the building permit for the related building, structure or other improvement.
2. [Reserved.]
3. Varied tree and plant species shall be used throughout the parking area. No one species shall comprise more than fifty (50) percent of the plantings within each of the following categories: shade tree, screen tree, shrub.
4. Plant materials shall not obstruct solar access to adjacent properties.
5. Landscaping at the end of aisles shall not obstruct the driver's vision of vehicle and pedestrian cross traffic. Mature trees shall have a six-foot foliage clearance and other plant materials shall not exceed two and one-half (2½) feet in height.
6. All landscaping shall be irrigated.
7. All landscaping, once installed, shall be maintained.

(Ord. No. 226U, § 2, 3-10-93; Ord. No. 265, § 2, 1-15-97)

9654.6. Parking allocation.

A. Purpose. The intent and purpose of this section is to provide properly designed off-street parking areas adequate in capacity, location and design to prevent traffic congestion.

The allocation of off-street parking is intended to provide a sufficient number of off-street parking spaces that are in proportion to the need created by the particular land use.

B. Parking spaces required. The number of off-street parking spaces shall be no less than the following:

USE	PARKING SPACES REQUIRED
<i>Residential</i>	
Single-family dwellings	2 covered parking spaces. Said spaces shall be provided within a garage
Apartments:	
Studio or bachelor	1 covered, plus 0.5 uncovered parking spaces per each unit
One (1) bedroom	1.5 covered, plus 1.0 uncovered parking spaces per each unit
Two (2) bedrooms or more	2 covered, plus 0.50 uncovered parking spaces per unit
Condominiums or townhouses	2 covered, plus 0.50 uncovered parking spaces per unit. Recreational vehicle parking may be required at a location and of a design approved by the planning commission.
(All uncovered parking spaces shall be used for "guest parking" and marked as such.)	
Second units/granny flats	1 covered parking space per each unit
<i>Commercial</i>	
Office	
Business and professional	1 for each 300 square feet of gross floor area. Permanent common lobbies within each building totaling 35,000 square feet or larger are excluded from gross floor area.
Psychologists, psychiatrists, counselors and other similar uses with individualized patient programs.	1 for each 300 square feet of gross floor area.
Medical and dental	5 for each 1000 square feet of gross floor area
Restaurants, including take-out and drinking establishments	15 for each 1000 square feet of seating or waiting floor area. A minimum of 10 parking spaces shall be required
Automotive	
Full service service station (fuel dispensing and/or repairs)	3 plus 2 for each service bay. A minimum of 10 parking spaces shall be required
Repair facilities	1 for each 200 square feet of gross floor area
Self service service station (fuel dispensing only)	1 for each employee on the largest shift
Dealerships and other open air sales	1 for each 1,000 square feet of outdoor sales and display area, plus 1 for each 5,000 square feet over 10,000 square feet
Self service or coin operated operating washing and cleaning establishments	2 for each washing area or unit
Washing and cleaning establishments	1 for each employee and 2 for each detailing bay or area
General retail stores, except as otherwise specified herein	1 for each 250 square feet of gross floor area
Game arcades	1 for each 250 square feet of gross floor area

USE	PARKING SPACES REQUIRED
Mortuaries and funeral homes	1 for each 20 square feet of floor area, or assembly area, plus 1 for each vehicle owned by such establishment
Furniture, appliance and carpet stores Recreation	1 for each 750 square feet of gross floor area
Batting cage facility, primary use	1 for each batting cage, pitching cage or practice cage; plus 1 for each 1000 square feet of practice and instruction field area; plus 1 per 250 square feet of gross floor area for retail sales; plus 15 for each 1000 square feet of seating and waiting area floor area for eating and drinking uses (a minimum of 10 parking spaces shall be required); plus 1 for each 300 square feet of floor area for office uses.
Bowling lanes	3 for each bowling lane, plus the spaces required for each additional use on the site
Billiard parlors and poolrooms Tennis facility	3 for each billiard or pool table 3 for each court, plus the spaces required for each additional use on the site
Public swimming pools, gymnasiums and skating rinks	1 for each 100 square feet of gross floor area, plus the spaces required for each additional use on the site
Miniature golf courses and driving ranges Health clubs and dance studios	1 for each hole or driving tee 1 space for each 220 square feet of gross floor area in the activity area, plus 1 space for each 250 square feet of other floor area
Boarding and riding stables	1 parking space for each stall retained for rental purposes on the site, plus 1 for each employee 1 for each 3 fixed seats or for every 35 square feet of nonfixed seats
Theaters, sport arenas, and stadiums	1 for each unit, plus the spaces required for each additional use on the site
Hotels and motels	2 for each barber chair and 3 for each beautician station
Barbershops or beauty parlors	5 for each 1,000 square feet of gross floor area
Laundromats and dry cleaning facilities	5 for each 1,000 square feet of gross floor area
Banks	1 for each 250 square feet of gross floor area
Savings and loan offices, financial institutions, public and private utility offices	Except as otherwise specified, 4 for every 1,000 square feet of gross floor area
Shopping centers	1 for each 200 square feet of gross floor area
Supermarkets and drugstores	5 plus 1 additional for each 500 square feet of outdoor sales, display or service areas
Plant nurseries or similar outdoor sales and display areas	1 for each 500 square feet of gross floor area
Recycling centers	1 for each 250 square feet of gross floor area
Any commercial use listed, as permitted in the C-1, C-2, C-3, or CPD zones, except as specifically provided	

USE	PARKING SPACES REQUIRED
Hospitals	2 for each bed
Convalescent hospitals, children's homes, nursing homes, and homes for the aged	1 for each 5 beds
Churches	1 for each 3 seats (18 linear inches shall be considered a seat), or 1 for each 28 square feet where no permanent seats are maintained
Libraries, galleries, and museums	1 for each 225 square feet of gross floor area
Schools	
Elementary and junior high school	1 for each classroom, and 1 for each 5 seats or for each 35 square feet of area in the auditorium
High school	6 for each classroom and 1 for each 5 seats or for each 35 square feet of area in the auditorium
Colleges and universities	7 for each classroom and 1 for each 5 seats or for each 35 square feet of area in the auditorium, plus the required spaces required for each additional use on the site
Day nurseries and preschools	1 for each 5 children
Trade schools	1 for each employee on the largest shift, plus 1 for each student during maximum enrollment
<i>Industrial</i>	
Research and development facilities	1 for each 300 square feet of gross floor area, plus 1 for each company vehicle, plus 1 for each 250 square feet of gross floor area for incidental office use
Automated or semi-automatic public or quasi-public utilities	1 for every employee on the largest shift, plus 1 for each company vehicle (2 minimum) plus 1 for each 250 square feet of gross floor area for incidental office use
Warehouse, exclusive of any assembly, manufacturing or sales activity	1 for every 1,000 square feet of gross floor area for the first 5,000 square feet of gross floor area, then 1 for every 5,000 square feet of additional gross floor area, plus 1 for each company vehicle, plus 1 for each 250 square feet of gross floor area for incidental office use

(Ord. No. 169, § 1, 4-11-90; Ord. No. 177, § 1, 11-14-90; Ord. No. 203, § 3, 10-9-91; Ord. No. 223, § 1, 1-27-93; Ord. No. 226U, § 2, 3-10-93; Ord. No. 240, § 13, 9-8-93; Ord. No. 00-305 § 4, 1-10-2001; Ord. No. 03-317, § 1, 3-12-2003)



CITY OF AGOURA HILLS
NOTICE OF AVAILABILITY AND INTENT TO ADOPT A
NEGATIVE DECLARATION
CASE NO. 10-ZOA-003

A Draft Negative Declaration has been prepared for the following project pursuant to the State of California Public Resources Code and the "Guidelines for Implementation of the California Environmental Quality Act of 1970," as amended to date.

PROJECT LOCATION: Citywide in the City of Agoura Hills, Los Angeles County.

PROJECT DESCRIPTION: The purpose of this Zoning Ordinance Amendment (Case No. 10-ZOA-003) is to amend the Parking Ordinance related to parking lot tree canopy coverage and public amenities to be provided in retail centers, and amendments to the City's Architectural Design and Standards Guidelines. This action requires a Planning Commission review and a recommendation to the City Council.

DRAFT ENVIRONMENTAL DOCUMENT: An Initial Study and Draft Negative Declaration (IS/ND) that evaluate environmental effects of the project have been prepared and are available for review and comment. The analysis identifies no impact at this time.

DOCUMENT AVAILABILITY: The printed Draft IS/ND is available for review at the Planning and Community Development Department, at City Hall which is located at 30001 Ladyface Court, Agoura Hills, between the hours of 7:00 AM and 5:00 PM, Monday through Thursday and between the hours of 7:00 AM and 4:00 PM on Fridays. The document is also available on the City's website for viewing and/or download. Any questions regarding the project may be directed to Valerie Darbouze, Associate Planner, at (818) 597-7328, or by email at vdarbouze@ci.agoura-hills.ca.us.

PUBLIC COMMENT PERIOD: The City of Agoura Hills encourages the public to provide written comments on the environmental document. The public review period begins on February 10, 2010. Comments on the Draft ND must be submitted by March 14, 2011 at 5:00 PM. Please send your comments to: Valerie Darbouze, Associate Planner, City of Agoura Hills, Planning and Community Development Department, 30001 Ladyface Court, Agoura Hills, CA 91301, or send them electronically to vdarbouze@ci.agoura-hills.ca.us.

PUBLIC HEARING: The Planning Commission will hold a public hearing considering approval of the project and considering certification of the environmental document on March 17, 2011 at 6:30 PM in the City Council Chambers, at 30001 Ladyface Court.

If you challenge the permit approval or environmental document in court, you may be limited to raising only those issues you or someone else raised in written correspondence delivered to the Planning Commission, or in a public hearing on the project.

INTRODUCTION

This Initial Study and Negative Declaration (IS/ND) addresses the potential environmental effects resulting from a Zoning Ordinance Amendments (ZOA) to revise regulations applicable to the parking landscaping in commercial areas of the City of Agoura Hills.

LEGAL AUTHORITY AND FINDINGS

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

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

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

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

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

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

IMPACT ANALYSIS AND SIGNIFICANCE CLASSIFICATION

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

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

considered a significant effect on the environment, but may be considered in determining whether the physical change is significant.”

The following information applies to the Initial Study Checklist:

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

INITIAL STUDY CHECKLIST

Project Title: Parking Landscaping Ordinance Amendment

Case Number: 10-ZOA-003

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

Contact Person and Phone Number: Valerie Darbouze – Associate Planner
City of Agoura Hills
(818) 597-7310

Project Location: Citywide

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

General Plan Designation: All designations Citywide

Zoning: CRS and CS Zoning Districts

Project Description: The project consists of the amendment of Article IX, Chapter 6, Part 2, Division 4. which consists of amending Sections 9654.5.A and 9654.5.C to modify the purpose and tree canopy coverage development requirements. The Ordinance would apply to CRS and CS (retail) zoned parcels of the City. The Draft Ordinance is included in its entirety as Exhibit 1.

In addition to amending the Zoning Ordinance, the process will require amending the City's Architectural Design and Standards Guidelines to reflect the new requirement. A copy of the proposed revisions to Section D of the guidelines is attached.

The project being analyzed as part of this environmental document is an amendment to the text found in the Zoning Ordinance, and not any specific development proposal. In the future, each individual commercial development project being proposed would need to undergo separate and specific CEQA review, beyond this current document.

Surrounding Land Uses: Citywide

Site Description and Environmental Setting: Citywide

Other Public Agencies Whose Approval Is Required: None

Entitlements: No entitlements or permits are required for the ZOA.

ENVIRONMENTAL FACTORS AFFECTED

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

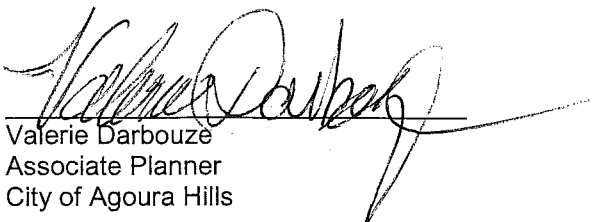
- | | | |
|--|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Air Quality | <input type="checkbox"/> Biological Resources |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Hazards/Hazardous Materials |
| <input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

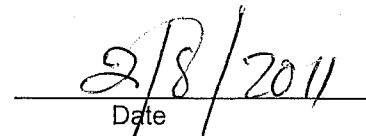
DETERMINATION

On the basis of this initial evaluation:

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

Report Preparer:


 Valerie Darbouze
 Associate Planner
 City of Agoura Hills


 Date

EVALUATION OF ENVIRONMENTAL IMPACTS

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
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(1) LAND USE AND PLANNING. Would the project:

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

Discussion:

- a) The project consists of a Zoning Ordinance Amendment (ZOA) and revisions to the City Adopted Architectural Design and Standards Guidelines, and is therefore not a physical development capable of dividing an established community. The proposed changes would simply allow for additional amenities to be provided in parking lot for new, major remodel or landscaping upgrade in commercial retail centers. Each individual proposal for future commercial development would be analyzed pursuant to CEQA, separate from this ND. The project would result in **no impact**.
- b) The ZOA remains in compliance with the recently adopted General Plan 2035 and the General Plan EIR 2010 which addresses other agencies concerns. The new language would provide for more flexibility and options to improve conditions in parking lots with respect to aesthetics and heat island effects. As noted above under Item a), each development project would be analyzed per CEQA as individual project applications come forward. Therefore, there would be **no impact** from implementation of the ZOA.
- c) There are no habitat conservation plans or natural communities' conservation plans applicable to the geographical area of the ZOA, either within or in the vicinity of, and so the project would result in **no impact**.

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

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?				X
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Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
b) Have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?				X
g) Result in damage to, loss of, or removal of native oak trees or other locally identified specimen trees of significance?				X

Discussion:

- a) Much of the ZOA affected zones (and the City as a whole) are already developed with urban uses, and any additional development would be considered infill. As a result, the potential for sensitive habitat is somewhat limited, based on human activities including annual brush clearance for fire prevention purposes. All outdoor improvements required by this Ordinance amendment would be introduced to already a disturbed environment. In the case of the ZOA, there is no physical development that could adversely affect sensitive biological species. Therefore, there would be **no impact**. Any proposal to build new commercial building and/or accessory structures would be analyzed separately under CEQA as part of project specific environmental review, which would need to consider the habitat further.
- b), c) Please see the discussion in Item a) above. The project is not a physical development that could adversely affect wetlands, riparian habitat or other sensitive natural communities regulated by the California Department of Fish and Game or the U.S. Fish and Wildlife Service or the Army Corps of Engineers. Therefore, there would be **no impact**. Any future proposals to develop commercially zoned parcels would be separate projects under CEQA, and would undergo environmental review, including considering the habitat further, as a specific development proposal comes forward for review.
- d) Please see the discussion in Item a) above. Because the project is not a physical development, it does not have the potential to interfere with the movement of fish or wildlife. Any future proposals to develop commercial sites would be separate projects under CEQA, and would undergo environmental review, as a specific development proposal comes forward for review. Therefore, there would be **no impact**.
- e), g) Since the project is not a proposal for a physical development in the area, there would be no impacts to oak trees and furthermore, the decision is not in conflict with existing policies to protect the local oak tree resource. Any future proposals to develop these commercial sites, which would be a separate project under CEQA, would need to consider the oak trees impacts if any and no oak tree would be removed as a

result of the new requirement. However, the current project would not adversely affect the oak trees, and there would be **no impact**.

- f) There are no Habitat Conservation Plans (HCPs) or Natural Communities Conservation Plans (NCCPs) or other conservation plans in or near the project area, nor in the City as a whole, so there would be **no impact**.

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

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

Discussion:

- a)-c) The City of Agoura Hills is located within the South Coast Air Basin, and is governed by the South Coast Air Quality Management District (SCAQMD). Since the project is not a proposal for a physical development, there would be no impacts to air quality as a result of the amendments and additions to the Zoning Ordinance. In any case, according to the Air Pollution Control District (APCD) Guidelines, to be consistent with the Air Quality Management Plan (AQMP), a project must conform to the local General Plan. The project is not a use with air quality impacts but rather a site improvement and any policies related to landscaping discussed in the General Plan Environmental Impact Report (EIR), for the City as a whole. As such, there would be **no impact**.
- d)-e) The project does not include a physical development that could result in air quality emissions. The project would not adversely affect air quality in these circumstances, and so there would be **no impact**.

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

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

Discussion:

a)-e) The project is not a physical development capable of impacting cultural resources that may exist on or under the ground, or within a given area. In any case, the remaining vacant lots in the City are not currently known areas of historical, archaeological, or paleontological sensitivity, nor are there any human remains expected to be located here. Additionally, the area is not considered an identified sacred place or other ethnographically documented location of significance to native Californians. None of the proposed regulations under the ZOA would create cultural resource preservation concerns. Any proposal to build or remodel commercial projects would be analyzed separately under CEQA as part of project specific environmental review as a development proposal is submitted to the City, which would need to consider potential site specific cultural resources. Therefore, the current project would result in **no impacts**.

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

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:				
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
(ii) Strong seismic ground shaking?				X
(iii) Seismic-related ground failure, including liquefaction?				X
(iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?				X

Discussion:

a)-e) Per the City's General Plan Master Environmental Assessment, there are no active or inactive faults within the City limits, and therefore potential hazard from faulting is remote. However, there are several active and/or potentially active faults in the surrounding region that could produce ground shaking in the area. Other geologic or soil conditions are specific to individual sites. Nonetheless, the project that is the subject of this IS/ND is not a physical development with the potential for causing adverse impacts in the area of geology and soils. None of the proposed regulations or changes to the Zoning Ordinance would create additional geologic safety concerns. As previously noted, any proposal to build commercial projects would need to be analyzed separately under CEQA as part of project specific environmental review. The site specific geologic conditions and the type of development and construction methods would be assessed at that time for the actual development project. Therefore, the current project would result in **no impact**.

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

a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant Impact with Mitigation Measures	Less Than Significant Impact	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wild lands?				X

Discussion:

- a)-d) The ZOA does not address a use but rather a site improvement. Because it is not a physical development proposal, the project would not result in the use of substantial hazardous materials, nor their storage, disposal or transport. The project, being a ZOA, would also not cause an accidental release or upset of such materials. Any future proposal to build commercial retail centers or remodel center or improve the parking lot landscaping would be considered a separate project under CEQA, and would need to undergo separate project and environmental review per CEQA, aside from the current project, where these environmental issues would be further analyzed. Therefore, the current project would result in **no impact**.
- e)-f) There are no airports or airstrips in the vicinity of the City of Agoura Hills. Therefore, the ZOA project would result in **no impact**.
- g) There are no known currently adopted emergency response plans or emergency evacuation plans in the intended properties. In any case, the project itself, not being a physical development, would not interfere with such plans if created in the future. None of the proposed regulations or changes to the Zoning Ordinance would interfere with such plans. As specific development projects are proposed, they would be analyzed under separate CEQA review to ensure that they do not conflict with such plans. Therefore, the ZOA project would result in **no impact**.
- h) The project does not include specific physical development proposals. Any future proposal to develop in commercial zones would be considered a separate project under CEQA, and would need to undergo separate project and environmental review per CEQA, aside from the project. The project would result in **no impact**.

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

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

Discussion:

- a)-e), i) The project that is the subject of this IS/ND is not a physical development with the potential for causing adverse impacts in the area of hydrology and water quality. None of the proposed regulations or changes to the Zoning Ordinance would adversely affect hydrology and water quality. As noted previously, any proposal to remodel commercial centers would be analyzed separately under CEQA as part of project specific environmental review. The site specific hydrology and the type of development and construction methods would be assessed at that time for the actual development project. Therefore, the current project would result in **no impact**.
- f)-h) The project is not a physical development that could cause flood concerns. None of the proposed regulations or changes to the Zoning Ordinance would result in greater flood concerns in the project area. Each specific future development proposal would be considered a separate project under CEQA that would need to undergo separate environmental review, including flood impact analysis. Therefore, the current project would result in **no impact**.

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

a) Have a substantial adverse affect on a scenic vista?				x
b) Substantially damage scenic resources including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				x
c) Substantially degrade the existing visual character or quality of the project site and its surroundings?				x
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				x
e) Significantly impact any existing streetscape or public space which has been designed to provide areas of public assembly and congregation?				x

Discussion:

- a) The City General Plan Scenic Highways Element identifies Local Scenic Highways, County Scenic Highway, and areas eligible for state scenic highway designation. Many of the City's commercial areas do not impact vistas of Ladyface Mountain and the ridgelines along the north and south sides of the City. Nonetheless, the project consists of a ZOA, and is not a physical development proposal. The project does not involve any direct physical changes to the environment. As such, it would result in **no adverse impact** to scenic vistas. As individual development projects are proposed, and the details of the improvements, CEQA review, separate from this IS/ND, would be required to assess any potential impacts from building construction in the future.
- b) There are no state scenic highways in the project area, although U.S. Highway 101 is eligible for state scenic highway designation. There are no historic buildings or rock outcroppings in or adjacent to the U.S. Highway 101. In any case, since the project is not a specific physical development proposal, the project would result in **no impact**. As individual development projects are proposed, CEQA review, separate from this IS/ND, would be required to assess any potential impacts from building construction on aesthetics.
- c) The project does not involve any direct physical changes to the environment. As such, it would result in **no impact** to the visual character or quality of the area. As individual development projects are proposed, and the details of the proposed improvements, CEQA review, separate from this IS/ND, would be required to assess any potential impacts from building construction in the future.
- d) Since the project is not a physical development proposal, it would not result in impacts from lighting and glare. As previously described, any proposal to build a new commercial or remodel a center would be analyzed separately under CEQA as part of project specific environmental review, which would include a development project-specific lighting and glare assessment. Therefore, the current project would result in **no impacts**.
- e) The area subject to the ZOA is not located in the immediate vicinity of any known streets or public spaces used for the assembly and congregation of people. Therefore, there would be **no impact**.

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

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

Discussion:

Noise level (or volume) is generally measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound power levels to be consistent with that of human hearing response, which is most sensitive to frequencies around 4,000 Hertz (about the highest note on a piano) and less sensitive to low frequencies (below 100 Hertz). For the most sensitive uses, such as single family residential, 60 dBA Day-Night average level (Ldn) is the maximum normally acceptable exterior level. Ldn is the time average of all A-weighted levels for a 24-hour period, with a 10 dB upward adjustment added to those noise levels occurring between 10:00 PM and 7:00 AM to account for the general increased sensitivity of people to nighttime noise levels. The Community Noise Equivalent Level (CNEL) is similar to the Ldn except that it adds 5 dB to evening noise levels (7:00 PM to 10:00 PM). The City of Agoura Hills utilizes the CNEL for measuring noise levels. Sensitive noise receptors include residential units, libraries, hospitals and nursing homes. In the project vicinity, the sensitive noise receptors would be residences, schools and homes for the elderly.

- a),c),d) The project would not result in any physical development. The proposed regulations would not result in any changes to the types of uses allowed in commercial zones, or to any noise standards. Any proposal for development in the project area would be analyzed separately under CEQA as part of project specific environmental review. The site specific noise conditions and the type of development and construction methods would be assessed at that time for the actual development project. Therefore, the current project itself would result in **no impacts**.
- b) Because it is not a physical development, the proposed project would not result in any impacts related to excessive groundborne vibration. As specific development projects are proposed, along with information about construction and grading details and methods, these projects would need to undergo separate CEQA review, including analysis of this issue area. Therefore, the current project would result in **no impacts**.
- e),f) The area affected by the proposed project is not located within the vicinity of an airport or private airstrip, and would not be affected by air traffic noise impacts. There would be **no impact**.

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

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

Discussion:

- a) The project would not result in any physical development. In any case, regulations proposed by the ZOA would not increase the density of commercial development described in the General Plan (See Section (3) AIR QUALITY), and so there would not be any increase in population above that already accounted for in the General Plan as a result of the project. Therefore, the project would result in **no impacts** to population growth.
- b) The project does not consist of any physical development. Consequently, the proposed regulations do not result in the displacement of current housing. As specific development projects are proposed, these projects would need to undergo separate CEQA review, including analysis of this issue area. Therefore, there would be **no impacts**.

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

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

Discussion:

- a),b) The City of Agoura Hills is served by the Los Angeles County Fire Department (LACFD) and the Los Angeles County Sheriff's Department (LACSD). The project itself would not require additional police or fire protection services, as no development is proposed. As such, the project would result in **no impacts**. As individual development projects are proposed in the project area at a later date, separate CEQA review would be undertaken to assess potential fire and police protection services impacts on an individual level. In any case, as the area affected by the project is already within a developed area currently served by these agencies, impacts to such services would likely not be significant, especially regarding the need to expand such services. Any future development project would be required to comply with Fire Code and LACFD standards, including specific construction specifications, access design, location of fire hydrants, and other design requirements.
- c) In 1990, school facilities legislation (California Government Code Section 65995) was enacted to generate revenue for school districts for capital acquisitions and improvements. This legislation allows a maximum one-time fee of \$1.93 per square foot of residential floor area and \$0.31 per square foot of commercial and industrial space for development projects. This fee is divided between the primary and secondary schools and is termed a "Level One Fee." Adjustments to these Level One fees have occurred periodically, and the fees have been increased. The project would not result in impacts to schools, as no physical development is being proposed as part of the project itself. Therefore, there would be **no impacts** from the current project. As individual self-storage development proposals come forward each development would undergo specific CEQA review and be assessed for school impacts. Such a development project would likely be required to pay school impact fees at the current commercial/industrial development rate to the local school district, Las Virgenes Unified School District.
- d) The project would not result in physical development. As individual development proposals come forward, each development would undergo specific CEQA review and be assessed for parks impacts. Such a development project would likely be required to pay the City park fee. Therefore, there would be **no impacts**.
- e) Since the proposal is for a ZOA, not a development proposal, the project would not contribute to the demand for any other public facilities. Therefore, there would be **no impacts**.

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

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

Discussion:

- a),b) Since the project is not a particular development proposal, there would be **no impacts** to recreational facilities. As individual development projects are proposed in the project area, separate CEQA review would be undertaken to determine the specific project's impacts to recreation.

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

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

Discussion:

- a) Since the project is not a particular development proposal, there would be **no impacts** to traffic and circulation. As individual development projects are proposed in the project area, separate CEQA review would be undertaken to determine the specific project's impacts to traffic and circulation.
- b) The Los Angeles County Congestion Management Plan (CMP) requires a regional traffic impact analysis when a project adds 150 or more trips in each direction to a freeway segment. Based on the discussion in Item "a" above, there would be **no impacts**.
- c) There are no airports or airfields in the project vicinity, so the proposal would result in **no impacts**.
- d), e) As discussed in Section (11) PUBLIC SERVICES, the ZOA is not a development proposal and so would not result in traffic-related hazards or impacts to access. As individual new commercial and remodel of commercial centers are proposed, separate CEQA review would be undertaken to determine the specific project's impacts these items. The current project would result in **no impacts**.
- f) The proposed project is not a development proposal and so would not result in impacts to parking. As individual residential development projects are proposed in the project area, separate CEQA review would be undertaken to determine the specific project's impacts on parking capacity. The current project would result in **no impacts**.

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

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

Discussion:

- a) - e) As the project is not a physical development proposal, it would not result in impacts to wastewater, water or storm water. As individual development projects are proposed in the project area, separate CEQA review would be undertaken to determine the specific project's impacts to these services. The current project would result in **no impacts**.
- f) – g) As noted above, the proposed ZOA would not constitute a development proposal and so would not result in impacts to solid waste. As individual development projects are proposed in the ZOA, separate CEQA review would be undertaken to determine the specific project's impacts to these services. The ZOA would result in **no impacts**.

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

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

Discussion:

- a) Given that the project consists of a ZOA, but with no physical development component, it would not have the potential to significantly degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. Therefore, there would be no impacts.
- b) As listed in the specific environmental issue sections, the project is not expected to have any impacts, so there would be no cumulative impacts. The project complies with the intent of the General Plan EIR 2010.
- c) As listed in the specific environmental issue sections, the project is not expected to have any impacts, so there would be no effects that would cause substantial adverse effects on human beings.

REFERENCES

Agoura Hills, City of. *General Plan*. 2035.

Agoura Hills, City of. *Architectural Standards and Guidelines*. November 1992.

Agoura Hills, City of. *Municipal Code*, revised 2010.

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

Agoura Hills, City of. *General Plan EIR*, 2010

**Exhibit I – City of Agoura Hills Proposed Zoning Ordinance Amendment
(Case No. 10-ZOA-003)**

Article IX, Chapter 6, Part 2, Division 4, Section 9654.5.A of the Agoura Hills Municipal Code is proposed to be amended to read:

“Purpose. The intent and purpose of this section is to provide attractive landscaping by regulative an enhanced pedestrian experience and exterior visual interest of non-residential properties with regulative size, placement, and design of said landscaping and other amenities accessible to the public. ~~Parking area landscaping~~ Together, landscaping and other outdoor amenities are is intended to enhance the visual environment, promote public safety, moderate the temperature, and reduce noise and glare.”

Article IX, Chapter 6, Part 2, Division 4, Section 9654.5.C. of the Agoura Hills Municipal Code is proposed to be amended to read:

“Special landscape design standards.

1. Parking lot landscaping shall include shade trees, from an approved list, placed so as to cover ~~fifty (50)~~ at least thirty (30) percent of the total parking area with tree canopies within fifteen years after the issuance of the building permit for the related building, structure or other improvement.
2. ~~Reserved.~~
These requirements shall apply to new retail development, major remodel in existing retail centers, and in the case of retail centers seeking greater visibility.

In addition to the tree canopy coverage requirement of Section 9654.5.A, parking lots shall be enhanced with public amenities with an area equal to twenty (20) percent of the total parking area. The amenities shall include carports, shade structures, enhanced pavement, public sitting areas, a combination of raised landscape planter, benches and other amenities of similar intent approved by the City. Full credit for meeting this requirement shall be given to covered pedestrian amenities, and half credit given for other pedestrian amenities.

An in-lieu fee may be considered to compensate for the lack of amenities. The amount will be based on the cost of one 24”-box tree (including purchase, installation and maintenance) for every 400 square feet of canopy coverage deficiency. The in-lieu fee shall be considered only after the applicant has demonstrated on a landscape plan prepared by a licensed landscape architect that the 30% canopy coverage and/or the 20% added pedestrian amenities cannot be met.”

**Exhibit II – Proposed Amendment to the City of Agoura Hills
Architectural Design and Standards Guidelines
ADOPTED NOVEMBER 4, 1992**

“Section D. Parking/Site Circulation/Site Access

1. General Parking Requirements

- a. All commercial parking areas shall be designed in accordance with the Section 9654, OFF STREET PARKING of the City of Agoura Hills Zoning Ordinance, unless otherwise stated in this document.
- b. All off-street parking facilities, including access aisles, driveways, loading areas and manufacturing areas shall be surfaced with a hard and impervious material. All off-street parking facilities shall be suitably sloped, drained, and shall be adequately designed and engineered for the traffic and the parking load expected.
- c. Shared parking between adjacent properties shall be encouraged and required where practical, provided that the required parking is provided for each site.
- d. If future expansion is expected, space must be reserved for future parking.
- e. With the intent of encouraging automobile trip reduction, provide for bicycle racks, preferential parking spaces for car pool parking, and designated parking spaces for motorcycle parking.
- f. Underground parking may be permitted to improve site design, but cannot be used to increase density.

2. Parking Area Design

- a. Parking areas should be separated from buildings by either a raised concrete walkway or landscaped strip, preferable both. Situations where parking spaces directly abut the buildings should be avoided.
- b. The parking area should be designed to allow links from the building to the major on site parking areas and street sidewalks as an extension of the pedestrian circulation system within the project. This will also allow handicapped access from the street to the building. This can be accomplished by using design features such as ramps, walkways with enhanced paving, plazas, arcades, courtyards, pathways, trellis structures, and/or special landscape treatments. Pedestrian access between sites is encouraged. Applicant shall incorporate all Title 24 and ADA (handicap access) requirements when designing said access. (See Figure 8A & 8B).

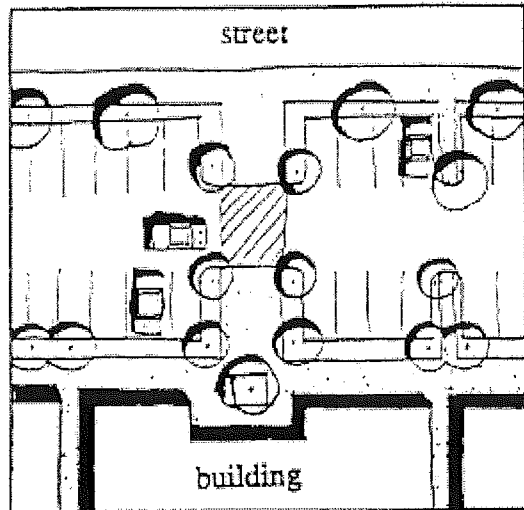


Figure 8A.

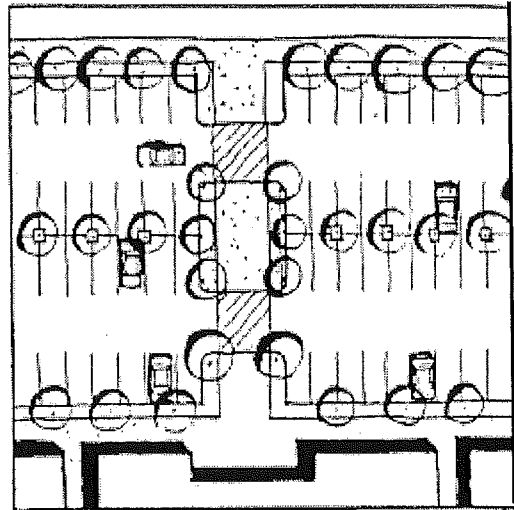


Figure 8B.

- c. Parking areas, both interior and perimeter, shall be landscaped. The Zoning Ordinance requires 50% shade cover at 15 years maturity. (See Figure 9).

‘(Exception: In the case of retail centers, 30% of the total parking area shall be shaded at 15 years maturity with tree canopies.

In addition, parking lots shall be enhanced with public amenities with an area equal to twenty 20% of the total parking area. The amenities shall include carports, shade structures, arbors, trellis covers, enhanced pavement, public sitting areas, a combination of raised landscape planter, fountains, artwork, benches and other amenities of similar intent approved by the City. Full credit for meeting this requirement shall be given to the use of covered pedestrian amenities, and half credit shall be given to the use of other pedestrian amenities.)’

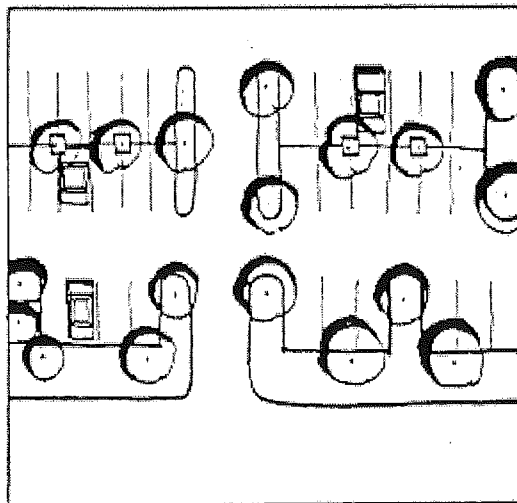


Figure 9”