AGENDA
REGULAR MEETING
AGOURA HILLS CITY COUNCIL
Civic Center - Council Chambers
30001 Ladyface Court, Agoura Hills, California 91301
Wednesday, November 12, 2025
6:00 PM

Please silence all cell phones and other electronic devices during the meeting.

ATTEND OR WATCH THE MEETING

*For in-person attendance, the Council Chambers will open to the public at 5:30 p.m. To watch the live stream or archived meeting, search "Agoura Hills City Council" on **YouTube** and select the meeting by date, or visit **agourahillscity.gov** and click the dark green "View Current Agenda(s) or Live/Archived Meetings" button at the top of the page.*

PUBLIC PARTICIPATION (PUBLIC COMMENT

Option A: To provide public comments in person in the Council Chambers

Members of the public may attend the meeting in person in the Council Chambers and have the opportunity to speak or submit a written comment on any item listed on the Agenda. To speak, complete a Speaker's Card for each item and submit it to the City Clerk before the public comment portion of that item. Public testimony is limited to three (3) minutes per speaker, and time may not be transferred to another person. Written comments submitted during the meeting will not be read aloud by the City Clerk.

Option B: To submit written public comments prior to the meeting

*Members of the public may submit written comments on any item listed on the Agenda. To ensure the City Council has time to review and/or consider the information prior to the meeting, please include the Agenda item number or topic in the email subject line and **send written public comments to comments@agourahillscity.gov on or before 4:00 p.m. on the meeting date.** Public comments are not read into the record by the City Clerk. Please note: any public comments submitted after the deadline may not be considered during the City Council's deliberations or included in the official record. However, the public is welcome to attend the meeting to make or submit comments in person.*

CALL TO ORDER

LAND ACKNOWLEDGEMENT

PLEDGE OF ALLEGIANCE

Boy Scout Troop 127

ROLL CALL

Mayor Penny Sylvester
Mayor Pro Tem Jeremy Wolf
Councilmember Kate Anderson
Councilmember Chris Anstead
Councilmember Deborah Klein Lopez

REPORT OF CLOSED SESSION

APPROVAL OF AGENDA

PRESENTATIONS

2025 Event Sponsorship Recognition - Community Services Department

INTERGOVERNMENTAL, SPECIAL PURPOSE COMMITTEE, AND DEPARTMENTAL REPORTS

Update from Supervisor Lindsey P. Horvath Field Deputy Daniell Vicente
Clean Power Alliance (CPA) Update

PUBLIC COMMENTS

(This section is reserved for persons wishing to address items not listed on the Agenda that are under the subject matter jurisdiction of the City Council. Please refer to “Public Participation” above for full details on how to speak or submit written public comments under this category.)

CONSENT CALENDAR

(Items on the Consent Calendar may be approved by a single motion and vote. Unless pulled by the City Council, there will be no separate discussion of these items. This section is reserved for persons wishing to address items on the Consent Calendar. Please refer to “Public Participation” above for full details on how to speak or submit written public comments under this category.)

1. Approve Minutes of the Regular City Council Meeting of January 22, 2025
RECOMMENDATION: Approve the Minutes, as presented.

2. Approve Minutes of the Regular City Council Meeting of September 10, 2025
RECOMMENDATION Approve the Minutes, as presented.

3. Approve Minutes of the Regular City Council Meeting of October 7, 2025
RECOMMENDATION Approve the Minutes, as presented.

4. Approve Demand Warrant Register No. 942
RECOMMENDATION: Approve Demand Warrant Register No. 942.

5. Approve Award of Contract for the Morrison Park ADA Rehabilitation Project; NIB 25-04, Community Development Block Grant Project No. 602756-24
RECOMMENDATION: 1) Award the Morrison Park ADA Rehabilitation Project, NIB 25-04, CDBG Project #602756-24 to VARN Painting, Inc.; 2) Authorize the Mayor to sign the contract agreement for Total Bid Price of Base Bid in the amount of $346,286.65; and, 3) Authorize the City Engineer a 10% contingency in the amount of $34,628.67.

6. Receive the Annual Compliance Report for the Transportation Impact Fees Fund Covering Fiscal Year 2024-25

RECOMMENDATION: Receive the Annual Transportation Impact Fee Report to fulfill the requirements, as stated in Government Code Section 66006(b)(1).

PUBLIC HEARING

(This section is reserved for persons wishing to address items listed under Public Hearing. Please refer to “Public Participation” above for full details on how to submit written public comments or speak under this category.)

7. Conduct a Public Hearing to Consider the Adoption of an Ordinance Adopting by Reference the 2025 Edition of the California Building Standards Code and the 2024 Edition of the International Property Maintenance Code, Adopt a Resolution Making Findings that the Amendments to the 2025 Editions of the California Building, Residential, Plumbing, Wildland-Urban Interface, Fire, Existing Building, and Green Building Standards Codes, as Adopted are Necessary because of Local Climatic, Geological, or Topographical Conditions, and Approve a California Environmental Quality Act (CEQA) Exemption Determination

RECOMMENDATION: Adopt Ordinance No. 25-480; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ADOPTING BY REFERENCE THE 2025 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE COMPRISED OF THE 2025 EDITIONS OF THE ADMINISTRATIVE, BUILDING, RESIDENTIAL, ELECTRICAL, MECHANICAL, PLUMBING, ENERGY, WILDLAND-URBAN INTERFACE, HISTORICAL BUILDING, FIRE, EXISTING BUILDING, GREEN BUILDING STANDARDS, AND REFERENCED STANDARDS CODES, AND THE 2024 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, AMENDING ARTICLES III and VIII OF THE AGOURA HILLS MUNICIPAL CODE, AND APPROVING A CEQA EXEMPTION DETERMINATION and Adopt Resolution No. 25-2119, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, MAKING FINDINGS THAT AMENDMENTS TO THE 2025 EDITIONS OF THE CALIFORNIA BUILDING, RESIDENTIAL, PLUMBING, WILDLAND-URBAN INTERFACE, FIRE, EXISTING BUILDING, AND GREEN BUILDING STANDARDS CODES, AS ADOPTED BY ORDINANCE OF THE CITY OF AGOURA HILLS, ARE REASONABLY NECESSARY BECAUSE OF LOCAL CLIMATIC, GEOLOGICAL, OR TOPOGRAPHICAL CONDITIONS .

8. Conduct a Public Hearing, Waive Full Reading, and Introduce an ADU Ordinance Amendment

RECOMMENDATION: Conduct a Public Hearing, Waive Full Reading, and Introduce Ordinance No. 25-481; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING ARTICLE IX (ZONING) OF THE AGOURA HILLS MUNICIPAL CODE TO REPEAL AND REPLACE THE ADU REGULATIONS IN SECTION 9283, AMEND RELATED DEFINITIONS IN SECTION 9120 CONSISTENT WITH STATE LAW, AND AMEND SECTION 61005 TO CLARIFY SHORT-TERM RENTAL PROHIBITIONS; AND MAKING A DETERMINATION OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) .

9. Conduct a Public Hearing, Waive Full Reading, and Introduce a Protected Tree Ordinance

RECOMMENDATION: Conduct a Public Hearing, Waive Full Reading, and Introduce Ordinance No. 25-482; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING THE AGOURA HILLS MUNICIPAL CODE TO CONSOLIDATE ALL PROTECTED TREE REGULATIONS INTO SECTION 9657 AND UPDATING THE CITY’S PROTECTED TREE REGULATIONS TO STREAMLINE PERMIT PROCESSING, PRIORITIZE THE RETENTION OF INDIVIDUAL TREES, INCENTIVIZE THE PLANTING OF NEW PROTECTED TREES, INCLUDE THE CALIFORNIA SYCAMORE AND SOUTHERN CALIFORNIA BLACK WALNUT AS PROTECTED TREES, AND MAKE OTHER AMENDMENTS; AND MAKING A DETERMINATION OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

DISCUSSION / ACTION

(This section is reserved for persons wishing to address items listed under Discussion / Action. Please refer to "Public Participation" above for full details on how to submit written public comments or speak under this category.)

10. Discussion to Consider Amending the Agoura Hills Municipal Code to Increase City Council Salaries
RECOMMENDATION: Discuss and provide feedback and direction to staff.

CITY COUNCIL, STAFF COMMENTS

ADJOURNMENT

The Regular City Council Meeting of November 26, 2025, has been canceled. The City Council Reorganization and Regular Meeting will be held at 6:00 p.m., on December 10, 2025, in the Council Chambers of the Civic Center. The Civic Center is located at 30001 Ladyface Court, Agoura Hills, California.

In accordance with the Americans with Disabilities Act, if you require special assistance to participate in a City Council meeting or to access other services offered by the City of Agoura Hills, please contact the City Clerk's Office at (818) 597-7300. To ensure that reasonable arrangements can be made to provide appropriate access, please provide notification at least 48 hours in advance of the meeting or time when services are needed.

Copies of staff reports or other written documentation related to each item of business on this Agenda are available on the City's website at ***agourahillscity.gov*** *and are on file in the Office of the City Clerk, Kimberly M. Rodrigues, at Agoura Hills City Hall, 30001 Ladyface Court, Agoura Hills, California, 91301.*

The telecast of Regular City Council Meeting held on Wednesday, November 12, 2025 will be broadcast on Channel 10 for Time Warner Cable subscribers and Channel 3 for Charter subscribers and air daily until the next regularly scheduled City Council meeting. The broadcast schedule is as follows: M-10a m; T-3pm; W-10am; Th-7pm; F-10am; S-3pm; and Su-7pm.

Date Posted: November 7, 2025

CITY OF AGOURA HILLS

REPORT TO CITY COUNCIL

DATE: **NOVEMBER 12, 2025**

TO: **HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

FROM: **NATHAN HAMBURGER, CITY MANAGER**

BY: **KIMBERLY RODRIGUES, CITY CLERK**

SUBJECT: **APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JANUARY 22, 2025**

RECOMMENDATION

Approve the Minutes, as presented.

Attachments

CITY OF AGOURA HILLS

REPORT TO CITY COUNCIL

DATE:	**NOVEMBER 12, 2025**
TO:	**HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**
FROM:	**NATHAN HAMBURGER, CITY MANAGER**
BY:	**KIMBERLY RODRIGUES, CITY CLERK**
SUBJECT:	**APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF SEPTEMBER 10, 2025**

RECOMMENDATION

Approve the Minutes, as presented.

Attachments

Minutes CC 091025.pdf

MINUTES
REGULAR MEETING
AGOURA HILLS CITY COUNCIL
Civic Center – Council Chambers
30001 Ladyface Court, Agoura Hills, California 91301
Wednesday, September 10, 2025
6:00 p.m.

The City Council meeting was called to order at 6:00 p.m. by Mayor Sylvester.

Mayor Sylvester opened the meeting with the Land Acknowledgement.

The Pledge of Allegiance was led by Cub Scout Pack 127.

Present were: Mayor Penny Sylvester, Mayor Pro Tem Jeremy Wolf, Councilmember Kate Anderson, Councilmember Chris Anstead, and Councilmember Deborah Klein Lopez.

Also Present were: City Manager Nathan Hamburger, City Attorney Candice K. Lee, Deputy City Manager Louis Celaya, Executive Assistant Michele Hubbs, Principal Planner Robby Nesovic, Deputy Director of Public Works Kelly Fisher, Director of Finance Diego Ibañez, Director of Community Services Amy Brink, and City Clerk Kimberly M. Rodrigues.

REPORT OF CLOSED SESSION

City Attorney Lee reported on the Closed Session item pursuant to Government Code Section 54956.9 (Paragraph (1) of Subdivision (d)). Direction was given to staff; no reportable action was taken.

APPROVAL OF AGENDA

Mayor Sylvester requested a change in the order of the Agenda to move the introduction of the new Lost Hills Sheriff Station Captain to immediately follow the Approval of the Agenda.

ACTION: Councilmember Klein Lopez moved to approve the Agenda, as amended. Councilmember Anstead seconded. The motion carried 5-0, by the following roll call vote:

AYES: Mayor Sylvester, Mayor Pro Tem Wolf, and Councilmembers Anderson, Anstead, and Klein Lopez.

NOES: None.

ABSTAIN: None.

ABSENT: None.

CHANGE IN ORDER OF AGENDA – INTERGOVERNMENTAL, SPECIAL PURPOSE COMMITTEE, & DEPARTMENTAL REPORTS

The new Lost Hills Sheriff Station Captain, Dustin Carr, introduced himself to the City Council.

PRESENTATIONS

Mayor Sylvester presented a Certificate of Recognition, to owner Minou Harris, honoring Minou's Boutique as the September Business of the Month.

Mayor Sylvester read a Proclamation designating September 9, 2025, as California's 175th Anniversary of Statehood Day.

Deputy City Manager Louis Celaya read a Proclamation recognizing National Preparedness Month and Mayor Sylvester proclaimed September as a time to encourage the community to take proactive steps in preparing for emergencies.

INTERGOVERNMENTAL, SPECIAL PURPOSE COMMITTEE, & DEPARTMENTAL REPORTS

Councilmember Klein Lopez provided a Clean Power Alliance (CPA) Update.

PUBLIC COMMENTS

The following person spoke:

Ben Suber, Agoura Hills

CONSENT CALENDAR

No public comments were received.

ACTION: Councilmember Anderson moved to approve Consent Calendar Item Nos. 1-5, as presented. Mayor Pro Tem Wolf seconded. The motion carried 5-0, by the following roll call vote:

AYES: Mayor Sylvester, Mayor Pro Tem Wolf, and Councilmembers Anderson, Anstead, and Klein Lopez.

NOES: None.

ABSTAIN: None.

ABSENT: None.

1. Approve Minutes of the Regular City Council Meeting of August 13, 2025

2. Approve Demand Warrant Register No. 939

3. Approve Award of Agreement for Contractor Services, with Base Hill, Inc., for Custodial Services Related tothe Agoura Hills Recreation and Event Center

4. Approve a Two-Year Agreement for Contractor Services, with Dudek, for Oak Tree Consulting Services

5. Approve a Three-Year Agreement for Contractor Services, with PermiTech Solutions Corporation, for WirelessTelecommunications Services

CITY COUNCIL, STAFF COMMENTS

Director of Community Services Brink provided an overview of the upcoming Reyes Adobe Days (RAD) event, scheduled for October 3–5, 2025, and thanked the City Council and event sponsors for their support, encouraged residents to attend, and shared that RAD merchandise will be available for purchase for the first time this year.

Councilmember Klein Lopez shared personal remarks on the recent victims of gun violence, offered condolences to the families, and urged everyone to unite in condemning and addressing gun violence rather than accepting it as "*the new normal*."

Councilmember Anstead shared personal remarks on 9/11 and requested a moment of silence to recognize all the victims.

Mayor Pro Tem Wolf reported that he, along with Mayor Sylvester and Councilmembers Anstead and Klein Lopez, visited the Waste Management Renewable Natural Gas facility at the Simi Valley landfill—the first of its kind in California—which converts methane into natural gas.

Councilmember Anderson reflected on the former public speaker's words that "*community is the antidote to violence"* noting that this was one of the things she truly valued about the community and that "*what we do here in Agoura Hills in building community matters."*

Mayor Sylvester invited residents to the California Board of Forestry and Fire Protection Zone Zero Regulatory Advisory Committee meeting scheduled at 10:30 a.m. on September 18, 2025, at the Altadena Community Center.

ADJOURNMENT

At 6:40 p.m., Mayor Sylvester announced the Regular Meetings of September 24, 2025, and October 8, 2025, had been canceled, and the next Adjourned Regular City Council Meeting would be held at 6:00 p.m., on Tuesday, October 7, 2025, in the Council Chambers of the Civic Center and adjourned the meeting.

Kimberly M. Rodrigues, MPPA, MMC
City Clerk

CITY OF AGOURA HILLS

REPORT TO CITY COUNCIL

DATE:	**NOVEMBER 12, 2025**
TO:	**HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**
FROM:	**NATHAN HAMBURGER, CITY MANAGER**
BY:	**KIMBERLY RODRIGUES, CITY CLERK**
SUBJECT:	**APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF OCTOBER 7, 2025**

RECOMMENDATION

Approve the Minutes, as presented.

Attachments

Minutes CC 100725.pdf

MINUTES
ADJOURNED REGULAR MEETING
AGOURA HILLS CITY COUNCIL
Civic Center – Council Chambers
30001 Ladyface Court, Agoura Hills, California 91301
Tuesday, October 7, 2025
6:00 p.m.

The City Council meeting was called to order at 6:00 p.m. by Mayor Sylvester.

Mayor Sylvester opened the meeting with the Land Acknowledgement.

The Pledge of Allegiance was led by Cub Scout Pack 227.

Present were: Mayor Penny Sylvester, Mayor Pro Tem Jeremy Wolf, Councilmember Kate Anderson, Councilmember Chris Anstead, and Councilmember Deborah Klein Lopez.

Also Present were: City Manager Nathan Hamburger, Assistant City Attorney Travis Kaya, Assistant City Manager Ramiro Adeva, Executive Assistant Michele Hubbs, Administrative Analyst John Treichler, Acting Community Development Director Robby Nesovic, Associate Planner Eric Wang, Director of Public Works/City Engineer Charmaine Yambao, Landscape Consultant Brian Brodersen, Public Works Project Manager Brian Woodworth, Engineering Aide Joshua Keck, Director of Finance Diego Ibañez, Director of Community Services Amy Brink, and City Clerk Kimberly M. Rodrigues.

REPORT OF CLOSED SESSION

No Closed Session was held.

APPROVAL OF AGENDA

ACTION: Councilmember Anstead moved to approve the Agenda, as presented. Mayor Pro Tem Wolf seconded. The motion carried 5-0, by the following roll call vote:

AYES: Mayor Sylvester, Mayor Pro Tem Wolf, and Councilmembers Anderson, Anstead, and Klein Lopez.

NOES: None.

ABSTAIN: None.

ABSENT: None.

PRESENTATIONS

There were no presentations.

INTERGOVERNMENTAL, SPECIAL PURPOSE COMMITTEE, & DEPARTMENTAL REPORTS

Las Virgenes Municipal Water District Engineering Program Manager Oliver Slosser provided a PURE Water Project Update.

Library Manager Nina Hull provided an Agoura Hills Quarterly Update.

Councilmember Klein Lopez provided a Clean Power Alliance (CPA) Update.

Mayor Pro Tem Wolf reported attending the September "Strengthening Coordination with Gateway Communities" meeting hosted by the Deputy Secretary of the U.S. Department of the Interior, which focused on strengthening relationships between gateway communities and national parks.

Mayor Sylvester provided a Zone 0 update, noting that the Los Angeles City Council unanimously voted to oppose the current draft regulations, and a revised draft is expected in October.

PUBLIC COMMENTS

The following person(s) spoke:

David Glucksman, Agoura
Peter Fehler, Agoura Hills, representing Agoura Hills Fire Safe Council
Norman Buehring, Agoura Hills, representing Liberty Canyon Homeowners Association *(submitted newsletter)*

CONSENT CALENDAR

No public comments were received.

ACTION: Councilmember Klein Lopez moved to approve Consent Calendar Item Nos. 1-5, as presented. Mayor Pro Tem Wolf seconded. The motion carried 5-0, by the following roll call vote:

AYES: Mayor Sylvester, Mayor Pro Tem Wolf, and Councilmembers Anderson, Anstead, and Klein Lopez.

NOES: None.

ABSTAIN: None.

ABSENT: None.

1. Approve Demand Warrant Register No. 940

2. Approve Notice of Completion for the Fiscal Year 2024-25 Pavement Rehabilitation Project; NIB 24-05

3. Approve Request to Approve the Voltaic Infrastructure Proposal and Authorize the Purchase of Additional Electric Vehicles

4. Approve: 1) Agreement for Payment of Costs, with David Brody for Dale Poe Development Corporation, in Connection with the Preparation of Environmental Documentation; and 2) Agreement for Contractor Services, with Rincon Consultants Incorporated, for the Preparation of the Environmental Documentation Related to Preparation of an Initial Study/Mitigated Negative Declaration for the ABC North Phase II Project

5. Adopt **Resolution No. 25-2118**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, SUMMARILY VACATING THE SANITARY SEWER EASEMENT LOCATED AT 29045 AGOURA ROAD (APN #2061-006-044) AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

DISCUSSION / ACTION

6. Discussion to Consider Approval of the 2025 Update of the City of Agoura Hills Arterial Streetscape Master Plan

   Staff provided a hard copy of Attachment A for the City Council's reference during the presentation.

   Following presentation of the staff report, and a question-and-answer period of staff, Mayor Sylvester opened the floor for public comments.

   No public comment was received.

   Following deliberations, Mayor Sylvester called for a motion and second to approve the staff recommendation to approve the 2025 update of the City of Agoura Hills Arterial Streetscape Master Plan.

   ACTION: Councilmember Anderson moved to approve the staff recommendation. Mayor Pro Tem Wolf seconded. The motion carried 5-0, by the following roll call vote:

   AYES: Mayor Sylvester, Mayor Pro Tem Wolf, and Councilmembers Anderson, Anstead, and Klein Lopez.

   NOES: None.

   ABSTAIN: None.

   ABSENT: None.

7. Discussion to Consider Award of Contract to RRM Design Group for Preparation of Concept Plans/Strategies and Progress Update on Property Owner Engagement

Following presentation of the staff report, and a question-and-answer period of staff, Mayor Sylvester opened the floor for public comments.

Following distribution of the Agenda Packet, and prior to the City Council Meeting, written correspondence was received from the following person(s), forwarded to the City Council, and made available for public review.

Norman Kravetz, Property Owner of 29903 Agoura Road
Josh Gray, Director of Government Affairs & Tourism, representing the Greater Conejo Valley Chamber of Commerce

No further public comment was received.

Following deliberations, Mayor Sylvester called for a motion and second to approve the staff recommendation to 1) Award a consultant services agreement to RRM Design Group for the preparation of Concept Plans and strategies to create gathering place experiences along Agoura Road; 2) Authorize the Mayor to execute the contract agreement with RRM Design Group; and, 3) Discuss the staff update on discussions with property owners and stakeholders, and provide feedback on the progress made to-date.

ACTION: Councilmember Anstead moved to approve the staff recommendation. Councilmember Klein Lopez seconded. The motion carried 5-0, by the following roll call vote:

AYES: Mayor Sylvester, Mayor Pro Tem Wolf, and Councilmembers Anderson, Anstead, and Klein Lopez.

NOES: None.

ABSTAIN: None.

ABSENT: None.

CITY COUNCIL, STAFF COMMENTS

Director of Community Services Brink announced the One City, One Book event is scheduled for November 13, 2025, at the Recreation and Event Center, featuring *Maid's Secret* author Nita Prose, and noted that Mariposa Elementary School students were selected for the Read with the Mayor event this fall.

Councilmembers Anderson, Klein Lopez, and Anstead shared their personal comments on the success of the Reyes Adobe Event.

Mayor Pro Tem Wolf also congratulated staff on a wonderful community event and noted the two-year anniversary of the October 7 attack on Israel, and shared his personal remarks, expressing hope *"that this conflict can be brought to an end and the hostages can be brought home."*

Mayor Sylvester read a poem that was submitted to the City by RAD Grand Marshals Chaplain Phil Reeves and Canine Deputy Darcy *(copy on file in the permanent record).*

ADJOURNMENT

At 7:57 p.m., Mayor Sylvester announced the next Regular City Council Meeting would be held at 6:00 p.m., on Wednesday, October 22, 2025, in the Council Chambers of the Civic Center and adjourned the meeting.

Kimberly M. Rodrigues, MPPA, MMC
City Clerk

CITY OF AGOURA HILLS

REPORT TO CITY COUNCIL

DATE:	**NOVEMBER 12, 2025**
TO:	**HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**
FROM:	**NATHAN HAMBURGER, CITY MANAGER**
BY:	**DIEGO IBANEZ, DIRECTOR OF FINANCE**
SUBJECT:	**APPROVE DEMAND WARRANT REGISTER NO. 942**

Demand Warrant No. 942 is hereby submitted for your approval.

FISCAL IMPACT

All items on the Demand Warrant are budgeted items; and all the items, when aggregated and annualized, are found to be within budget.

RECOMMENDATION

It is recommended the City Council approve Demand Warrant No. 942.

Attachments

DWR 942.pdf

November 12, 2025

DEMAND WARRANT REGISTER NO. NINE HUNDRED FORTY-TWO

Pursuant to Section 2508, of the Agoura Hills Municipal Code (AHMC), the demands are herein presented, having been duly audited, and are hereby allowed and approved for payment in the amount as shown for the designated payees and charged to the appropriate funds as indicated.

Pursuant to Section 37202 of the Government Code, I certify the above demands are accurate and funds are available for payment thereof.

I hereby certify Demand Warrant No. 942 is a full, true, and correct statement.

Nathan Hamburger, City Manager

CITY OF AGOURA HILLS

Demand Register 942

Date	Check	Vendor	Description	Amount
10/17/2025	118728	3 Little Birds Event Planning	RAD	629.15
10/17/2025	118729	A Rental Connection	Table Cloth Rentals	268.80
10/17/2025	118730	Access Corp	Storage October 2025	972.00
10/17/2025	118731	All City Management	School Crossing Guard 9/14 - 9/27	8,794.98
10/17/2025	118732	Alliant Insurance Svc	Special Event Liability Q2 2025	6,028.00
10/17/2025	118733	At&t Mobility	IPad Connections - September 2025	792.94
10/17/2025	118734	Bkm Office Environment	Desk Modifications Community Development	2,646.76
10/17/2025	118735	Bold Plumbing Inc.	Old Agoura Park Backflow	900.00
10/17/2025	118736	Cal State Site Services	Portable Restrooms RAD	1,298.14
10/17/2025	118737	Los Angeles County Sheriff Department	Wage Garnishment	1,521.48
10/17/2025	118738	Cybercopy	Blueprints	65.19
10/17/2025	118739	Department Of Justice	Fingerprinting September 2025	245.00
10/17/2025	118740	Envicom Corporation	Rec Center Trail	5,065.94
10/17/2025	118741	Eric Wang	Travel Reimbursement	970.37
10/17/2025	118742	Fedex	Postage	43.65
10/17/2025	118743	Foster & Foster Consulting Actuaries Inc	GASB 68 Report FY 24-25	1,800.00
10/17/2025	118744	Excel Pest Managment	Monthly Pest Control	165.00
10/17/2025	118745	GSG Protective Services	Event Center Security 9/22 - 9/28	5,383.75
10/17/2025	118746	Los Angeles County Sheriff's	Sheriff Services July 2025	481,888.66
10/17/2025	118747	Mission Paving and Sealing, Inc.	Pavement Rehabilitation Retention	29,933.39
10/17/2025	118748	MissionSquare Retirement	RHS Account Fee 7/01 - 9/30	106.25
10/17/2025	118749	Prudential Overall Supplies	Event Center Mats	152.49
10/17/2025	118750	Richards, Watson & Gershon	Professional Services September 2025	28,755.12
10/17/2025	118751	Ricoh USA, Inc	Copier Usage	938.14
10/17/2025	118752	San Fernando Valley Community Mental He	Interim Housing August 2025	7,750.00
10/17/2025	118753	Sharp Seating Company	Rose Parade Tickets	817.00
10/17/2025	118754	Southern California Edison	Utilities 08/05 - 09/03	25,282.84
10/17/2025	118755	Southern California Gas Comp	Utilities 9/04-10/03	385.16
10/17/2025	118756	Spectrum Enterprise	Cable Services 10/03/25-11/02/25	182.98
10/17/2025	118757	Sunbelt Controls	Quarterly Maintenance	1,486.50
10/17/2025	118758	The People Concern	COG Q2 2025	180,735.00
10/17/2025	118759	Authors Unbound Agency	Author's Speaking Fee	10,100.00
10/17/2025	118760	Ventura Transit Systems	Transportation 9/01/2025	2,964.00
10/17/2025	118761	West Coast Promotional Solutions	State of the City Supplies	1,200.00
10/17/2025	118762	Los Angeles County Sheriff	Wage Garnishment	3,042.96
10/23/2025	118763	A Rental Connection	RAD	228.48
10/23/2025	118764	Acorn	Protected Tree Ordinance	3,949.14
10/23/2025	118765	Amber Victoria	Travel Reimbursement	2,020.23
10/23/2025	118766	Andy Heath Financial Services	Consulting Services October 2025	6,845.00
10/23/2025	118767	AT&T	Internet October 2025	203.30
10/23/2025	118768	Berg & Associates, Inc.	Ladyface Greenway	165,745.98
10/23/2025	118769	Bureau Veritas America	Plan Review Services	9,840.00
10/23/2025	118770	Burns Pacific Construction	Maintenance Services September 2025	150,349.11
10/23/2025	118771	Calabasas Printing	Banners and Programs	148.16
10/23/2025	118772	California Wildlife Ctr	Security Deposit Refund	1,150.00
10/23/2025	118773	City of Thousand Oaks Transit	Dial-A-Ride August 2025	10,076.98
10/23/2025	118774	Converge Technology	IT Services November 2025	3,806.00
10/23/2025	118775	CoStar Realty Information, Inc.	CoStar Suite July	1,492.50
10/23/2025	118776	County of Los Angeles Department of Public	Ladyface Greenway	20,401.58
10/23/2025	118777	Dapeer, Rosenblit & Litvak Llp	Professional Services September 2025	32,287.64

CITY OF AGOURA HILLS

Demand Register 942

10/23/2025	118778	Dario Eminente	CERT Meeting Supplies	91.40
10/23/2025	118779	Dudek	Oak Tree Projects	6,054.80
10/23/2025	118780	Elizabeth Eaves	Instructor Payment	185.69
10/23/2025	118781	Envicom Corporation	Professional Services	1,813.55
10/23/2025	118782	GSG Protective Services	City Hall Security	345.00
10/23/2025	118783	Haven Energy Services Inc.	Refund Duplicate Business License	158.62
10/23/2025	118806	H20 Depot LLC	RAD Water	1,185.00
10/23/2025	118807	Kimley Horn & Assoc.	Emergency Evac	97,448.70
10/23/2025	118808	Lanier Gray	Security Deposit and Rental Fee Refund	1,969.50
10/23/2025	118809	Las Virgenes Municipal Water	Water 8/20 - 9/19	26,059.07
10/23/2025	118813	m6 Consulting, Inc.	Building Plan Check	28,281.32
10/23/2025	118814	Mdg Associates	Single Family Housing Rehabilitation	1,212.00
10/23/2025	118815	Compass Rose GIS	Professional Services August and September 202	7,583.75
10/23/2025	118816	Rincon Consultants	Bicycle Master Plan	2,628.25
10/23/2025	118817	RP Barricade	RAD 5K Run	1,803.50
10/23/2025	118818	Smith Pipe & Supply Inc.	Supplies City Wide	377.81
10/23/2025	118819	Solid Waste Solutions, Inc.	AB939/SB1383	2,425.25
10/23/2025	118820	Southern California Edison	Utilities 9/04 - 10/02	942.28
10/23/2025	118821	Staples	Supplies	622.98
10/23/2025	118822	Turbodata	Administrative Processing Fee	200.00
10/23/2025	118823	Tyler Technologies Inc.	ERP SaaS Hosting	43,349.00
10/23/2025	118824	Wageworks	Healthcare Benefits September 2025	204.00
10/23/2025	118825	Waste Management	Trash September 2025	876.05
10/23/2025	118826	West Coast Arborists, Inc	Park Tree Maintenance 9/16 - 9/30	12,700.06
10/23/2025	118827	Willdan	Water Quality Services September 2025	6,899.50
10/30/2025	118828	Acorn	Meet the Author Event	840.00
10/30/2025	118829	Advanced Chemical Technology	Water Treatment October 2025	340.00
10/30/2025	118830	All City Management	School Crossing Guard Services - 9/28/25-10/11/	8,839.65
10/30/2025	118831	BlueTriton Brands Inc	Water	157.84
10/30/2025	118832	Calabasas Printing	Haunt Your Home Lawn Signs	140.48
10/30/2025	118833	Cassandra Murcray	RAD Refund	40.00
10/30/2025	118834	Chavan & Associates, LLP	City Audit 6/30/2025	14,270.00
10/30/2025	118835	Cisco's Restaurant	Thanksgiving Luncheon	2,516.03
10/30/2025	118836	Dish	Rec Center Cable Services 11/03 - 12/02	163.73
10/30/2025	118837	Dudek	Ladyface Greenway	432.60
10/30/2025	118838	Fedex	Postage	17.74
10/30/2025	118839	Firemaster	Annual Maintenance	1,115.94
10/30/2025	118840	Gabriel M. Graham	COG Services October 2025	8,090.00
10/30/2025	118841	GMZ Engineering, Inc.	Ladyface Greenway	960,174.50
10/30/2025	118842	HDL Coren & Cone	Property Tax October - December 2025	4,768.75
10/30/2025	118843	Jeremy Wolf	Travel Reimbursement	16.00
10/30/2025	118844	Jessica Flores	COG Services October 2025	3,000.00
10/30/2025	118845	Kimley Horn & Assoc.	Emergency Evac Sept 2025	18,225.00
10/30/2025	118846	Larry Walker Associates	Malibu Creek CIMP Implementation	69,176.07
10/30/2025	118847	Los Angeles County Sheriff's	Sheriff Services August 2025	481,888.66
10/30/2025	118848	Mackay Communications	GSPS Subscription Fee	426.87
10/30/2025	118849	Malibu Brewing Company	RAD Catering	14,105.00
10/30/2025	118850	Michael Baker International, Inc.	Kanan Corridor	56,974.95
10/30/2025	118851	Nina Young	Security Deposit Refund	1,000.00
10/30/2025	118852	ODP Business Solutions, LLC	Supplies	54.98
10/30/2025	118853	RW Communications Inc	Kimberly Peak Install	5,566.94
10/30/2025	118854	Smith Pipe & Supply Inc.	Supplies Kanan	1,271.06
10/30/2025	118855	Southern California Edison	Utilities 9/16 - 10/14	7,324.50
10/30/2025	118856	Staples	Supplies	108.15
10/30/2025	118857	Teresa Laundon	Security Deposit Refund	1,000.00
10/30/2025	118858	Terry Dipple, Inc.	COG Services October 2025	17,218.00

CITY OF AGOURA HILLS

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10/30/2025	118859	T-Mobile USA Inc.	Monthly Services 9/21 - 10/20	31.35
10/30/2025	118860	Vivian Rescalvo	COG Services October 2025	13,262.58
10/30/2025	118861	Wageworks	Healthcare Benefits October 2025	204.00
10/30/2025	118862	Warren Shook	Duplicate Permit Fee	412.50
			Total	**3,160,446.69**
10/17/2025	Payroll	PP 10/01/25 - 10/17/25	PP 10/01/25 - 10/17/25	257,496.17
10/31/2025	Payroll	PP 10/18/25 - 10/31/25	PP 10/18/25 - 10/31/25	225,299.39
10/31/2025	DFT0007197	Spare Labs	Spare Base Platform October 2025	1,875.00
			Wire & EFT Total:	**484,670.56**
			Grand Total	**3,645,117.25**

Demand Register No. 942

PASSED, APPROVED, AND ADOPTED this 12th day of November, 2025, by the following vote to wit:

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

_____
Penny Sylvester, Mayor

ATTEST:

_____
Kimberly M. Rodrigues, MMC, City Clerk

CITY OF AGOURA HILLS

REPORT TO CITY COUNCIL

DATE:	**NOVEMBER 12, 2025**
TO:	**HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**
FROM:	**NATHAN HAMBURGER, CITY MANAGER**
BY:	**STEPHANIE POZOS, MANAGEMENT ANALYST** **JOHN TREICHLER, ADMINISTRATIVE ANALYST** **AMY BRINK, DIRECTOR OF COMMUNITY SERVICES**
SUBJECT:	**APPROVE AWARD OF CONTRACT FOR THE MORRISON PARK ADA REHABILITATION PROJECT; NIB 25-04, COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT NO. 602756-24**

The community has come together with the assistance of the Rotary Club of Westlake Village (Rotary) to create an inclusive play space for individuals of all abilities at Morrison Park that includes fundraising for the purchase and installation of an inclusive playground. The Morrison Park ADA Rehabilitation Project is a key initiative aimed at enhancing accessibility, safety, and inclusivity for all park visitors. The scope of the project includes the removal of the existing playground equipment and installation of new all-inclusive playground structures that meet current ADA standards, ensuring children of all abilities can enjoy and participate in play.

On September 18, 2025, and September 26, 2025, the City advertised the Notice Inviting Bids for the Morrison Park ADA Rehabilitation Project; NIB 25-04, CDBG Project No. 602756-24 (Project). Community Development Block Grant (CDBG) funding will assist with the scope of work consisting of mobilization/demobilization, removal and hauling of existing playground sand, concrete, asphalt, dirt, roots, and grass as necessary to construct concrete sidewalks and ADA curb ramps. In addition, the work shall include removing existing benches with ADA-compliant benches, and a new Pour in Play rubberized surface.

To further improve accessibility, an ADA-compliant path of travel will be constructed to connect the playground, seating areas, and other park amenities to the adjacent parking lot. This continuous accessible route will ensure that individuals using mobility devices or with limited mobility can safely and conveniently navigate the park. The parking lot will also be upgraded to meet ADA standards, including re-striping, designated accessible parking stalls, and appropriate signage, to further enhance accessibility.

The City purchased the new inclusive playground equipment in March 2025, in preparation for construction with funding provided by the Rotary.

On October 16, 2025, the City received a total of nine (9) bids electronically through Planet Bids for the Project after following a competitive bid process. Two bidders, CERCO Engineering, and ADA General Eng. Inc., were deemed non-responsive for failure to submit Federal Labor Compliance documentation with the Bid Submittal. SBS Corporation's bid package was incomplete.

The bid results were as follows:

Contractor	Base Bid Amount
VARN Painting, Inc.	**$346,283.65**
CERCO Engineering	$354,195.00
ADA General Eng. Inc	$429,994.47
Leonida Builders, Inc.	$448,268.50
Zuma Construction Group Inc	$490,100.00
Valor Construction, Inc.	$531,904.12
SBS Corporation	$550,000.00
Staples Construction	$550,896.66
Ardalan Construction Company, Inc.	$571,368.12

The lowest responsive bidder was VARN Painting, Inc., with a base bid of $346,283.65. The City's consultant MDG Associates, Inc., reviewed the bid submitted by VARN Painting, Inc., and deemed their bid responsive and acceptable.

Staff anticipates this project will start mid-December, taking approximately fifty-five (55) working days or less to complete.

FISCAL IMPACT

Rotary provided a check for $243,153.41 in March 2025 to fund the purchase of the new inclusive playground equipment. An additional contribution will be provided by Rotary within five (5) days of the City awarding the construction contract. When combined with the Measure A appropriations, the total project funding will achieve the Rotary's established fundraising goal for the playground portion of the Project.

The funds for the Project were appropriated in the Fiscal Year 2025–26 and 2026–27 Adopted Budget using a combination of the following accounts:

Account Number	Adopted Budget
Measure A – Morrison Park Improvements Fund 260-4620-6105.00	$185,174.77

CDBG – Fund 250-4610-6007.00	$135,747.00
Rotary Club of Westlake Village - Fund 011-4620-610500	Total funding goal of $500,000 which includes Measure A contributions

RECOMMENDATION

Staff respectfully recommends the City Council:

1. Award the Morrison Park ADA Rehabilitation Project; NIB 25-04, CDBG Project #602756-24 to VARN Painting, Inc.
2. Authorize the Mayor to sign the contract agreement for Total Bid Price of Base Bid in the amount of $346,286.65; and
3. Authorize the City Engineer a 10% contingency in the amount of $34,628.67.

CITY OF AGOURA HILLS

REPORT TO CITY COUNCIL

DATE:	**NOVEMBER 12, 2025**
TO:	**HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**
FROM:	**NATHAN HAMBURGER, CITY MANAGER**
BY:	**JOSHUA KECK, ENGINEERING AIDE II** **KELLY FISHER, DEPUTY DIRECTOR OF PUBLIC WORKS** **CHARMAINE YAMBAO, DIRECTOR OF PUBLIC WORKS DIRECTOR / CITY ENGINEER**
SUBJECT:	**RECEIVE THE ANNUAL COMPLIANCE REPORT FOR THE TRANSPORTATION IMPACT FEES FUND COVERING FISCAL YEAR 2024-25**

In 1988, State Legislature passed Assembly Bill 1600 (AB 1600) – The Mitigation Fee Act (Government Code Section 66000 *et seq.*) which established ground rules for the administration of impact fee programs. Since its adoption, the City has established a transportation impact fee (TIF) program for developments. The purpose of the fee is to provide funds for the implementation and construction of arterial roadway improvements to address the traffic impact of new development on the City's arterial network.

The California Mitigation Fee Act mandates procedures for administration of impact fee programs, including collection, accounting, refunds, updates and reporting. Section 66006 requires that once each year, within 180 days of the close of the fiscal year, the local agency must make available to the public the following information for each account established to receive impact fee revenues:

A. A brief description of the type of fee in the account or fund;
B. The amount of the fee;
C. The beginning and ending balance of the account or fund;
D. The amount of the fees collected and interest earned;
E. Identification of each public improvement on which fee revenues were expended and the amount of the expenditures on each improvement, including the percentage of the cost of the public improvement that was funded with fee revenues;
F. Identification of the approximate date by which the construction of a public improvement will commence, if the City determines sufficient funds have been collected financing of an incomplete public improvement;
G. A description of each inter-fund transfer or loan made from the account or fund, including interest rates, repayment dates, and a description of the improvements on which the transfer or loan will be expended;
H. The amount of any refunds or allocations made pursuant to Section 66001;

On May 14, 2025, the City Council approved the updated Transportation Impact Fee (TIF) rates to ensure the program continues to reflect current construction costs, growth projections, and transportation improvement needs. The new fees became effective sixty (60) calendar days after approval, on July 14, 2025, just after the beginning of the City's Fiscal Year 2025-26. The new fees will be incorporated into the next year's Annual Compliance Report for Fiscal Year 2025-26.

FISCAL IMPACT

There is no impact the Fiscal Year 2025-26 Budget.

Attached to this report is Attachment A, which is intended to fulfill the annual compliance information requirements of Section 66006(b)(1).

RECOMMENDATION

Staff respectfully recommends the City Council receive the annual Transportation Impact Fee report to fulfill the requirements as stated in Government Code Section 66006(b)(1).

Attachments

Attachment A- TIF Report FY 24-25.pdf

AB 1600 ANNUAL COMPLIANCE REPORT
TRANSPORTATION IMPACT FEES
FY 2024-25

For the purpose of compliance with Government Code Subsection 66006(b)(1), the following information regarding AB 1600 fees is presented:

For each separate account or fund established pursuant to subdivision (a), the local agency shall make available to the public the following information for the fiscal year:

(A) *A brief description of the type of fee in the account or fund.*

Transportation Impact Fee - The purpose of the fee is to provide funds for the implementation and construction of arterial roadway improvements to address the traffic impact of new development on the City's arterial network.

(B) *The amount of the fee.*

Development Type	**Total Fee**
Residential (per unit)	
Single-Family	$3,094
Multi-Family	$1,516
Multi-Family – Mixed Use	$1,365
Non-Residential (per 1,000 bldg. sq. ft. except Hotel/Motel and Commercial Recreation)	
Shopping Center	$12,808
Retail/Service	$6,682
Hotel/Motel (per room)	$2,567
Business Park/Mfg.	$5,136
Business Pk-Office/Retail	$7,301
Mixed Use Commercial/Residential	$6,002
Commercial Recreation (per acre)	$1,362

(C) *The beginning and ending balance of the account or fund.*

07/1/2024	$ 1,036,314.48
6/30/2025	$ 1,309,204.44

(D) *The amount of the fees collected and the interest earned.*

Fees collected	$ 0.00
Interest earned	$ 11,537.45

(E) *An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees.*

EXPENDITURES		
Project	**TIF Expended**	**% Funded**
N/A	$0	0%
Total:	$0	0%

(F) *An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement, as identified in paragraph (2) of subdivision (a) of Section 66001, and the public improvement remains incomplete*

AGOURA HILLS CAPITAL IMPROVEMENT PROJECTS		
Project	**Start Date**	**% Funded**
Agoura Road Bike Lane Enhancements	TBD	TBD
Driver Avenue/Argos Street Class III Bike Route	TBD	TBD
Canwood Street Class III Bike Route	TBD	TBD
Citywide Upgrade of Pavement Markings and Striping	TBD	TBD

(G) *A description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and, in the case of an interfund loan, the date on which the loan will be repaid and the rate of interest that the account or fund will receive on the loan.*

The current loan balance for Fiscal Year 2024-25 is $963,763.40. This amount includes $763,763.40 that was loaned to the Measure "R" Capital Projects Fund in Fiscal Year 2015-16 for the Agoura Road Widening Project. An additional $200,000 was loaned to the same project in Fiscal Year 2018-19. A loan repayment of $261,352.51 was credited to the Traffic Impact Fee account after the City received additional grant funding from the State for various expenditures related to the Roadside Drive Bridge Widening Project.

During the current Fiscal Year 2024-25 period, there were no additional loans from this account. The audit of the Agoura Road Widening Project has been completed and the remaining Measure 'R' loan balance will be paid off as soon as the funds are received from L.A. Metro. The City is

expecting to receive payment next fiscal year. No interest will be paid on the loans.

(H) *The amount of refunds made pursuant to subdivision (e) Section 66001 and any allocation pursuant to subdivision (f) of Section 66001.*

No refunds were made during the fiscal year.

CITY OF AGOURA HILLS

REPORT TO CITY COUNCIL

DATE: **NOVEMBER 12, 2025**

TO: **HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

FROM: **NATHAN HAMBURGER, CITY MANAGER**

BY: **LUKAS QUACH, BUILDING OFFICIAL**

SUBJECT: **CONDUCT A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE ADOPTING BY REFERENCE THE 2025 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE AND THE 2024 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, ADOPT A RESOLUTION MAKING FINDINGS THAT THE AMENDMENTS TO THE 2025 EDITIONS OF THE CALIFORNIA BUILDING, RESIDENTIAL, PLUMBING, WILDLAND-URBAN INTERFACE, FIRE, EXISTING BUILDING, AND GREEN BUILDING STANDARDS CODES, AS ADOPTED ARE NECESSARY BECAUSE OF LOCAL CLIMATIC, GEOLOGICAL, OR TOPOGRAPHICAL CONDITIONS, AND APPROVE A CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) EXEMPTION DETERMINATION**

On a triennial basis, the State of California adopts a new set of model codes to establish uniform standards for the construction and alteration of buildings. In early 2025, the California Building Standards Commission adopted the 2025 Edition of Title 24, California Code of Regulations, which includes the Administrative, Building, Residential, Electrical, Mechanical, Plumbing, Energy, Wildland-Urban Interface (WUI), Historical Building, Fire, Existing Building, Green Building Standards, and Reference Standards Codes—collectively known as the 2025 California Building Standards Code.

All jurisdictions in California are required to adopt these codes, which take effect statewide on January 1, 2026, regardless of whether a local jurisdiction has formally adopted them. Local jurisdictions may adopt amendments that are more restrictive than the State Codes if such changes are found to be reasonably necessary due to local climatic, geological, or topographical conditions.

The proposed Ordinance No. 25-480 and Resolution No. 25-2119 complete the City's 2025 Building Standards Code adoption process. Specifically, the actions will:

1. Adopt by reference the 2025 California Building Standards Code, comprised of the Administrative, Building, Residential, Electrical, Mechanical, Plumbing, Energy, Wildland-Urban Interface, Historical Building, Fire, Existing Building, Green Building Standards, and Reference Standards Codes.
2. Adopt the 2024 International Property Maintenance Code (IPMC) to establish minimum standards for the maintenance and occupancy of existing structures.
3. Amend Articles III and VIII of the Agoura Hills Municipal Code to incorporate administrative, enforcement, and penalty provisions.
4. Adopt findings (via Resolution No. 25-2119) that local amendments are reasonably necessary due to local climatic, geological, or topographical conditions.

The proposed Ordinance includes a combination of carry-forward amendments from the 2022 and 2023 code adoption cycles, as well as limited new amendments allowed under Assembly Bill (AB) 130. This bill restricts local modifications to residential building standards through June 1, 2031, unless they qualify under certain exemptions.

1. Administrative Amendments

Continued established City procedures regarding permit expiration, extensions, refunds, penalties for unpermitted work, and related administrative processes that facilitate efficient code enforcement and public service delivery.

- Grading and Drainage (Appendix J): Clarify permit thresholds and exemptions to ensure uniform enforcement and improve permitting efficiency.

2. Building Standards Amendments

Carry forward and clarify standards that reflect Agoura Hills' unique local conditions:

- Wildland-Urban Interface (WUI) Construction Standards: Apply ignition-resistant materials Citywide in alignment with the new State WUI Code and Fire Hazard Severity Zone mapping.
- CALGreen Tier 1 Electric Vehicle (EV) Infrastructure: Adopt Tier 1 nonresidential EV charging requirements consistent with the City's Climate Action and Adaptation Plan (CAAP).
- Seismic Provisions, Voluntary Retrofit, and Automatic Gas Shut-off Valves: Continue existing requirements that enhance structural resilience and life safety.

3. International Property Maintenance Code

Adopt the 2024 IPMC, which establishes enforceable minimum standards for maintenance, safety, and habitability of existing buildings and properties, filling a regulatory gap not covered by the State Building Standards Code.

4. County of Los Angeles Coordination

The City will adopt the Los Angeles County Fire Code and the County's Wildland-Urban Interface amendments once they are finalized and adopted by the County.

Assembly Bill 130 (effective October 1, 2025) restricts new residential code amendments unless they meet specific statutory exemptions. The City's proposed amendments qualify under the following categories:

- Substantially Equivalent: Previously adopted amendments under Ordinances 22-465 (2022 Code Cycle), 23-473 (LA County Fire Code), and 23-466 (Reach Code).
- Home-Hardening: Modifications necessary to safeguard the community and promote wildfire-resistant construction.
- Administrative Efficiency: Streamlines permitting, modernizes digital systems, and improves enforcement efficiency.

Accordingly, the proposed amendments are consistent with State law and qualify under AB 130 exemptions.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA), adoption of this ordinance and resolution is exempt under CEQA Guidelines §15061(b)(3) (common-sense exemption). The proposed actions merely align local regulations with State law and will not have a significant effect on the environment.

FISCAL IMPACT

Adoption of the 2025 California Building Standards Code will have minimal fiscal impact, limited to staff training, public outreach, and updates to City informational materials. No direct fiscal burden on the General Fund is anticipated.

PUBLIC NOTICE

In accordance with Government Code §6066, the City published notice of public hearing once a week for two successive weeks before this meeting, with the period of notice commencing upon the first day of publication and terminating at the end of the fourteenth day. Copies of the full ordinance and referenced codes have been made available at City Hall and on the City's website for public review.

SUMMARY

At its meeting of October 22, 2025, the City Council introduced, and waived full reading of Ordinance No. 25-480 and set the Public Hearing for the adoption of the Building Code Ordinance for Wednesday, November 12, 2025. These updates will align with new State standards effective January 1, 2026, and include local amendments tailored to our community's climate and safety needs. All changes comply with State law and meet the requirements of Assembly Bill 130.

.

RECOMMENDATION

Staff respectfully recommends that the City Council adopt Ordinance No. 25-480 and Resolution No. 25-2119, making expressed findings that the state code amendments are reasonably necessary because of local climatic, geological, or topographical conditions and approving a CEQA exemption determination.

Attachments

AH-Ordinance 25-480 Final Adoption.pdf
AH-Resolution-2025-2119 CBSC Amendments.pdf

ORDINANCE NO. 25-480

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ADOPTING BY REFERENCE THE 2025 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE COMPRISED OF THE 2025 EDITIONS OF THE ADMINISTRATIVE, BUILDING, RESIDENTIAL, ELECTRICAL, MECHANICAL, PLUMBING, ENERGY, WILDLAND-URBAN INTERFACE, HISTORICAL BUILDING, FIRE, EXISTING BUILDING, GREEN BUILDING STANDARDS, AND REFERENCED STANDARDS CODES, AND THE 2024 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, AMENDING ARTICLES III and VIII OF THE AGOURA HILLS MUNICIPAL CODE, AND APPROVING A CEQA EXEMPTION DETERMINATION

WHEREAS, it is the desire and intent of the City Council of the Agoura Hills to provide citizens with the greatest degree of structural, fire and life safety in buildings in the most cost-effective manner by adopting that body of regulations referred to as the California Building Standards Code with amendments specific to the City of Agoura Hills; and

WHEREAS, the City Council has determined that the provisions of the California Building Standards Code shall be adopted as modified, changed, and amended, as provided for in this ordinance, based upon the specific findings, and that said Council takes said action in order to more fully preserve and protect the public health, safety, welfare, and property.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AGOURA HILLS HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Sections 3100 and 3101 of Chapter 1 (Fire Prevention) of Article III (Public Safety) of the Agoura Hills Municipal Code are hereby amended to read as follows:

"**3100. Adoption of California Fire Code, 2025 Edition.**

Pursuant to California Government Code §§ 50022.1 to 50022.8, the California Fire Code, 2025 Edition, published as Title 24, Part 9, of the California Code of Regulations, including Appendix P (Temporary Haunted Houses, Ghost Walks and Similar Amusement Uses) and all supplements and errata thereto (collectively "CFC"), is adopted by reference, subject to the amendments, additions, and deletions set forth below.

In the event of any conflict between provisions of the California Fire Code, 2025 Edition, the governing Los Angeles County Fire Code, or any amendment to the 2025 California Building Code adopted and contained in the Agoura Hills Municipal Code, the more restrictive provision shall control to the fullest extent permitted by law.

One true copy of the CFC is on file in the office of the Building Official and is available for public inspection as required by law.

3101. Modifications to the 2025 California Fire Code.

a) Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the Fire Code of the City of Agoura Hills, hereinafter referred to as “this code”.

b) Section 103.1 is amended to read as follows:

103.1 *General.* *The office of fire prevention is established within the jurisdiction under the direction of the fire code official for* the implementation, administration, and enforcement of the provisions of this code.

Exception: *For the enforcement of the sprinkler systems for one- or two-family dwellings and the townhouses, the Building Official or the Fire Official, at the discretion of the City Manager, shall be the responsible authority having jurisdiction.*

c) Section 903.2.8 is amended to read as follows:

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Fire sprinkler systems shall be installed in mobile homes, manufactured homes, and multifamily manufactured homes with two dwelling units in accordance with Title 25 of the California Code of Regulations.

Exceptions:

1. Existing Group R-3 occupancies converted to Group R-3.1 occupancies not housing bedridden clients, not housing non-ambulatory clients above the first floor, and not housing clients above the second floor.

2. Existing Group R-3 occupancies converted to Group R-3.1 occupancies housing only one bedridden client and complying with Section 435.8.3.3 of the California Building Code.

3. Pursuant to Health and Safety Code, Section 13113, occupancies housing ambulatory children only, none of whom are mentally ill children or children with intellectual disabilities, and the buildings or portions thereof in which such children are housed are not more than two stories in height, and buildings or portions thereof housing such children have an automatic fire alarm system activated by approved smoke detectors.

4. Pursuant to Health and Safety Code, Section 13143.6, occupancies licensed for protective social care which house ambulatory clients only,

none of whom is a child (under the age of 18 years), or who is elderly (65 years of age or over). When not used in accordance with area or height increases for automatic fire sprinklers allowed in the California Building Code, an automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be allowed in Group R-2.1 occupancies.
An automatic sprinkler system designed in accordance with Section 903.3.1.3 shall not be utilized in Group R-2.1 or R-4 occupancies.

d) Section 903.2.11 is amended to read as follows:

903.2.11 - Specific building areas and hazards. In all occupancies other than Group U, an automatic sprinkler system shall be installed for building design or hazards in the locations set forth in Sections 903.2.11.1 through *903.2.11.7.*

e) Section 903.2.11.7 is added to read as follows:

903.2.11.7 Where Required. *An automatic fire sprinkler system shall be installed in every occupancy which is newly constructed or which is modified, reconstructed, or remodeled by adding 50 percent or more of the floor area of the existing occupancy, within any 12-month period, within the City of Agoura Hills.*

Exceptions:

1. *Detached private garages, sheds, and agricultural buildings less than 1,000 square feet in area and separated from other structures by a minimum of six feet are exempt from the fire sprinkler requirement.*

2. *Detached gazebos, pergolas, and carports open on two or more sides, that are separated from other structures by a minimum of six feet, are exempt from the fire sprinkler requirement.*

3. *Detached U occupancies, separated from other structures by a minimum of six feet, built entirely out of non-combustible materials, and with no combustible storage, are exempt from the fire sprinkler requirement.*

For the purpose of requiring the automatic fire sprinkler systems specified in this chapter, the entire floor area within the building footprint, including the attached garage area, shall be considered.

An automatic fire sprinkler system need not be installed in spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic fire alarm system and are separated from the remainder of the building by fire barriers consisting of not less than 1-hour fire-resistance-rated walls and 2-hour fire-resistance-rated floor/ceiling assemblies.

SECTION 2. Chapters 1 (Administration) and 2 (Construction Codes) are hereby amended in Article VIII (Building Regulations) of the Agoura Hills Municipal Code to read as follows:

"Chapter 1 ADMINISTRATION

8100. Adoption of codes.
8101. Building Official designated.
8102. Administration of adopted codes.
8103. Violations and Penalties

Chapter 2 CONSTRUCTION CODES

8200. Reserved.
8201. California Administrative Code
8202. California Building Code with local amendments.
8202.5. California Residential Code with local amendments.
8203. California Electrical Code with local amendments.
8204. California Mechanical Code with local amendments.
8205. California Plumbing Code with local amendments.
8206. California Energy Code
8207. California Wildland-Urban Interface Code with local amendments.
8208. California Historical Building Code with local amendments.
8209. Reserved.
8210. California Existing Building Code with local amendments.
8211. California Green Building Standards Code with local amendments.
8212. California Referenced Standards Code
8213. Reserved.
8214. Reserved.
8215. Reserved.
8216 Expedited Review of Small Residential Rooftop Solar Energy System Permits.
8217 Expedited Review of Electric Vehicle Charging Station Permits
8218. Reserved.
8219. Reserved.

Chapter 1—ADMINISTRATION

8100. Adoption of Codes.

For the purpose of prescribing regulations for erecting, construction, enlargement, alteration, repair, improving, removal, conversion, demolition, occupancy, equipment use, height and area of buildings and structures in the City, the 2025 editions of the California Administrative Code, Building Code, Residential Code, Electrical Code, Mechanical Code, Plumbing Code, Energy Code, Wildland-Urban Interface, Historical Building Code,

Fire Code, Green Building Standards Code, Existing Building Code, and Referenced Standards Code, collectively comprising the California Building Standards Code, are hereby adopted by reference, with certain amendments, as the Building Regulations of the City of Agoura Hills. For the purpose of prescribing regulations for grading and excavations, Appendix "J" of the California Building Code with amendments is adopted and will continue to be enforced.

8101. Building Official designated.

The Building Official is hereby designated as the authority charged with the administration and enforcement of Article VIII of the Agoura Hills Municipal Code with the exception of Appendix "J" of the California Building Code, which will be enforced by the Director of Public Works or his/her designee. Where the "authority having jurisdiction" is used in the adopted codes, it shall mean the Building Official.

8102. Administration of adopted codes.

Except as specified in this Article, the administration and enforcement of Article VIII shall be in accordance with the Administration Chapters of the California Building Code and California Residential Code as adopted in Section 8100 and amended in Section 8201, Section 8202, and Section 8202.5.

8103. Violations and Penalties.

In addition to any other applicable provision of this Article VIII, any person, firm, partnership, association, corporation, or joint venture violating any of the provisions of Article VIII shall be guilty of a misdemeanor.

Chapter 2—CONSTRUCTION CODES

8200. Reserved.

8201. California Administrative Code adopted.

The 2025 Edition of the California Administrative Code, published by the International Code Council, and all amendments, supplements, and errata thereto, is hereby adopted by reference and shall be applicable to the City of Agoura Hills, and referred to as the "Administrative Code of the City of Agoura Hills."

One copy of the California Administrative Code of the City of Agoura Hills shall be kept on file in the Building Official's office for public inspection.

8202. California Building Code Adopted with Local Amendments

A. Adoption of California Building Code, 2025 Edition.

Pursuant to California Government Code Section 50022.2, the California Building Code, 2025 Edition, published as Title 24, Part 2, of the California Code of Regulations, including Appendix I (Patio Covers), Appendix P (Sleeping Lofts), Appendix Q (Emergency Housing), and Appendix J (Grading) and all supplements and errata thereto (collectively "CBC"), is adopted by reference, subject to the amendments, additions and deletions set forth below.

One true copy of the CBC is on file in the office of the Building Official and is available for public inspection as required by law.

B. Amendments to the 2025 California Building Code.

a) The second paragraph of Section 1.8.8.1 is amended to read as follows:

The City Council shall serve as the local appeals board or housing appeals board as specified in California Health and Safety Code Sections 17920.5 and 17920.6.

b) Section 1.8.8.4 is added to read as follows:

***1.8.8.4 Limitation of Authority**. The Local Appeals Board and the Housing Appeals Board shall not have jurisdiction to consider, decide or rule on whether persons are responsible or not responsible for violations and public nuisances of the Agoura Hills Municipal Code, as well as on actions that are required by the City of responsible persons to correct or otherwise abate violations and/or public nuisances.*

This limitation of authority shall also apply to any board that is established by the 2025 Residential, Electrical, Mechanical, Plumbing, Energy, Wildland-Urban Interface, Fire, Existing Building, and Green Building Standards Codes, as adopted by the City.

c) Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the Building Code of *the City of Agoura Hills*, hereinafter referred to as "this code".

d) Section 101.4.5 is amended to read as follows:

101.4.5. Fire Prevention. The provisions of the *California* Fire Code *as amended and adopted by the City of Agoura Hills* shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or device; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression, automatic sprinkler systems and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

e) Section 103.3 is amended to read as follows:

103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the Building Official shall have the authority to appoint a deputy Building Official, related technical officers, inspectors, *plan examiners,* and other employees. Such employees shall have powers as delegated by the Building Official.

f) Section 105.1 is amended to read as follows:

105.1 Required. *All persons who intend to construct, enlarge, alter, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, component or device, the installation of which is regulated by the Technical Codes in Article VIII of the Agoura Hills Municipal Code, shall first make written application to the Building Official and obtain each required permit. Parking lots shall not be paved, improved, striped, or restriped unless a separate permit for each parking lot has first been obtained from the Building Official.*

No person shall undertake or cause grading to occur on land without the prior procurement of a grading permit unless such grading is exempt from a permit as provided for in Section J103.2 of Appendix J.

Whenever any work or installation, or grading has been commenced without a permit in violation of this section, a Stop Work Order shall immediately be issued by the Building Official, and a special investigation to identify the nature and extent of the unpermitted work or installation shall be made. Based on the findings of the investigation, conditions may be given to the violator to correct any unpermitted conditions to the satisfaction of the Building Official and/or the City Engineer prior to the issuance of the permit and to continue work. An investigation fee shall be paid in addition to customary fees for each permit which the work had started prior to, or at the time of, the issuance of a permit or permits. Failure to pay a special investigation fee in full constitutes cause to deny the issuance of a permit or permits. The investigation fee shall be as specified by resolution of the City Council.

The payment of the investigation fee shall not exempt any person from compliance with all other provisions of the Agoura Hills Municipal Code, or from any penalty prescribed by law for failing to obtain each required permit.

g) Section 105.2, under **Building -** items 1 through 13 are amended, and items 14 through 18 are added**;** under **Electrical -** items 4 and 5 are added, and a new category titled **Grading** is added**,** to read as follows:

Building:

1. One-story detached accessory structures used as tool and storage sheds, *shade structures*, playhouses, *or similar uses that are accessory to detached*

one and two-family dwellings, and similar uses, provided the floor area does not exceed 120 square feet *and is not more than 14 feet in height above adjacent grade.* It is permissible that these structures still be regulated by *Part 7 California Wildland Urban Interface Code,* despite the exemption from permit.

2. Fences, other than swimming pool barriers or *other than masonry or concrete, not over 6 feet high, measured from finished grade immediately adjacent to the fence to the top of the finished fence.*

3. Oil derricks.

4. Retaining walls *or masonry/concrete fence wall, less than 2 feet in height measured from grade immediately adjacent to the wall* to the top of the wall, *and not* supporting a surcharge.

5. Water tanks supported directly on grade if the capacity is not greater than 5000 gallons and the ratio of height to diameter or width is not greater than 2:1.

6. Sidewalks, driveways, *platforms, and walkways associated with one and two-family dwellings*, not more than 30 inches above grade *at any point* and not *located* over any basement or story below, *nor supporting any structure above, and are not part of an accessible route.*

7. Painting, papering, tiling, carpeting, cabinets, counter tops, and similar finish work.

8. Temporary motion picture, television, and theater stage sets and scenery *structures that are erected and maintained for a specific period of time in connection with a filming permit that is issued pursuant to Article VI, Chapter 6 of the Agoura Hills Municipal Code. Electrical installations (including the use of generators) and gas installations for sets and structures require a permit before they occur.*

9. Prefabricated swimming pools accessory to a Group R-3 Occupancy that are less than *18* inches deep, do not exceed 5,000 gallons, and are installed entirely above ground.

10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.

11. Swings and other playground equipment accessory to detached one- and two-family dwellings.

12. Window awnings *supported by an exterior wall* in group R-3 and U occupancies*, that are less than 12 square feet of shade cover and do not*

project more than 48 inches from exterior wall and do not require additional support.

13. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height.

14. *Detached one-story shade covers for animals when the covers are not over 12 feet in height above adjacent grade, not more than 400 feet of roof area, and open on 3 sides minimum.*

15. *Readily removable plastic-covered hoop structures, with a maximum 12 feet in height, with no in-ground footings or foundation.*

16. *Replacement of residential exterior door when the door frame is not removed.*

17. *Replacement of a kitchen appliance with a similar appliance in the same location. This exception does not apply if the work includes opening the walls or replacing or altering the plumbing or electrical systems.*

18. *Flagpoles that are 20 feet or less in height above finished grade when fully extended.*

Electrical:

1. Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

2. Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installation of towers and antennas.

3. Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

4. *Removal of abandoned electrical wiring and conduits. "Abandoned" means such wiring and conduits that are not energized.*

5. *Low-voltage electric wiring/system (under 25 volt or 50 watts).*

Gas:

1. Portable heating appliance.

2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.

2. Portable ventilation equipment.

3. Portable cooling unit.

4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.

5. Replacement of any part that does not alter its approval or make it unsafe.

6. Portable evaporative cooler.

7. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (0.75 kW) or less.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.

2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided that such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

Grading:

1. All grading that is exempt from a permit shall be pursuant to Section J103.2 of Appendix "J" of this code or other reference codes accepted by the Building Official.

h) Section 105.3.2 is amended to read as follows:

105.3.2 Time Limitation of Application. *Unless extended or reinstated as provided herein, an* application for permit is deemed abandoned if an applicant has not satisfied all requirements for a permit for proposed work or actions within twelve (12) months *of tender of an application to the Building and Safety Division. The Building Official is authorized to grant one or more extensions of time for additional periods not*

exceeding ninety (90) days each to complete all requirements for a permit. An applicant seeking an initial extension shall tender a request to the Building Official prior to the date the application is deemed abandoned. In order to be eligible for any further extensions, an applicant shall tender a subsequent request or requests to the Building Official before a prior extension period expires. Each extension request shall be requested in writing and justifiable cause demonstrated, as determined by the Building Official.

When an application has been deemed abandoned, a permit shall not be issued prior to the application being reinstated or a new application tendered with new fees paid. Requests to reinstate an application that has been deemed abandoned shall be submitted to the Building Official, in writing, demonstrating justifiable cause and are subject to the approval of the Building Official. If approved by the Building Official, the fee shall be one half (1/2) of the amount of the original plan review fee, provided that the period of time following the Building Official's date of determination of abandonment of the original application has not exceeded six (6) months, no changes have been made or will be made in the original submittal and the construction codes under which the original application was submitted are the same as the current construction codes in effect. To reinstate a application when the period of time following the Building Official's date of determination of abandonment of the original application has exceeded six (6) months; or changes have been made or will be made in the original submittal; or current construction codes are different from those construction codes under which the original application was submitted, the permittee shall be required to pay a new full permit fee and that person shall comply with all construction codes in effect on the date of the new permit application.

i) Section 105.3.2.1 is added to read as follows:

105.3.2.1 Time limitation of application in connection with an unpermitted structure. *Unless extended or reinstated as provided herein, an* application for a permit is deemed abandoned if an applicant has not satisfied all requirements for a permit in connection with an unpermitted structure as defined in Section 111.1.1 of this code within ninety (90) calendar days of tender of an application therefor to the Building and Safety Division. T*he Building Official is authorized to grant one or more extensions of time for additional periods not exceeding thirty (30) days each to complete all requirements for a permit. An applicant seeking an initial extension shall tender a request to the Building Official prior to the date the application is deemed abandoned. In order to be eligible for any further extensions, an applicant shall tender a subsequent request or requests to the Building Official before a prior extension period expires. Each extension request shall be requested in writing and justifiable cause demonstrated, as determined by the Building Official.*

j) Section 105.5 is amended to read as follows:

105.5 Expiration *of permit*. *Unless extended or reinstated as provided herein, every permit issued, except those under Subsection 105.5.2, shall be deemed suspended*

or abandoned and shall automatically expire and become null and void unless the permittee completes at least twenty percent (20%) of the total work or actions authorized by a permit (as determined by the Building Official) for Group R-3 Occupancies, and at least ten percent (10%) of the total work or actions authorized by a permit (as determined by the Building Official) for all other occupancies, and the permittee obtains a successful inspection from the Building Official within the first twelve (12) months from the permit's issuance date. An issued permit shall also be deemed suspended or abandoned and shall automatically expire and become null and void if the permittee does not complete at least an additional twenty percent (20%) of the total work or actions authorized by a permit (as determined by the Building Official) for Group R-3 Occupancies, and at least an additional ten percent (10%) of the total work or actions authorized by a permit (as determined by the Building Official) for all other occupancies, and the permittee obtains a subsequent successful inspection within twelve (12) months from a prior successful inspection. A successful inspection is defined as an inspection that is required by Section 110 of Chapter 1, Division II of the 2025 California Building Code (as adopted by Section 8100 of the Agoura Hills Municipal Code), during which the Building Official or a designee thereof determined that the inspected work or actions met all applicable minimum code requirements and he/she approved and documented that work as successful. Notwithstanding prior timely successful inspections, a permit shall automatically expire and become null and void if the permittee does not obtain a final inspection approval from a building inspector for completion of all work or actions authorized by a permit as follows: (i) within three (3) years from the date of issuance of a permit having a valuation of less than $250,000.00; (ii) within four (4) years from the date of issuance of a permit having a valuation of between $250,000.00 and $1,000,000.00; and, (iii) within five (5) years from the date of issuance of a permit having a valuation of more than $1,000,000.00.

The Building Official may grant one (1) extension of a permit for a period not exceeding one hundred eighty (180) days, provided he/she receives a written request stating justifiable cause, prior to the expiration date of a permit. The Building Official may deny the request for a permit extension if her/she determines that justifiable cause was not shown in the request.

When a permit that was issued pursuant to Section 105.1 has expired, work shall not recommence prior to obtaining a new permit, which shall be subject to Section 105.5.2 of this code. Requests to reinstate an expired permit shall be submitted to the Building Official, in writing, demonstrating justifiable cause and are subject to the approval of the Building Official. If approved by the Building Official, the fee shall be one half (1/2) of the amount of the original permit fee, provided that the expiration period of the original permit has not exceeded six (6) months, no changes have been made or will be made in the original approved plans and specifications, and the construction codes under which the original permit was issued are the same as the current construction codes in effect. To reinstate a permit when the expiration period of the original permit has exceeded six (6) months; or changes have been made or will be made in the original approved plans and specifications; or current construction codes are different

from those construction codes under which the original permit was issued the permittee shall be required to pay a new full permit fee and that person shall comply with all construction codes in effect on the date of the new permit application.

k) Section 105.5.1 is amended to read as follows:

***105.5.1 Expiration**. Every permit issued before January 1, 2019, that did not automatically expire and become null and void by December 31, 2025, pursuant to the code then in effect, shall be deemed abandoned and shall automatically expire and be null and void if the permittee does not thereafter obtain a subsequent successful inspection within 180 days from a prior successful inspection. A successful inspection is defined as an inspection that is required by Section 110 of Chapter 1, Division II of the 2025 California Building Code (as adopted by Section 8100 of the Agoura Hills Municipal Code), during which the Building Official or a designee thereof determined that the inspected work or actions met all applicable minimum code requirements and he/she approved and documented that work as successful. The Building Official may grant one extension of a permit subject to this subsection for a period not exceeding 180 days, provided he/she receives a written request stating a justifiable case, prior to the expiration date of the permit. The Building Official may deny the request for a permit extension if her/she determines that justifiable cause was not shown in the request.*

When a permit subject to this subsection has expired, work shall not recommence prior to obtaining a new permit, which shall be subject to Section 105.5.2 of this code. Payment of a full permit fee is required.

l) Section 105.5.2 is added to read as follows:

***105.5.2 Expiration of permit in connection with an unpermitted structure.** Notwithstanding Section 105.5 or any other provision of this code to the contrary, if a permit is issued in order to bring an unpermitted structure (as defined in Section 111.1.1 of this code) or other unlawful condition into compliance with any applicable law, or ordinance, such permit shall automatically expire and become null and void ninety (90) calendar days after the date on which the permit was issued. The Building Official may extend the validity of the permit for a period not exceeding ninety (90) calendar days beyond the initial ninety (90) day limit upon written request by the applicant filed with the Building Official prior to the expiration date of the original permit.*

m) Section 105.6 is amended to read as follows:

105.6 Suspension or revocation. *The Building Official is authorized to suspend or revoke a permit issued under the provisions of this code or other relevant laws, ordinances, rules, or regulations, wherever and whenever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulations or any of the provisions of this code.*

The Building Official may also withhold inspections or approvals or suspend or revoke permit, where work is being performed in violation of approved plans, conditions of approval or permit, or applicable laws, and/or where work is being done not in accordance with the direction of the Building Official or this code.

The Building Official is authorized to suspend or revoke a permit if he/she, or a designee thereof, determines work is occurring in connection therewith between the hours of 7:00 p.m. and 7:00 a.m., Monday through Saturday and any time on Federal Holidays, which results in violations of the noise regulations located in Article 9, Chapter 6, Part 2, Division 6 of the Agoura Hills Municipal Code, and the permittee has not received prior written permission from the city manager to create such noise at that time.

The Building Official is authorized to suspend or revoke a permit issued under the provisions of this code if dust is generated in excess of local, state or federal standards or conditions of project approval.

n) Section 105.7 is amended to read as follows:

105.7 Placement of permit. The building permit or copy shall be kept on the site of the work until completion of the project. *Required permits and approved plans shall be maintained in good condition and be posted or otherwise made available at job site such as to allow the Building Official to conveniently make the required review, inspection and entries related to the project.*

o) Section 105.8 is added to read as follows:

***105.8 Responsibility of permittee**. It shall be the duty of every person who performs work for the installation or repair of building, structure, electrical, gas, mechanical or plumbing systems, for which this code is applicable, to comply with this code. Building permits shall be presumed by the City to incorporate all of the work that the applicant, the applicant's agent, employees and/or contractors shall carry out. Said proposed work shall be in accordance with the approved plans and with all requirements of this code and any other laws or regulations applicable thereto. No city approval shall relieve or exonerate any person from the responsibility of complying with the provisions of this code nor shall any vested rights be created for any work performed in violation of this code.*

p) Section 105.9 is added to read as follows:

***105.9 Transferability.** No permit issued pursuant to Article VIII of the Agoura Hills Municipal Code shall be transferable to any other person or apply to any location other than that stated in the permit, unless justifiable cause is demonstrated to the satisfaction of the Building Official and approved in writing*

q) Section 109.4 is amended to read as follows:

109.4 Work commencing before permit issuance. Any person who commences any work for which a permit is required by this code before obtaining the necessary permits *shall be subject to a special investigation by the Building Official before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required for such work by this code, or as identified in the latest fees adopted by the City Council of the City of Agoura Hills.*

r) Section 109.5.1 is added to read as follows:

109.5.1 Re-inspection Fee. *A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections previously called for are not made. This section is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.*

Re-inspection fees may be assessed when the inspection record permit card is not posted or otherwise available on the work site, the approved plans are not readily available for the inspector, for failure to provide access on the date for which the inspection is requested, or for deviation from the plans requiring the approval of the Building Official. Where re-inspection fees have been assessed, no additional inspection of the work shall be performed until the required fees identified by the latest fees adopted by the City of Agoura Hills have been paid.

s) Section 109.6.1 is added to read as follows:

109.6.1 Refund Policy. *The plan review fee for any project that has been reviewed will not be refunded since the review has already been conducted. When a project has been reviewed, approved, and a permit has been issued, but no work or inspections have taken place, and a refund is requested, the City will refund 80% of the original permit fee for which no work or inspection has been performed. There will be no refund given if the project has commenced and an inspection has taken place. The Building Official makes the final determination whether a refund is due for a specific project.*

t) Section 109.7 is added to read as follows:

109.7 Plan review fees. *When submittal documents are required by Section 107, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be in accordance with the schedule as established by the applicable governing authority.*

The plan review fees specified in this section are in addition to and separate fees from the permit fees specified in Section 109.2.

Where submittal documents are incomplete or changed so as to require additional plan review, or where the project involves deferred submittal items as defined in Section 107.3.4.1, an additional plan review fee may be charged at a rate established by the applicable governing authority.

When submittal documents are for a project involving production housing (track home), the plan review fee shall be based on full plan review for the first model home/unit and 20% of the fee for any reproduction of that model home/unit. If the model home/unit and the reproduction units are not the same size and configuration, which would require a plan review, a full plan review fee or additional fee may apply, as determined by the Building Official.

u) Section 110.1.1 is added to read as follows:

110.1.1 Setback and height certification. *When determined by the Building Official, a survey and certification may be required to confirm that the building or structure is placed on the site in accordance with the approved location and setback distances and to confirm that it does not exceed the approved building height shown on the approved plans.*

v) Section 110.3.4.2 is added to read as follows:

110.3.4.2 Roof sheathing and shear inspection. *Prior to a complete framing inspection, a roof sheathing and shear inspection shall be made after roof sheathing and all structural shear panels or walls are in place and secured by nailing or other approved methods.*

w) Exception for Section 110.3.6 is deleted.

x) Section 111.1.1 is added to read as follows:

111.1.1 Unpermitted Structures. *No person shall own, use, occupy, or maintain an unpermitted structure. For purposes of this subsection, "unpermitted structure" shall be defined as any building or structure, or portion thereof, that was erected, constructed, enlarged, altered, repaired, moved, improved, removed, connected, converted, demolished, or equipped with regulated devices, fixtures or installations, at any point in time by any person, without the required permit(s) having first been obtained from the Building Official, or with a valid permit as issued by the Building Official which subsequently expired and became null and void. An unpermitted structure also includes one for which a building permit has been suspended or revoked.*

y) Section 111.2 is amended to read as follows:

111.2 Certificate issued. After the Building Official or his/her designee inspects the building or structure and finds no violation of the provisions of this code or other laws that are enforced by *the city*, the Building Official shall issue a certificate of occupancy that contains the following:

1. The *building* permit number.
2. The address of the structure.
3. The name and address of the owner or the owner's authorized agent.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code *for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.*
6. The name of the Building Official.
7. The edition of the code under which the permit was issued.
8. The use and occupancy, in accordance with the provisions of Chapter 3 *of the California Building Code*.
9. The type of construction as defined in Chapter 6 *of the California Building Code.*
10. The designed occupant loads.
11. Where an automatic sprinkler system is provided, whether the sprinkler system is required.
12. Any special stipulations and conditions of the building permit.
13. *Assessor's Parcel Number.*
14. *Zoning designation.*
15. *The date of certificate issuance.*

z) Section 111.3 is amended to read as follows:

111.3 Temporary Certificate of Occupancy (TCO). *The Building Official may, in writing, authorize temporary occupancy of any building or structure, or portion thereof, that lacks a permanent certificate of occupancy for any reason, provided patent conditions in open and accessible portions of the building or structure do not reveal a substantial hazard to an occupant or occupants.*

Applications for a temporary certificate of occupancy shall be on a city-approved form. Such applications shall be accompanied by a fee to process the application and for the inspection of the building or structure to determine its suitability for a temporary certificate of occupancy. Such fees shall be established by the City Council by resolution.

A temporary certificate of occupancy is valid for a period of time to be specified by the Building Official in the certificate. The city attorney may require applicants for a temporary certificate of occupancy to execute an indemnification, as approved by the city attorney, in favor of the city and its employees as a prerequisite to receiving a temporary certificate of occupancy.

The Building Official may extend the period of a temporary certificate of occupancy in writing, as well as impose conditions thereto. Property owners shall acknowledge and agree to said conditions in writing. The breach of any condition thereof shall render a temporary certificate of occupancy null and void without further action by the city. In such an event, the owners shall cause all use and occupancy of the building or structure to be terminated by a date required by the Building Official. Use or occupancy of a building or structure, or allowing the use or occupancy of a building or structure, with an expired temporary certificate of occupancy, is a violation of this code and unlawful. Failing to cause the termination of all uses and occupancy in a structure after a termination date is a violation of this code and unlawful. The boards established by Section 1.8.8 do not have jurisdiction to consider, decide, or rule on decisions pertaining to the issuance, expiration, or nullification of a temporary certificate of occupancy, or with regard to any other matter relating thereto.

The Building Official is authorized to adopt regulations or procedures, such as requiring a security deposit or bond, for the implementation of this section.

aa) Section 111.4 is amended to read as follows:

111.4 Revocation. The Building Official *may, in writing, suspend or revoke a certificate of occupancy whenever the Building Official determines that* the certificate was issued in error, or on the basis of incorrect information supplied*, or* when it is determined that the building, structure *or premises,* or portion thereof, is in violation of any provision of this code*, or other relevant laws, ordinances, rules and/or regulations. Use or occupancy of a building or structure, or allowing the use or occupancy of a building or structure, with a suspended or revoked certificate of occupancy, is a violation of this code and unlawful. The boards established by Section 1.8.8 do not have jurisdiction to consider, decide, or rule pertaining to the issuance, suspension, or revocation of a certificate of occupancy, or with regard to any other matter relating thereto.*

bb) Section 112.3 is amended and subsections 112.3.1, 112.3.2, and 112.3.3 are added to read as follows:

112.3 Authority to Disconnect Service Utilities. *The powers granted the Building Official pursuant to this subsection extend to all buildings, structures, or systems (including electrical, plumbing, and mechanical) that are regulated by this code and its references. This subsection supersedes all similar provisions in other codes that are part of Article VIII of the Agoura Hills Municipal Code.*

112.3.1 Authority to Disconnect Electric Utility. *The Building Official is hereby empowered to disconnect or to require in writing the discontinuance of electric utility service to buildings, structures or premises, or portions thereof, or to wiring, devices or materials where such buildings, structures or premises, or portions thereof, are determined to be a hazard to life, health and/or property, or where they lack permits and required inspection approvals.*

The Building Official is hereby empowered to disconnect or to require in writing the discontinuance of electric utility service as a means of preventing, restraining, correcting or abating any violation of this code, or other relevant laws, ordinances, rules or regulations.

The electrical service shall remain disconnected or electrical utility service shall remain discontinued until the code violation has been abated to the satisfaction of the Building Official, or until the installation of such wiring, devices or materials have been made safe as directed by the Building Official; or until a permit has been issued and the work has been inspected and approved by the Building Official.

112.3.2 Authority to Disconnect Gas Utility. *The Building Official is hereby empowered to disconnect or to require in writing the discontinuance of gas utility service to buildings, structures or premises, or portions thereof, or to appliances, devices or materials where such buildings, structures or premises, or portions thereof, are determined to be a hazard to life, health and/or property, or where they lack permits and required inspection approvals.*

The Building Official is hereby empowered to disconnect or to require in writing the discontinuance of gas utility service as a means of preventing, restraining, correcting or abating any violation of this code, or other relevant laws, ordinances, rules or regulations.

The gas service shall remain disconnected or gas utility service shall remain discontinued until the code violation has been abated to the satisfaction of the Building Official, or until the installation of such appliances, devices or materials have been made safe as directed by the Building Official; or until a permit has been issued and the work has been inspected and approved by the Building Official.

112.3.3 Authority to Disconnect Water Utility. *The Building Official is hereby empowered to disconnect or to require the property owner to disconnect the water utility service to buildings, structures or premises, or portions thereof, or to fixtures, devices or materials where such buildings, structures or premises, or portions thereof, are determined to be a hazard to life, health, property or to the environment, or where they lack permits and required inspection approvals.*

The Building Official is hereby empowered to disconnect or to require the property owner to disconnect the water utility service as a means of preventing, restraining, correcting or abating any violation of this code, or other relevant laws, ordinances, rules or regulations.

The water service shall remain disconnected or water utility service shall remain discontinued until the code violation has been abated to the satisfaction of the Building Official, or until the installation of such appliances, devices or materials have been made safe as directed by the Building Official; or until a permit has been issued and the work has been inspected and approved by the Building Official.

cc) Section 113 is deleted in its entirety.

dd) Section 114.1 is amended to read as follows:

114.1 Unlawful Acts. *It is unlawful for any property owner and/or other responsible person to erect, construct, alter, extend, repair, move, remove, demolish, or occupy any building or structure, as well as any regulated equipment, system or installation, or cause same to be done, in conflict with this code. It is unlawful for any for any property owner and/or other responsible person to conduct or maintain, whether due to action or inaction, any building or structure, as well as any regulated equipment, system, or installation in violation of this code. It is unlawful for any property owner and/or other responsible person to conduct or maintain grading on land that occurred without a permit.*

ee) Section 114.4 is amended to read as follows:

114.4 Violation Penalties. *Any person who violates, or who maintains a violation of this Code or who fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or who fails to comply with a directive or order of the Building Official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law as follows:*

(a) Any person, firm, partnership, association, corporation or joint venture violating any of the provisions of the California Building Standards Code or other code(s) adopted in Article VIII of the Agoura Municipal Code shall be guilty of a misdemeanor. Any person violating a stop work order issued pursuant to Section 115.1 of this chapter shall be guilty of a misdemeanor. Any person who continues to occupy or any person who enters a structure that has been posted "unsafe" by the Building Official pursuant to Section 116 of this chapter shall be guilty of a misdemeanor.

(b) Each day that person, firm, association, corporation or joint venture violates any of the provisions of the California Building Standards Code or other code(s) adopted in Article VIII of the Agoura Municipal Code is a separate offense and shall be punishable thereof as provided in the Agoura Hills Municipal Code.

ff) Section 115.1 is amended to read as follows:

115.1 Authority. Whenever the Building Official finds any work regulated by this code being performed in a manner either contrary to the provisions of this code, *or without a permit,* or dangerous, or unsafe, the Building Official is authorized to issue a stop work order.

gg) Section 116.1 is amended to read as follows:

116.1 Unsafe Conditions. *Any building, structure or equipment that has any or all of the conditions hereinafter described shall constitute an unsafe or dangerous building or structure:*

(a) Structural inadequacies, damage, deficiencies, defects, or deterioration, as well as nearby hazardous embankments or excavations, that could cause a building or structure to partially or completely collapse or fail.

(b) Electrical, plumbing, or mechanical work or installations, which, because of a defect in materials or installation, or due to some other faulty operating or other condition, pose a risk of explosion or fire.

(c) Unsanitary or unhealthful conditions that are present in a building or structure.

(d) All forms of construction, as well as electrical, plumbing or mechanical work, systems, fixtures, appliances or other installations for which all required permits and inspection approvals have not been obtained from the Building Official.

(e) Occupancy or use for which a building or structure was not designed or intended, or that results in a change in the occupancy classification thereof.

(f) Inadequate egress from a building or structure.

(g) A vacant building or structure that is not secured against unauthorized entry.

(h) Any condition that violates any regulation in Article VIII of the Agoura Hills Municipal Code.

Any or all of the foregoing conditions endanger the health, safety, or welfare of occupants, persons who may enter the premises, or the public. Unsafe structures shall be taken down and removed or made safe.

hh) *Section 116.3.1 is added to read as follows:*

Section 116.3.1 Orders to Vacate. *Notwithstanding any other provision of this code, if the Building Official or a designee thereof determines a condition is present in a building or structure or on premises that constitutes an immediate danger or hazard to the health, safety or welfare of occupants or to the public, the Building Official may order persons to vacate buildings, structures, premises, or portions*

thereof. Such orders may include orders to not re-enter, as well authorize limited entry subject to written conditions. Conditions may include, but not be limited to, requiring buildings, structures, and premises to be secured from entry or access by means that are acceptable to the Building Official. Orders shall advise persons of their appeal rights as discussed in this subsection.

Orders may be personally served on an occupant, or served by first class mail and posted on the premises containing the immediate danger or hazard. If an owner does not occupy said premises, a copy of the order shall be also sent by first class mail to the owner as identified by Los Angeles County Assessor records. For owner-occupied properties, the issuance date of an order is the date of its personal service. For non-owner-occupied properties, the issuance date of an order is the date an order to the owner and any occupant(s), or a copy thereof, is deposited in a U.S. Postal Service mail container and posted on the premises. Failure of any person to receive an order shall not affect its validity or the appeal period. When identifying a mailing address for an owner, the Building Official shall consider such information as shown in the Los Angeles County Assessor records.

Orders issued pursuant to this subsection, and any conditions thereof, are appealable by a property owner or occupant on a City-approved form that must be received by the City Clerk's Office within ten days of an order's issuance. Appellants shall state all grounds for their appeal in said form. Failure to tender an appeal in a timely manner constitutes a waiver of the right to appeal, in which case an order is final.

If a timely appeal is made, the Building & Safety Department shall provide ten days advance notice to the appealing party or parties of the date, time, and place of the hearing. A timely appeal does not stay an order, or any conditions thereof. Failure of any person to receive a notice of hearing shall not affect its validity.

Timely appeals shall be heard by the housing or local appeals board, as applicable. Appeal hearings are informal, and rules of evidence do not apply. Failure of an appellant or appellants to appear at a hearing constitutes a waiver of the right to appeal, in which case the order is final. The housing or local appeals board, as applicable, shall, within ten days following the hearing, issue a written decision upholding, modifying, or reversing the order or conditions thereof, notice of which shall be sent to the appellant(s) by first-class mail. Such decisions are not appealable. The notice of decision shall contain the following statement: "The [Housing Appeals Board/Local Appeals Board] decision is final, and judicial review of this decision is subject to the provisions and time limits set forth in Cal. Code of Civil Procedure §§ 1094.5 and 1094.6."

Orders may be accompanied by, or combined with, Stop Work Order or Notices of Violations (which are not appealable). Orders shall be rescinded in writing when the Building Official determines that the immediate danger or hazard has been fully corrected or abated with all permits, approvals and inspections as required by the Agoura Hills Municipal Code.

ii) Sections 116.4 and 116.5 are deleted.

jj) Section 116.6 is added to read as follows:

Section 116.6 Violations. *It is unlawful and a public nuisance for any person to maintain an unsafe or dangerous building or structure. Each and every day that a building or structure is maintained in an unsafe or dangerous condition is a new violation of this code. It is a violation of this code and unlawful for any person to fail to comply with an order to vacate, as well as all conditions thereof. Each such violation shall be a misdemeanor.*

kk) Section 903.2.11.7 is added to read as follows:

903.2.11.7 Where Required. *An automatic fire sprinkler system shall be installed in every occupancy which is newly constructed or which is modified, reconstructed, or remodeled by adding 50 percent or more of the floor area of the existing occupancy, within any 12-month period, within the City of Agoura Hills.*

Exceptions:

1. *Detached private garages, sheds, and agricultural buildings less than 1,000 square feet in area and separated from other structures by a minimum of six feet are exempt from the fire sprinkler requirement.*

2. *Detached gazebos, pergolas, and carports open on two or more sides, that are separated from other structures by a minimum of six feet, are exempt from the fire sprinkler requirement.*

3. *Detached U occupancies, separated from other structures by a minimum of six feet, built entirely out of non-combustible materials, and with no combustible storage, are exempt from the fire sprinkler requirement.*

For the purpose of requiring the automatic fire sprinkler systems specified in this chapter, the entire floor area within the building footprint, including the attached garage area, shall be considered.

An automatic fire sprinkler system need not be installed in spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic fire alarm system and are separated from the remainder of the building by fire barriers consisting of not less than 1-hour fire-resistance-rated walls and 2-hour fire-resistance-rated floor/ceiling assemblies.

ll) Section 1613.8 is added to read as follows:

1613.8 Seismic design provisions for hillside buildings.

1613.8.1 Purpose. *The purpose of this section is to establish minimum regulations for the design and construction of new buildings and additions to existing buildings when constructing such buildings on or into slopes steeper than one unit vertical in three units horizontal (33.3%). These regulations establish minimum standards for seismic force resistance to reduce the risk of injury or loss of life in the event of earthquakes.*

1613.8.2 Scope. *The provisions of this section shall apply to the design of the lateral-force-resisting system for hillside buildings at and below the base level diaphragm. The design of the lateral-force-resisting system above the base level diaphragm shall be in accordance with the provisions for seismic and wind design as required elsewhere in this division.*

Exception: *Non-habitable accessory buildings and decks not supporting or supported from the main building are exempt from these regulations.*

1613.8.3 Definitions. *For the purposes of this section certain terms are defined as follows:*

BASE LEVEL DIAPHRAGM is the floor at, or closest to, the top of the highest level of the foundation.

DIAPHRAGM ANCHORS are assemblies that connect a diaphragm to the adjacent foundation at the uphill diaphragm edge.

DOWNHILL DIRECTION is the descending direction of the slope approximately perpendicular to the slope contours.

FOUNDATION is concrete or masonry which supports a building, including footings, stem walls, retaining walls, and grade beams.

FOUNDATION EXTENDING IN THE DOWNHILL DIRECTION is a foundation running downhill and approximately perpendicular to the uphill foundation.

HILLSIDE BUILDING is any building or portion thereof constructed on or into a slope steeper than one unit vertical in three units horizontal (33.3%). If only a portion of the building is supported on or into the slope, these regulations apply to the entire building.

PRIMARY ANCHORS are diaphragm anchors designed for and providing a direct connection as described in Sections 1613.8.5 and 1613.8.7.3 between the diaphragm and the uphill foundation.

SECONDARY ANCHORS are diaphragm anchors designed for and providing a redundant diaphragm to foundation connection, as described in Sections 1613.8.6 and 1613.8.7.4.

UPHILL DIAPHRAGM EDGE is the edge of the diaphragm adjacent and closest to the highest ground level at the perimeter of the diaphragm.

UPHILL FOUNDATION is the foundation parallel and closest to the uphill diaphragm edge.

1613.8.4 Analysis and design.

1613.8.4.1 General. *Every hillside building within the scope of this section shall be analyzed, designed, and constructed in accordance with the provisions of this division. When the code-prescribed wind design produces greater effects, the wind design shall govern, but detailing requirements and limitations prescribed in this and referenced sections shall be followed.*

1613.8.4.2 Base level diaphragm-downhill direction. *The following provisions shall apply to the seismic analysis and design of the connections for the base level diaphragm in the downhill direction.*

1613.8.4.2.1 Base for lateral force design defined. *For seismic forces acting in the downhill direction, the base of the building shall be the floor at or closest to the top of the highest level of the foundation.*

1613.8.4.2.2 Base shear. *In developing the base shear for seismic design, the response modification coefficient (R) shall not exceed 5 for bearing wall and building frame systems. The total base shear shall include the forces tributary to the base level diaphragm including forces from the base level diaphragm.*

1613.8.5 Base shear resistance-primary anchors.

1613.8.5.1 General. *The base shear in the downhill direction shall be resisted through primary anchors from diaphragm struts provided in the base level diaphragm to the foundation.*

1613.8.5.2 Location of primary anchors. *A primary anchor and diaphragm strut shall be provided in line with each foundation extending in the downhill direction. Primary anchors and diaphragm struts shall also be provided where interior vertical lateral-force-resisting elements occur above*

and in contact with the base level diaphragm. The spacing of primary anchors and diaphragm struts or collectors shall in no case exceed 30 feet (9144 mm).

1613.8.5.3 Design of primary anchors and diaphragm struts. *Primary anchors and diaphragm struts shall be designed in accordance with the requirements of Section 1613.8.8.*

1613.8.5.4 Limitations. *The following lateral-force-resisting elements shall not be designed to resist seismic forces below the base level diaphragm in the downhill direction:*

1. *Wood structural panel wall sheathing,*
2. *Cement plaster and lath,*
3. *Gypsum wallboard, and*
4. *Tension-only braced frames.*

Braced frames designed in accordance with the requirements of Section 2205.2.1.2 may be used to transfer forces from the primary anchors and diaphragm struts *to the foundation, provided lateral forces do not induce flexural stresses in any member of the frame or in the diaphragm struts. Deflections of frames shall account for the variation in slope of diagonal members when the frame is not rectangular.*

1613.8.6 Base shear resistance-secondary anchors.

1613.8.6.1 General. *In addition to the primary anchors required by Section 1613.8.5, the base shear in the downhill direction shall be resisted through secondary anchors in the uphill foundation connected to diaphragm struts in the base level diaphragm.*

Exception: *Secondary anchors are not required where foundations extending in the downhill direction spaced at not more than 30 feet (9144 mm) on center extend up to and are directly connected to the base level diaphragm for at least 70% of the diaphragm depth.*

1613.8.6.2 Secondary anchor capacity and spacing. *Secondary anchors at the base level diaphragm shall be designed for a minimum force equal to the base shear, including forces tributary to the base level diaphragm, but not less than 600 pounds per lineal foot (8.76 kN/m) based on Allowable Stress Design (ASD) levels. The secondary anchors shall be uniformly distributed along the uphill diaphragm edge and shall be spaced a maximum of 4 feet (1219 mm) on center.*

1613.8.6.3 Design. *Secondary anchors and diaphragm struts shall be designed in accordance with Section 1613.8.8.*

1613.8.7 Diaphragms below the base level-downhill direction. *The following provisions shall apply to the lateral analysis and design of the connections for all diaphragms below the base level diaphragm in the downhill direction.*

1613.8.7.1 Diaphragm defined. *Every floor level below the base level diaphragm shall be designed as a diaphragm.*

1613.8.7.2 Design force. *Each diaphragm below the base level diaphragm shall be designed for all tributary loads at that level using a minimum seismic force factor not less than the base shear coefficient.*

1613.8.7.3 Design force resistance-primary anchors. *The design force described in Section 1613.8.7.2 shall be resisted through primary anchors from diaphragm struts provided in each diaphragm to the foundation. Primary anchors shall be provided and designed in accordance with the requirements and limitations of Section 1613.8.5.*

1613.8.7.4 Design force resistance-secondary anchors.

1613.8.7.4.1 General. *In addition to the primary anchors required in Section 1613.8.7.3, the design force in the downhill direction shall be resisted through secondary anchors in the uphill foundation connected to diaphragm struts in each diaphragm below the base level.*

Exception: *Secondary anchors are not required where foundations extending in the downhill direction, spaced at not more than 30 feet (9144 mm) on center, extend up to and are directly connected to each diaphragm below the base level for at least 70% of the diaphragm depth.*

1613.8.7.4.2 Secondary anchor capacity. *Secondary anchors at each diaphragm below the base level diaphragm shall be designed for a minimum force equal to the design force but not less than 300 pounds per lineal foot (4.38 kN/m) based on Allowable Stress Design (ASD) levels. The secondary anchors shall be uniformly distributed along the uphill diaphragm edge and shall be spaced a maximum of 4 feet (1219 mm) on center.*

1613.8.7.4.3 Design. *Secondary anchors and diaphragm struts shall be designed in accordance with Section 1613.8.8.*

1613.8.8 Primary and secondary anchorage and diaphragm strut design. *Primary and secondary anchors and diaphragm struts shall be designed in accordance with the following provisions:*

1. *Fasteners. All bolted fasteners used to develop connections to wood members shall be provided with square plate washers at all bolt heads and nuts. Washers shall be minimum 0.229 inch by 3 inches by 3 inches (5.82 mm by 76 mm by 76 mm) in size. Nuts shall be tightened to finger tight plus one-half (1/2) wrench turn prior to covering the framing.*

2. *Fastening. The diaphragm to foundation anchorage shall not be accomplished by the use of toenailing, nails subject to withdrawal, or wood in cross-grain bending or cross-grain tension.*

3. *Size of Wood Members. Wood diaphragm struts, collectors, and other wood members connected to primary anchors shall not be less than 3 inch (76 mm) nominal width. The effects of eccentricity on wood members shall be evaluated as required per Item 9.*

4. *Design. Primary and secondary anchorage, including diaphragm struts, splices, and collectors, shall be designed for 125% of the tributary force.*

5. *Allowable Stress Increase. The one-third allowable stress increase permitted under Section 1605.3.2 shall not be taken when the working (allowable) stress design method is used.*

6. *Steel Element of Structural Wall Anchorage System. The strength design forces for steel elements of the structural wall anchorage system, with the exception of anchor bolts and reinforcing steel, shall be increased by 1.4 times the forces otherwise required.*

7. *Primary Anchors. The load path for primary anchors and diaphragm struts shall be fully developed into the diaphragm and into the foundation. The foundation must be shown to be adequate to resist the concentrated loads from the primary anchors.*

8. *Secondary Anchors. The load path for secondary anchors and diaphragm struts shall be fully developed in the diaphragm but need not be developed beyond the connection to the foundation.*

9. *Symmetry. All lateral force foundation anchorage and diaphragm strut connections shall be symmetrical. Eccentric connections may be permitted when demonstrated by calculation or tests that all components of force have been provided for in the structural analysis or tests.*

10. *Wood Ledgers. Wood ledgers shall not be used to resist cross-grain bending or cross-grain tension.*

1613.8.9 Lateral-force-resisting elements normal to the downhill direction.

1613.8.9.1 General. *In the direction normal to the downhill direction, lateral-force-resisting elements shall be designed in accordance with the requirements of this section.*

1613.8.9.2 Base shear. *In developing the base shear for seismic design, the response modification coefficient (R) shall not exceed 5 for bearing wall and building frame systems.*

1613.8.9.3 Vertical distribution of seismic forces. *For seismic forces acting normal to the downhill direction the distribution of seismic forces over the height of the building using Section 12.8.3 of ASCE 7 shall be determined using the height measured from the top of the lowest level of the building foundation.*

1613.8.9.4 Drift limitations. *The story drift below the base level diaphragm shall not exceed 0.007 times the story height at strength design force level. The total drift from the base level diaphragm to the top of the foundation shall not exceed 3/4 inch (19 mm). Where the story height or the height from the base level diaphragm to the top of the foundation varies because of a stepped footing or story offset, the height shall be measured from the average height of the top of the foundation. The story drift shall not be reduced by the effect of horizontal diaphragm stiffness.*

1613.8.9.5 Distribution of lateral forces.

1613.8.9.5.1 General. *The design lateral force shall be distributed to lateral-force-resisting elements of varying heights in accordance with the stiffness of each individual element.*

1613.8.9.5.2 Wood structural panel sheathed walls. *The stiffness of a stepped wood structural panel shear wall may be determined by dividing the wall into adjacent rectangular elements, subject to the same top of wall deflection. Deflections of shear walls may be estimated by AWC SDPWS Section 4.3.2. Sheathing and fastening requirements for the stiffest section shall be used for the entire wall. Each section of wall shall be anchored for shear and uplift at each step. The minimum horizontal length of a step shall be 8 feet (2438 mm) and the maximum vertical height of a step shall be 2 feet 8 inches (813 mm).*

1613.8.9.5.3 Reinforced concrete or masonry shear walls. *Reinforced concrete or masonry shear walls shall have forces distributed in proportion to the rigidity of each section of the wall.*

1613.8.9.6 Limitations. *The following lateral force-resisting-elements shall not be designed to resist lateral forces below the base level diaphragm in the direction normal to the downhill direction:*

1. *Cement plaster and lath,*
2. *Gypsum wallboard, and*
3. *Tension-only braced frames.*

Braced frames designed in accordance with the requirements of Section 2205.2.1.2 of this Code may be designed as lateral-force-resisting elements in the direction normal to the downhill direction, provided lateral forces do not induce flexural stresses in any member of the frame. Deflections of frames shall account for the variation in slope of diagonal members when the frame is not rectangular.

1613.8.10 Specific design provisions.

1613.8.10.1 Footings and grade beams. *All footings and grade beams shall comply with the following:*

1. *Grade beams shall extend at least 12 inches (305 mm) below the lowest adjacent grade and provide a minimum 24 inch (610 mm) distance horizontally from the bottom outside face of the grade beam to the face of the descending slope.*

2. *Continuous footings shall be reinforced with at least two No. 4 reinforcing bars at the top and two No. 4 reinforcing bars at the bottom.*

3. *All main footing and grade beam reinforcement steel shall be bent into the intersecting footing and fully developed around each corner and intersection.*

4. *All concrete stem walls shall extend from the foundation and reinforced as required for concrete or masonry walls.*

1613.8.10.2 Protection against decay and termites. *All wood-to-earth separation shall comply with the following:*

1. *Where a footing or grade beam extends across a descending slope, the stem wall, grade beam, or footing shall extend up to a minimum 18 inches (457 mm) above the highest adjacent grade.*

   Exception: *At paved garage and doorway entrances to the building, the stem wall needs only to extend to the finished concrete slab, provided the wood framing is protected with a moisture-proof barrier.*

2. *Wood ledgers supporting a vertical load of more than 100 pounds per lineal foot (1.46 kN/m) based on Allowable Stress Design (ASD) levels and located within 48 inches (1219 mm) of adjacent grade are prohibited. Galvanized steel ledgers and anchor bolts, with or without wood nailers, or*

treated or decay-resistant sill plates supported on a concrete or masonry seat, may be used.

1613.8.10.3 Sill plates. *All sill plates and anchorage shall comply with the following:*

1. *All wood-framed walls, including non-bearing walls, when resting on a footing, foundation, or grade beam stem wall, shall be supported on wood sill plates bearing on a level surface.*

2. *Power-driven fasteners shall not be used to anchor sill plates except at interior nonbearing walls not designed as shear walls.*

1613.8.10.4 Column base plate anchorage. *The base of isolated wood posts (not framed into a stud wall) supporting a vertical load of 4,000 pounds (17.8 kN) based on Allowable Stress Design (ASD) levels or more and the base plate for a steel column shall comply with the following:*

1. *When the post or column is supported on a pedestal extending above the top of a footing or grade beam, the pedestal shall be designed and reinforced as required for concrete or masonry columns. The pedestal shall be reinforced with a minimum of four No. 4 bars extending to the bottom of the footing or grade beam. The top of exterior pedestals shall be sloped for positive drainage.*

2. *The base plate anchor bolts or the embedded portion of the post base, and the vertical reinforcing bars for the pedestal, shall be confined with two No. 4 or three No. 3 ties within the top 5 inches (127 mm) of the concrete or masonry pedestal. The base plate anchor bolts shall be embedded a minimum of 20 bolt diameters into the concrete or masonry pedestal. The base plate anchor bolts and post bases shall be galvanized and each anchor bolt shall have at least 2 galvanized nuts above the base plate.*

1613.8.10.5 Steel beam to column supports. *All steel beam-to-column supports shall be positively braced in each direction. Steel beams shall have stiffener plates installed on each side of the beam web at the column. The stiffener plates shall be welded to each beam flange and the beam web. Each brace connection or structural member shall consist of at least two 5/8-inch (15.9 mm) diameter machine bolts.*

mm) Section 1807.1.4 is amended to read as follows:

1807.1.4 Permanent wood foundation systems. Permanent wood foundation systems shall be designed and installed in accordance with AWC PWF. Lumber and plywood shall be treated in accordance with AWPA U1 (Commodity Specification A, Special Requirement 4.2) and shall be identified in accordance with Section

2303.1.9.1. *Permanent wood foundation systems shall not be used for structures assigned to Seismic Design Category D, E or F.*

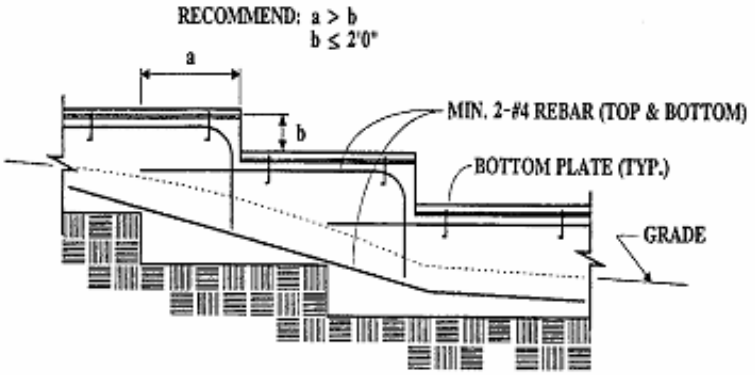
nn) Section 1807.2 is amended to read as follows:

1807.2 Retaining walls. Retaining walls shall be designed in accordance with Section 1807.2.1 through 1807.2.4. *Retaining walls assigned to Seismic Design Category D, E or F shall not be partially or wholly constructed of wood*.

oo) Section 1809.3 is amended to read as follows:

1809.3 Stepped footings. The top surface of footings shall be level. The bottom surface of footings shall be permitted to have a slope not exceeding one unit vertical in 10 units horizontal (10-percent slope). Footings shall be stepped where it is necessary to change the elevation of the top surface of the footing or where the surface of the ground slopes more than one unit vertical in 10 units horizontal (10-percent slope).

For structures assigned to Seismic Design Category D, E or F, the stepping requirement shall also apply to the top surface of continuous footings supporting walls. Footings shall be reinforced with four No. 4 deformed reinforcing bars. Two bars shall be placed at the top and bottom of the footings as shown in Figure 1809.3.



STEPPED FOUNDATIONS

FIGURE 1809.3
STEPPED FOOTING

pp) Section 1809.7 and Table 1809.7 are amended to read as follows:

1809.7 Prescriptive footings for light-frame construction. Where a specific design is not provided, concrete or masonry-unit footings supporting walls of light-frame construction shall be permitted to be designed in accordance with Table 1809.7. *Light-frame construction using prescriptive footings in Table 1809.7 shall not exceed one*

story above grade plane for structures assigned to Seismic Design Category D, E or F.

TABLE 1809.7
PRESCRIPTIVE FOOTINGS SUPPORTING WALLS OF LIGHT-FRAME CONSTRUCTION [a, b, c, d, e]

NUMBER OF FLOORS SUPPORTED BY THE FOOTING [f]	WIDTH OF FOOTING (inches)	THICKNESS OF FOOTING (inches)
1	12	6
2	15	6
3	18	8

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm

a. Depth of footings shall be in accordance with Section 1809.4.
b. The ground under the floor shall be permitted to be excavated to the elevation of the top of the footing.
c. Not Adopted.
d. See Section 1905 for additional requirements for concrete footings of structures assigned to Seismic Design Category C, D, E or F.
e. For thickness of foundation walls, see Section 1807.1.6.
f. Footings shall be permitted to support a roof addition to the stipulated number of floors. Footings supporting roof only shall be as required for supporting one floor.

qq) Section 1809.12 is amended to read as follows*:*

1809.12 Timber footings. Timber footings shall be permitted for buildings of Type V construction and as otherwise approved by the Building Official. Such footings shall be treated in accordance with AWPA U1 (Commodity Specification A, Use Category 4B). Treated timbers are not required where placed entirely below the permanent water level, or where used as capping for wood piles that project above the water level over submerged or marsh lands. The compressive stresses perpendicular to grain in untreated timber footings supported on treated piles shall not exceed 70 percent of the allowable stresses for the species and grade of timber as specified in the ANSI/AWC NDS. *Timber footings shall not be used in structures assigned to Seismic Design Category D, E or F.*

rr) Section 2304.10.2 is amended to read as follows:

2304.10.2 Fastener requirements. Connections for wood members shall be designed in accordance with the appropriate methodology in Section 2302.1. The number and size of fasteners connecting wood members shall not be less than that set forth in Table 2304.10.2*. Staple fasteners in Table 2304.10.2 shall not be used to resist or transfer seismic forces in structures assigned to Seismic Design Category D, E or F.*

Exception: *Staples may be used to resist or transfer seismic forces when the allowable shear values are substantiated by cyclic testing and approved by the Building Official.*

ss) Section 2304.12.2.8 is amended to read as follows:

2304.12.2.8 Wood used in retaining walls and cribs. Wood installed in retaining or crib walls shall be preservative-treated in accordance with AWPA U1 for soil and freshwater use. *Wood shall not be used in retaining or crib walls for structures assigned to Seismic Design Category D, E or F.*

tt) Section 2306.2 is amended to read as follows:

2306.2 Wood-frame diaphragms. Wood-frame diaphragms shall be designed and constructed in accordance with AWC SDPWS. Where panels are fastened to framing members with staples, requirements and limitations of AWC SDPWS shall be met and the allowable shear values set forth in Table 2306.2(1) or 2306.2(2) shall *only* be permitted *for structures assigned to Seismic Design Category A, B, or C.*

Exception: *Allowable shear values where panels are fastened to framing members with staples may be used if such values are substantiated by cyclic testing and approved by the Building Official.*

The allowable shear values in Tables 2306.2(1) and 2306.2(2) are permitted to be increased 40 percent for wind design.

Wood structural panels used to resist seismic diaphragm forces in structures assigned to Seismic Design Category D, E or F shall be applied directly to the framing members.

Exception: *Wood structural panels are permitted to be fastened over solid lumber planking or laminated decking, provided the panel joints and lumber planking or laminated decking joints do not coincide.*

uu) Section 2306.3 is amended to read as follows:

2306.3 Wood-frame shear walls. Wood-frame shear walls shall be designed and constructed in accordance with ANSI/AWC SDPWS. *For structures assigned to Seismic Design Category D, E, or F, application of Table 4.3A of ANSI/AWC SDPWS shall include the following:*

i. Wood structural panel thickness for shear walls shall not be less than 3/8 inch thick and studs shall not be spaced at more than 16 inches on center.

ii. The maximum nominal unit shear capacities for 3/8 inch wood structural panels resisting seismic forces in structures assigned to Seismic Design Category D, E or F is 400 pounds per linear foot (plf).

Exception: *Other nominal unit shear capacities may be permitted if such values are substantiated by cyclic testing and approved by the Building Official.*

iii. Nails shall be placed not less than 1/2 inch in from the panel edges and not less than 3/8 inch from the edge of the connecting members for shear greater than 350 plf using ASD or 500 plf using LRFD. Nails shall be placed not less than 3/8 inch from panel edges and not less than 1/4 inch from the edge of the connecting members for shears of 350 plf or less using ASD or 500 plf or less using LRFD.

For structures assigned to Seismic Design Category D, E or F, application of Table 4.3B of ANSI/AWC SDPWS shall not be allowed.

For structures assigned to Seismic Design Category D, E or F, application of Table 4.3C of ANSI/AWC SDPWS shall not be used below the top level in a multi-level building.

Where panels are fastened to framing members with staples, requirements and limitations of AWC SDPWS shall be met and the allowable shear values set forth in Table 2306.3(1), 2306.3(2) or 2306.3(3) shall *only* be permitted *for structures assigned to Seismic Design Category A, B, or C*.

***Exception:** Allowable shear values where panels are fastened to framing members with staples may be used if such values are substantiated by cyclic testing and approved by the Building Official.*

The allowable shear values in Tables 2306.3(1) and 2306.3(2) are permitted to be increased 40 percent for wind design. Panels complying with ANSI/APA PRP-210 shall be permitted to use design values for Plywood Siding in the ANSI/AWC SDPWS.

vv) Section 2308.10.8.1 is amended to read as follows:

***2308.10.8.1 Foundation requirements.** Braced wall lines shall be supported by continuous foundations.*

Exception: For structures with a maximum plan dimension not more than 50 feet (15240 mm), continuous foundations are required at exterior walls only *for structures assigned to Seismic Design Category A, B, or C.*

For structures in Seismic Design Categories D and E, exterior braced wall panels shall be in the same plane vertically with the foundation or the portion of the structure containing the offset shall be designed in accordance with accepted engineering practice and Section 2308.3.

ww) Section 3109.2 is amended by adding a new definition for “Barrier” and amending the existing definitions for “Swimming Pool” to read as follows:

***Barrier.** Barrier is a fence, wall, building wall or other enclosure that isolates a swimming pool from access to the home, other properties or the public.*

Swimming Pools/Spa. *Any body of water created by artificial means which is designed, intended for use, or used for swimming or immersion purposes, which has a water depth exceeding 18 inches. The term "pool" includes swimming pools, spas, hot tubs, above and below ground, and vinyl-lined pools; "Pool" does not include plumbing fixtures such as bathtubs, nor does it apply to man-made lakes, reservoirs, farm ponds, or ponds used primarily for public park purposes, water conservation purposes, irrigation purposes or for the watering of livestock.*

xx) Section J101.3 is added to Appendix J to read as follows:

J101.3 Hazards.

1. Whenever the City Engineer determines that any land or any existing excavation or fill has, from any cause, become a menace to life or limb, or endangers public or private property, or adversely affects the safety, use or stability of public or private property, the owner of the property concerned shall, upon written notice thereof from the City Engineer (which shall be issued by first class mail), correct such condition in accordance with the provisions of this appendix and the requirements and conditions set forth in the notice (including deadlines for required actions) so as to eliminate such condition. The owner of the property shall immediately comply with the provisions set forth in the notice and shall complete all work to fully abate the condition within 180 days from the date of the notice unless a shorter period of time for completion has been specified in the notice in which case the owner shall comply with the shorter period of time. Upon written application and good cause shown, the City Engineer may, provided he/she concludes good cause exists, approve the request for an extension of time to complete the work required by the notice. A notice to the owner shall include a statement that a missed deadline, or untimely compliance with requested actions, may result in the City of Agoura Hills recording a certificate of substandard property with the Office of the Los Angeles County Recorder's Office. "Owner" is the person who appears as such in Los Angeles County Assessor records for a property, and other persons, if known to the City Engineer, who are in control of, or responsible, for a property. A notice shall be sent to an owner to his/her/its address as shown on the last equalized assessment roll for a property. Where the City Engineer knows of other persons who are in control of, or responsible for, a property, the City Engineer shall send a copy of a notice to the address set forth in records of the Public Works Department for such persons. Failure of an owner or other persons to receive a notice shall not relieve them from the obligation to comply with this appendix.

2. If the above condition is not fully eliminated within the specified time period, or if the owner has missed a deadline in the notice (including without limitation for obtaining a grading permit) the City Engineer may file with the Office of the Los Angeles County Recorder a certificate stating that the property is deemed substandard and that the owner thereof has been so notified. The certificate shall describe the condition that renders the property substandard. The City Engineer shall, by first class mail, send a copy of the certificate for recording to the owner.

3. When the above condition has been fully corrected to the satisfaction of the City Engineer, he/she shall file with the Office of the Los Angeles County Recorder, within a period of time not exceeding thirty (30) days, a certificate specifying that the condition has been fully corrected and that the property is no longer substandard. The City Engineer shall, by first-class mail, send a copy of the certificate for recording to the owner.

yy) Section J101.4 is added to Appendix J to read as follows:

J101.4 Safety Precautions

1. General

a) If at any stage of work on an excavation or fill, the City Engineer determines that the work has become or is likely to become dangerous to any person, or is likely to endanger any property, public or private, the City Engineer must be authorized to require safety precautions to be immediately taken by the property owner as a condition to continuing such permitted work or to require cessation thereof forthwith unless and until it is made safe and to amend the plans for such work.

b) Safety precautions may include, without limitation, specifying a flatter exposed slope or construction of additional drainage facilities, berms, terracing, compaction, cribbing, retaining walls or buttress fills, slough walls, desilting basins, check dams, benching, wire mesh, and guniting, rock fences, revetments or diversion walls.

c) Upon the determination of the City Engineer that such safety precautions during grading are necessary, the City Engineer shall provide a notice and order to the permittee to implement same. After receiving such notice, oral or written, it is unlawful for the permittee or any person to proceed with such work contrary to such order.

2. *Maintenance of Ground Cover*

a) Existing groundcover in any hillside area that is not affected by an issued grading permit shall be maintained in a healthful condition at all times and shall not be destroyed or removed. As used herein, "groundcover" means plants that cover ground and that provide protection of the topsoil from erosion and drought. As used herein, "destroyed" includes, without limitation, any actions or inaction that cause, or will likely cause or contribute to, such groundcover dying or existing in an unhealthful condition in the future. As used herein, "maintained in a healthful condition" includes, without limitation, proper watering and fertilization and cutting or trimming that does not cause or contribute to the death of groundcover or cause it to exist in an unhealthful condition in the future. Cutting or trimming actions that result in groundcover dying or that cause or contribute to groundcover

existing in an unhealthful condition in the future are unlawful and prohibited. This subpart does not apply to groundcover that the Los Angeles County Fire Department requires to be destroyed or removed in the enforcement of the Fire Code. In the event the City Engineer determines a violation of this subpart has occurred, the owner of the affected hillside area shall, upon written notice thereof by the City Engineer via first class mail, obtain written approval from the City Engineer within forty-five (45) days of the date of the notice for proposed replacement groundcover. The owner shall complete installation of the approved groundcover and obtain a final inspection approval in writing from the City Engineer within thirty (30) days thereafter. An owner's failure to obtain timely written approvals from the City Engineer are violations of this subpart and unlawful. As used herein, "owner" is the person who appears as such in Los Angeles County Assessor records for a property. A notice shall be sent to an owner to his/her/its address as shown on the last equalized assessment roll for a property.

b) Whenever groundcover on private real property is removed or damaged as a result of action or actions undertaken pursuant to an issued grading permit, the owner of that property and permittees under that permit shall restore the affected area with new groundcover as approved and required by the City Engineer and shall complete such other erosion control protection measures or installations as may be required by the City Engineer. The owner or his/her/its permittee under that permit shall obtain written approval of the City Engineer for newly installed groundcover and for any required erosion control protection measures or installations as a condition to obtaining a final inspection approval of a grading from the City Engineer. It is unlawful and a violation of this subpart for an owner to fail to install new groundcover and/or complete other required protection measures or installations in a period of time required by the City Engineer. It is also unlawful and a violation of this subpart for an owner to fail to maintain installed protection measures or installations in a good and effective condition and in good repair at all times in the future. Following the City Engineer's approval of new groundcover, an owner shall be subject to Subpart A. of this section. As used herein, "damaged" means groundcover that has, or will likely, die or become or remain unhealthful because of, or in part due to, an action or actions that were undertaken pursuant to an issued grading permit.

3. *Maintenance of Protective Structures/Devices/Installations*

   All structures/devices/installations used to protect hillside areas from erosion or landslide damage including, without limitation, retaining walls, cribbing, terracing, surface and subsurface drainage structures, interceptor drains, check dams, and riprap shall be maintained in good condition and repair at all times.

zz) Section J101.5 is added to Appendix J to read as follows:

J101.5 Protection of Utilities*. The owner of any property for which a grading permit has been issued, and permittees, shall in the course of undertaking actions pursuant to that permit, prevent damage to public utilities or services.*

aaa) Section J101.6 is added to Appendix J to read as follows:

J101.6 Protection of Adjacent Properties. *The owner of any property for which a grading permit has been issued, and permittees, shall in the course of undertaking actions pursuant to that permit, prevent damage to adjacent property. Furthermore, no owner or permittee shall excavate on land sufficiently close to the property line to endanger any adjoining public street, sidewalk, alley, or other public or private property without first obtaining written approval of the City Engineer for protections to said public or private properties against settling, cracking or other damage and completing the installation of those protections prior to undertaking the excavation.. Special precautions approved by the City Engineer shall also be made to prevent imported or exported materials from being deposited on the adjacent public way and/or drainage courses. A 30-day excavation notice shall be provided as required by California Civil Code Section 829-834 when the excavation is of sufficient depth and proximity to adjacent lot structures.*

bbb) Section J101.7 is added to Appendix J to read as follows:

J101.7 Stormwater control measures. *The owner of any property for which a grading permit has been issued and permittees shall put into effect and maintain all measures and installations necessary to protect adjacent water courses and public and private property from damage by erosion, flooding, and deposition of mud, debris, and construction-related pollutants originating from the site during, and after, grading and related construction activities. Furthermore, the owner and permittees shall implement, install, and maintain measures and installations necessary to prevent any change in cross-lot surface drainage that may adversely affect any adjoining property as a result of grading and/or construction-related activities. Such measures and installations to prevent any adverse cross-lot surface drainage effects on adjoining property shall be required whether shown on approved grading plans or not.*

ccc) Section J101.8 is added to Appendix J to read as follows:

J101.8 Conditions of approval*. In granting any permit under this code, the City Engineer may impose such conditions on a permit as he/she believes reasonably necessary to protect public health, safety, or welfare and/or to prevent or protect against any hazard that could be posed to a person or to persons or to public or private property in the absence of a permit condition or conditions. It is unlawful and a violation of this subpart for an owner not to comply with a permit condition. Such conditions may include, but shall not be limited to:*

1. Improvement of any existing grading to comply with the current standards of this code.

2. Requirements for fencing of excavations or fills which would otherwise be hazardous.

ddd) Section J101.9 is added to Appendix J to read as follows:

J101.9 Other regulations.

J101.9.1 Waiver. *The permissive provisions of this chapter shall not be presumed to waive any regulations or statutes imposed by the State of California or other regulations of the City of Agoura Hills Municipal Code.*

J101.9.2 More restrictive regulations*. If two or more pertinent regulations are not identical, those regulations shall prevail which are more restrictive, or which afford greater safety to life, limb, health, property or welfare. For the purposes of these regulations, grading permits shall be considered as building permits and shall be subject to the same administrative provisions of this code, unless otherwise specifically provided for in this chapter.*

eee) Section J103.2 is amended to read as follows:

J103.2 Exemptions. A grading permit shall not be required for the following, unless deemed necessary by the City Engineer. *No exemptions shall relieve the requirements set forth by the City Engineer or Building Official to address drainage and water quality concerns.*

1. *When approved by the City Engineer,* grading in an isolated, self-contained area, provided there is no danger to the public, and that such grading will not adversely affect adjoining properties or *any public property*.

2. Excavation for construction of a structure permitted under this code *where the excavation is limited to within the footprint of the proposed structure and not exceeding 5 feet in depth.*

3. Cemetery graves.

4. Refuse disposal sites controlled by other regulations.

5. Excavations for wells, or trenches for utilities.

6. Mining, quarrying, excavating, processing or stockpiling rock, sand, aggregate or clay controlled by other regulations, provided such operations do not affect the lateral support of, or significantly increase stress in, soil and adjoining properties.

7. Exploratory excavations performed under the direction of a registered soils engineer or engineering geologist. *This shall not exempt grading of access roads or pads created for exploratory excavations, which require a permit from the City Engineer. Exploratory excavations must not create a hazardous condition to adjacent properties or the public in accordance with Section J101.3. Exploratory excavations must be restored to pre-existing conditions, unless approved by the City Engineer in writing.*

8. An excavation that does not exceed 50 cubic yards (15.29 m^3), not less than 100 feet away from any drainage course and complies with one of the following conditions:

(1) not proposed where the natural slope of the site exceeds twenty (20) percent;

(2) is less than 2 feet (0.6 m) in depth;

(3) does not create a cut slope greater than 5 feet (1.5 m) measured vertically upward from the cut surface to the surface of the natural grade and is not steeper than 2 units horizontal to 1 unit vertical (50 percent slope).

9. A fill not intended to support a structure, does not obstruct or redirect a drainage course, is not less than 100 feet away from any drainage course, and complies with one of the following conditions:

(a) is less than 1 foot (0.3 m) in depth and is placed on natural terrain with a slope flatter than 5 units horizontal to 1 unit vertical (20 percent slope).

(b) is less than 3 feet (0.9 m) in depth at its deepest point measured vertically upward from natural grade to the surface of the fill, does not exceed 50 cubic yards, and creates a fill slope no steeper than 2 units horizontal to 1 unit vertical (50 percent slope).

Exemption from the permit requirements of this appendix shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

fff) Section J103.3 is added to Appendix J to read as follows:

J103.3 Permit issuance.

1. The issuance of a grading permit shall constitute an authorization to do only that work which is described or illustrated on the application for the permit and on the grading plans and specifications approved by the City Engineer at the time of issuance.

2. Jurisdiction of other agencies. Permits issued under the requirements of this appendix shall not relieve the owner of responsibility for securing required permits

for work to be accomplished that is regulated by any other code, department, or division of the City of Agoura Hills. Furthermore, permits issued pursuant to this appendix shall not relieve an owner from securing approvals and/or permits as may be required by Los Angeles County and the State of California.

3. Conditions of permit. The City Engineer, upon recommendation of the city traffic and transportation administrator, may impose such conditions with respect to access routes to and from grading sites in hillside areas as the City Engineer shall determine are required in the interest of safety precautions involving pedestrian or vehicular traffic. This is in addition to conditions imposed pursuant to Section J101.8. It is unlawful to not comply with a permit condition.

4. Consent of adjacent property owner. Whenever any excavation or fill or other grading-related work requires entry onto adjacent property for any reason, the permit applicant shall obtain the written consent of the adjacent property owner or their authorized representative, and shall tender a signed and duly notarized copy of such consent with the City Engineer prior to the issuance of a permit. The consent form shall be approved by the City Attorney and the statements therein shall be acceptable to the City Engineer. If a permit applicant claims an easement authorizes entry onto adjacent property in connection with proposed grading-related work, the applicant shall tender a recorded copy of the easement to the City Engineer prior to the issuance of a permit. In addition to tendering a consent form and/or an easement, the owner of real property for which a grading permit is sought, shall execute an indemnification/hold harmless form in favor of the City of Agoura Hills as approved by the City Attorney and tender the completed/executed form to the City Engineer prior to the issuance of a grading permit.

5. Unpermitted Actions. If grading and/or other actions regulated by this appendix occur without a grading permit, a subsequently obtained permit shall automatically expire and become null and void ninety (90) calendar days after the date on which the permit was issued. The City Engineer may extend the validity of the permit for a period not exceeding ninety (90) calendar days beyond the initial ninety (90) day limit upon written request by the applicant filed with the City Engineer prior to the expiration date of the original permit. The applicant shall show justifiable cause in the extension request, which the City Engineer must find to be satisfactory before granting an extension.

6. Time limitation of application and expiration of permit. Time limitation of application and expiration of permit shall be governed by the amended CBC Sections 105.3.2.1 and 105.5 and CRC Sections R105.3.2.1 and R105.5.

ggg) Section J103.4 is added to Appendix J to read as follows:

J103.4 Grading fees.

1. Fees for grading plan check and for grading permits shall be established or modified by resolution of the city council. The schedule of such fees shall remain on file and be

available in the office of the City Engineer. The City Engineer shall, with the approval of the city manager, recommend changes in fee amounts to the council when the costs to provide grading plan check and grading inspection services make it appropriate.

2. The applicant shall pay a plan check fee prior to acceptance of grading plans and specifications for checking by the city. Plans shall not be reviewed prior to the City Engineer's receipt of the entire fee.

3. Whenever the applicant submits a grading plan for plan check that is substantially different, as determined by the City Engineer, in design of the earthwork as compared to previously submitted grading plans, the submittal shall be considered an original, and a new grading plan check fee shall be determined and paid to the City as provided in this section.

4. The applicant shall pay a grading permit fee prior to the issuance of a grading permit by the city. If, during grading operations, the plans and specifications for the grading project are revised increasing the scope of the project that was used to determine the grading permit fee, the applicant shall pay to the city the difference between the original grading permit fee and the recalculated fee before work may resume under the grading permit.

5. Whenever grading operations are commenced without an approved grading permit, an investigation fee shall be added to all unpaid fees for grading plan check and grading permits. The investigation fee shall be one hundred percent of all fees due to the city.

hhh) Section J104.2.1 is added to Appendix J to read as follows:

J104.2.1 Grading Designation. *Grading in hilly terrain areas involving slopes greater than 33% and all grading in excess of 250 cubic yards shall be performed in accordance with the approved grading plan prepared by a registered civil engineer, and shall be designated as "engineered grading." Grading involving less than 250 cubic yards and not located in an area of hilly terrain area involving slope greater than 33% shall be designated as "regular grading" unless the permittee chooses to have the grading performed as engineered grading, or the City Engineer determines that special conditions or unusual hazards exist, in which case grading shall conform to the requirements for engineered grading.*

iii) Section J104.2.2 is added to Appendix J to read as follows:

J104.2.2 Regular grading requirements. *In addition to the provisions of Section 106, and Section 104.2, Chapter 1, Division II, an application for a regular grading permit shall be accompanied by plans in sufficient clarity to indicate the nature and extent of the work. The plans shall give the location of the work, the name of the owner, and the name of the person who prepared the plan. If the slope of the grade exceeds 3 units horizontal to 1 unit vertical or as required by the City Engineer, the plans and specifications shall be prepared and signed by an individual licensed by*

the state to prepare such plans or specifications. The plan shall include the following information:

1. General vicinity of the proposed site.

2. Limits and depths of cut and fill.

3. Location of any buildings or structures where work is to be performed, and the location of any buildings or structures within 15 feet (4.6 m) of the proposed grading.

4. Contours, flow areas, elevations, or slopes that define existing and proposed drainage patterns.

5. Stormwater provisions in accordance with the requirements of Appendix J and Chapter 5 of Article V of the City of Agoura Hills Municipal Code.

6. Location of existing and proposed utilities, drainage facilities, and recorded public and private easements and use restricted use areas.

7. Recommendations in the geotechnical engineering report and the engineering geology report shall be incorporated into the grading plans or specifications. When approved by the City Engineer, specific recommendations contained in the geotechnical engineering report and the engineering geology report, that are applicable to grading, may be included by reference.

8. Location of all Special Flood Hazard Areas as designated and defined in Title 44, Code of Federal Regulations.

jjj) Section J104.2.3 is added to Appendix J to read as follows:

J104.2.3 Engineered grading requirements. *In addition to the provisions of Chapter 1 Division II, Section 107 and Appendix J Section J 104.2, an application for an engineered grading permit shall be accompanied by plans and specifications, and supporting data consisting of a soils engineering report and an engineering geology report. The plans and specifications shall be prepared and signed by an individual licensed by the state to prepare such plans or specifications when required by the City Engineer. Specifications shall contain information covering structures and material requirements. Plans shall be drawn to scale and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules, and regulations. The first sheet of each set of plans shall give the location of the work, the name and address of the owner, and the person by whom they were prepared. The plans shall include, but shall not be limited to, the following information:*

1. General vicinity of the proposed site.

2. Property limits and accurate contours of existing ground and details of terrain and area drainage.

3. Limiting dimensions, elevations, or finish contours to be achieved by the grading, proposed drainage channels, and related structures.

4. Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams and other protective devices to be constructed with, or as a part of, the proposed work. A map showing the drainage area and the estimated runoff of the area served by any drains shall also be provided.

5. Location of any existing or proposed buildings or structures on the property where the work is to be performed and the location of any buildings or structures on land of adjacent owners that are within 15 feet (4.6 m) of the property or that may be affected by the proposed grading operations.

6. Recommendations in the geotechnical engineering report and the engineering geology report shall be incorporated into the grading plans or specifications. When approved by the City Engineer, specific recommendations contained in the geotechnical engineering report and the engineering geology report, that are applicable to grading, may be included by reference.

7. The dates of the geotechnical engineering and engineering geology reports together with the names, addresses, and telephone numbers of the firms or individuals who prepared the reports.

8. A statement of the earthwork quantities of materials to be excavated and/or filled. Earthwork quantities shall include quantities for geotechnical and geological remediation. In addition, a statement of materials to be imported or exported from the site.

9. A statement of the estimated starting and completion dates for work covered by the permit.

10. A statement signed by the owner acknowledging that a field engineer, geotechnical engineer and engineering geologist, when necessary in the judgment of the City Engineer, shall be employed by the owner to perform the services required by this code, or whenever approval of the plans and issuance of the permit are to be based on the condition that such professional persons be so employed. These acknowledgments shall be on a form furnished by the City Engineer

11. Stormwater provisions are required to be shown on the grading plan in accordance with Appendix J and Chapter 5 of Article V of the AHMC

12. A drainage plan for that portion of a lot or parcel to be utilized as a building site (building pad), including elevation of floors with respect to finished site grade and locations of existing and proposed stoops, slabs, fences, or other features that may affect drainage.

13. Location and type of any existing or proposed private sewage disposal system.

14. Location of existing and proposed utilities, drainage facilities, and recorded public and private easements.

15. Location of all recorded floodways.

16. Location of all Special Flood Hazard Areas as designated and defined in Title 44, Code of Federal Regulations.

kkk) Section J105.3 is added to Appendix J to read as follows:

J105.3 Responsibility. *The permittee and owner shall be responsible for ensuring that the grading is performed in accordance with the approved plans and specifications and in conformance with the provisions of this Code. The permittee and owner shall engage project consultants, if required under the provisions of this Code, to provide professional inspections on a timely basis. The permittee shall act as a coordinator between the project consultants, the contractor, and the City Engineer. In the event of changed conditions, the permittee shall be responsible for informing the City Engineer of such change and shall provide revised plans for approval in a period of time established by the City Engineer.*

lll) Section J105.4 is added to Appendix J to read as follows:

J105.4 Required inspections*. The permittee shall call for an inspection by the City Engineer at the following various stages of work and shall obtain the written approval of the City Engineer prior to proceeding to the next stage of work:*

Pre-grade. Before any construction or grading activities occur at the site. Permittee shall schedule a pre-grade inspection with the City Engineer. The permittee shall ensure that all project consultants are present at the pre-grade inspection.

Initial grade. When the site has been cleared of vegetation and unapproved fill and has been scarified, benched, or otherwise prepared for fill. No fill shall have been placed prior to this inspection.

Rough grade. When approximate final elevations have been established, drainage terraces, swales, and other drainage devices necessary for the protection of the building sites from flooding have been installed, berms have been installed at the top of the slopes, and the statements of completion have been received.

Final grade. When grading has been completed, all drainage devices necessary to drain the building pad have been installed, slope planting has been established, irrigation systems have been installed, and the as-built plans and required statements and reports have been submitted.

mmm) Section J109.5 is added to Appendix J to read as follows:

J109.5 Disposal. *All drainage facilities shall be designed to carry waters to the nearest practicable street, storm drain, or natural watercourse drainage way approved by the City Engineer or other appropriate governmental agency jurisdiction, provided it is a safe place to deposit such waters. Erosion of the ground in the area of discharge shall be prevented by the installation of non-erosive down drains or other devices. Desilting basins, filter barriers, or other methods, as approved by the City Engineer, shall be utilized to remove sediments from surface waters before such waters are allowed to enter streets, storm drains, or natural watercourses. If the drainage device discharges onto natural ground, riprap or a similar energy dissipater may be required. Building pads shall have a minimum drainage gradient of 2 percent toward approved drainage facilities, a public street, or a drainage structure approved to receive stormwater, unless waived by the City Engineer. A lesser slope may be approved by the City Engineer for sites graded in relatively flat terrain, or where special drainage provisions are made, when the City Engineer finds such modification will not result in unfavorable drainage conditions.*

nnn) Section J112 is added to Appendix J to read as follows:

J112 National Pollutant Discharge Elimination System (NPDES) Compliance. *All grading plans and permits shall comply with the provisions of this section for NPDES compliance, including the owner of any property on which grading has been performed and which requires a grading permit under Appendix J Section J103. Sites that have been graded and which require a grading permit under Appendix J Section J103 are subject to penalties and fines. All best management practices shall be installed before grading begins or as instructed in writing by the City Engineer for unpermitted grading as defined by Section J 103.3. As grading progresses, all best management practices shall be updated as necessary to prevent erosion and control structures related pollutants from discharging from the site. All best management practices shall be maintained in good working order to the satisfaction of the City Engineer unless final grading approval has been granted by the City Engineer and all permanent drainage and erosion control systems, if required, are in place.*

ooo) Section Q103.1 of Appendix Q is amended to read as follows:

Q103.1 General. Emergency sleeping cabins, emergency transportable housing units, membrane structures and tents constructed and/or assembled in accordance with this appendix, shall be occupied only during the declaration of a state of emergency, local emergency, or shelter crisis, *and authorized by the City Council.*

Buildings and structures constructed in accordance with the California Building Standards Code, used as emergency housing, shall be permitted to be permanently occupied.

8202.5 California Residential Code Adopted with Local Amendments

A. Adoption of California Residential Code, 2025 Edition.

Pursuant to California Government Code § 50022.2, the California Residential Code, 2025 Edition, published as Title 24, Part 2.5, of the California Code of Regulations, including Appendix BB (Tiny Houses), Appendix BF (Patio Covers), Appendix BK (Cob Construction - Monolithic Adobe), Appendix BL (Hemp-Lime - Hempcrete Construction), Appendix BN (Extended Plate Wall Construction), Appendix BO (Existing Buildings and Structures), Appendix CI (Swimming Pool Safety Act), and Appendix CJ (Emergency Housing) ("CRC") are adopted by reference, subject to the amendments, additions, and deletions set forth below.

One true copy of the CRC is on file in the office of the Building Official and is available for public inspection as required by law.

B. Amendments to the California Residential Code.

a) Second paragraph of Section 1.8.8.1 is amended to read as follows:

The City Council shall serve as the local appeals board or housing appeals board as specified in California Health and Safety Code Sections 17920.5 and 17920.6.

b) Section 1.8.8.4 is added to read as follows:

***1.8.8.4 Limitation of Authority**. The Local Appeals Board and the Housing Appeals Board shall not have jurisdiction to consider, decide or rule on whether persons are responsible or not responsible for violations and public nuisances of the Agoura Hills Municipal Code, as well as on actions that are required by the City of responsible persons to correct or otherwise abate violations and/or public nuisances.*

This limitation of authority shall also apply to any board that is established by the 2025 Residential, Electrical, Mechanical, Plumbing, Energy, Wildland-Urban Interface, Fire, Existing Building, and Green Building Standards Codes, as adopted by the city.

c) Section R101.1 is amended to read as follows:

R101.1 Title. These regulations shall be known as the *Residential Code of the City of Agoura Hills*, hereinafter referred to as "this code".

d) Section R103.3 is amended to read as follows:

R103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the Building Official shall have the authority to appoint a Deputy Building Official, the related technical officers,

inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the Building Official.

e) Section R105.1 is amended to read as follows:

R105.1 Required. *All persons who intend to construct, enlarge, alter, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, component or device, the installation of which is regulated by the Technical Codes in Article VIII of the Agoura Hills Municipal Code, shall first make written application to the Building Official and obtain each required permit.*
No person shall undertake or cause grading to occur on land without the prior procurement of a grading permit unless such grading is exempt from a permit as provided for in Section J103.2 of Appendix J.

Whenever any work or installation or grading has been commenced without a permit in violation of this section, a Stop Work Order shall immediately be issued by the Building Official and a special investigation to identify the nature and extent of the unpermitted work or installation shall be made. Based on the findings of the investigation, conditions may be given to the violator to correct any unpermitted conditions to the satisfaction of the Building Official prior to the issuance of the permit and to continue work. An investigation fee shall be paid in addition to customary fees for each permit which the work had started prior to, or at the time of, the issuance of a permit or permits. Failure to pay a special investigation fee in full constitutes cause to deny the issuance of a permit or permits. The investigation fee shall be as specified by resolution of the City Council.

The payment of the investigation fee shall not exempt any person from compliance with all other provisions of the Agoura Hills Municipal Code, or from any penalty prescribed by law for failing to obtain each required permit.

f) Section R105.2 under **Building -** items 1 through 10 is amended, and items number 11 through 18 are added; under **Electrical** - item 6 is added; and a new category titled **Grading** is added to read as follows:

Building:

1. One-story detached accessory buildings *or structures* used as tool and storage sheds, shade structure, *playhouses or similar uses that are accessory to detached one- and two-family dwellings, and similar uses, provided the floor area does not exceed 120 square feet and are not more than 14 feet in height above adjacent grade. It is permissible that these structures still be regulated by Part 7 California Wildland Urban Interface Code, despite exemption from permits.*

2. Fences, other than swimming pool barriers or *other than masonry or concrete, not over 6 feet high, measured from finished grade immediately adjacent to the fence, to the top of the finished fence.*

3. *Decks not exceeding 200 square feet (18.58 m2) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling or townhouse, and do not serve the exit door required by Section R318.4.*

4. *Retaining walls or masonry/concrete walls less than 2 feet in height measured from grade immediately adjacent to the wall* to the top of the wall, *and not* supporting a surcharge.

5. Water tanks supported directly on grade if the capacity is not greater than 5000 gallons and the ratio of height to diameter or width is not greater than 2:1.

6. Sidewalks, driveways, *platforms and walkways* associated with one- and two-family dwellings, not more than 30 inches above grade at any point and not located over any basement or story below, nor supporting any structure above, and are not part of an accessible route.

7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.

8. *Temporary motion picture, television and theater stage sets and scenery structures that are erected and maintained for a specific period of time in connection with a filming permit that is issued pursuant to Article VI, Chapter 6 of the Agoura Hills Municipal Code. Electrical installations (including the use of generators) and gas installations for sets and structures require a permit before they occur.*

9. Prefabricated swimming pool accessory to a Group R-3 Occupancy that are less than *18* inches deep, do not exceed 5,000 gallons and are installed entirely above ground.

10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.

11. Swings and other playground equipment accessory to detached one- and two-family dwellings.

12. Window awnings supported by an exterior wall in group R-3 and U occupancies*, that are less than 12 square feet of shade cover and do not project more than 48 inches from exterior wall* and do not require additional support.

13. Non-fixed and movable fixtures, cases, racks, counters, and partitions not over 5 feet 9 inches in height.

14. Detached one-story shade covers for animals when the covers are not over 12 feet in height above adjacent grade, not more than 400 feet of roof area, and open on 3 sides minimum.

15. Readily removable plastic-covered hoop structures, with a maximum 12' in height with no in-ground footings or foundation.

16. Replacement of residential exterior door when the doorframe is not removed.

17. Replacement of residential kitchen appliance with a similar appliance in the same location. This exception does not apply if the work includes opening the walls or replacing or altering the plumbing or electrical systems.

18. Flagpoles that are 20 feet or less in height above finished grade when fully extended.

Electrical:

1. Listed cord-and-plug connected temporary decorative lighting.

2. Reinstallation of attachment plug receptacles but not the outlets therefor.

3. Replacement of branch circuit overcurrent devices of the required capacity in the same location.

4. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.

5. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

6. Removal of abandoned electrical wiring and conduits. "Abandoned" means such wiring and conduits that are not energized.

Gas:

1. Portable heating, cooking or clothes drying appliances.

2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

3. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Mechanical:

1. Portable heating appliances.

2. Portable ventilation appliances.

3. Portable cooling units.

4. Steam, hot- or chilled-water piping within any heating or cooling equipment regulated by this code.

5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

6. Portable evaporative coolers.

7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.

8. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.

2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

Grading:

1. *All grading that is exempt from a permit shall be pursuant to Section J103.2 of Appendix "J" of the California Building Code or other reference codes accepted by the Building Official.*

g) Section R105.3.2 is amended to read as follows:

R105.3.2 Time limitation of application. *Unless extended or reinstated as provided herein, an* application for permit is deemed abandoned if an applicant has not satisfied all requirements for a permit for proposed work or actions within twelve (12) months

of tender of an application to the Building and Safety Division. The Building Official is authorized to grant one or more extensions of time for additional periods not exceeding ninety (90) days each to complete all requirements for a permit. An applicant seeking an initial extension shall tender a request to the Building Official prior to the date the application is deemed abandoned. In order to be eligible for any further extensions, an applicant shall tender a subsequent request or requests to the Building Official before a prior extension period expires. Each extension request shall be requested in writing and justifiable cause demonstrated, as determined by the Building Official.

When an application has been deemed abandoned, a permit shall not be issued prior to the application being reinstated or a new application tendered with new fees paid. Requests to reinstate an application that has been deemed abandoned shall be submitted to the Building Official, in writing, demonstrating justifiable cause and are subject to the approval of the Building Official. If approved by the Building Official, the fee shall be one half (1/2) of the amount of the original plan review fee, provided that the period of time following the Building Official's date of determination of abandonment of the original application has not exceeded six (6) months, no changes have been made or will be made in the original submittal and the construction codes under which the original application was submitted are the same as the current construction codes in effect. To reinstate a application when the period of time following the Building Official's date of determination of abandonment of the original application has exceeded six (6) months; or changes have been made or will be made in the original submittal; or current construction codes are different from those construction codes under which the original application was submitted, the permittee shall be required to pay a new full permit fee and that person shall comply with all construction codes in effect on the date of the new permit application.

h) Section R105.3.2.1 is added to read as follows:

R105.3.2.1 Time limitation of application in connection with an unpermitted structure. *Unless extended or reinstated as provided herein, an* application for a permit is deemed abandoned if an applicant has not satisfied all requirements for a permit in connection with an unpermitted structure as defined in Section R110.1.1 of this code within ninety (90) calendar days of tender of an application therefor to the Building and Safety Division. T*he Building Official is authorized to grant one or more extensions of time for additional periods not exceeding thirty (30) days each to complete all requirements for a permit. An applicant seeking an initial extension shall tender a request to the Building Official prior to the date the application is deemed abandoned. In order to be eligible for any further extensions, an applicant shall tender a subsequent request or requests to the Building Official before a prior extension period expires. Each extension request shall be requested in writing and justifiable cause demonstrated, as determined by the Building Official.*

i) Section R105.5 is amended to read as follows:

R105.5 Expiration *of permit*. *Unless extended or reinstated as provided herein, every permit issued, except those under Subsection R105.5.2, shall be deemed suspended or abandoned and shall automatically expire and become null and void unless the permittee completes at least twenty percent (20%) of the total work or actions authorized by a permit (as determined by the Building Official) for Group R-3 Occupancies, and at least ten percent (10%) of the total work or actions authorized by a permit (as determined by the Building Official) for all other occupancies, and the permittee obtains a successful inspection from the Building Official within the first twelve (12) months from the permit's issuance date. An issued permit shall also be deemed suspended or abandoned and shall automatically expire and become null and void if the permittee does not complete at least an additional twenty percent (20%) of the total work or actions authorized by a permit (as determined by the Building Official) for Group R-3 Occupancies, and at least an additional ten percent (10%) of the total work or actions authorized by a permit (as determined by the Building Official) for all other occupancies, and the permittee obtains a subsequent successful inspection within twelve (12) months from a prior successful inspection. A successful inspection is defined as an inspection that is required by Section 110 of Chapter 1, Division II of the 2025 California Building Code (as adopted by Section 8100 of the Agoura Hills Municipal Code), during which the Building Official or a designee thereof determined that the inspected work or actions met all applicable minimum code requirements and he/she approved and documented that work as successful. Notwithstanding prior timely successful inspections, a permit shall automatically expire and become null and void if the permittee does not obtain a final inspection approval from a building inspector for completion of all work or actions authorized by a permit as follows: (i) within three (3) years from the date of issuance of a permit having a valuation of less than $250,000.00; (ii) within four (4) years from the date of issuance of a permit having a valuation of between $250,000.00 and $1,000,000.00; and, (iii) within five (5) years from the date of issuance of a permit having a valuation of more than $1,000,000.00.*

The Building Official may grant one (1) extension of a permit for a period not exceeding one hundred eighty (180) days, provided he/she receives a written request stating justifiable cause, prior to the expiration date of a permit. The Building Official may deny the request for a permit extension if her/she determines that justifiable cause was not shown in the request.

When a permit that was issued pursuant to Section R105.1 has expired, work shall not recommence prior to obtaining a new permit, which shall be subject to Section R105.5.2 of this code. Requests to reinstate an expired permit shall be submitted to the Building Official, in writing, demonstrating justifiable cause and are subject to the approval of the Building Official. If approved by the Building Official, the fee shall be one half (1/2) of the amount of the original permit fee, provided that the expiration period of the original permit has not exceeded six (6) months, no changes have been made or will be made in the original approved plans and specifications, and the construction codes under which the original permit was issued are the same as the current construction codes in effect. To reinstate a permit when the expiration period

of the original permit has exceeded six (6) months; or changes have been made or will be made in the original approved plans and specifications; or current construction codes are different from those construction codes under which the original permit was issued the permittee shall be required to pay a new full permit fee and that person shall comply with all construction codes in effect on the date of the new permit application.

j) Section R105.5.1 is amended to read as follows:

R105.5.1 Expiration*. Every permit issued before January 1, 2019 that did not automatically expire and become null and void by December 31, 2025 pursuant to the code then in effect shall be deemed abandoned and shall automatically expire and be null and void if the permittee does not thereafter obtain a subsequent successful inspection within 180 days from a prior successful inspection. A successful inspection is defined as an inspection that is required by Section 110 of Chapter 1, Division II of the 2025 California Building Code (as adopted by Section 8100 of the Agoura Hills Municipal Code), during which the Building Official or a designee thereof determined that the inspected work or actions met all applicable minimum code requirements and he/she approved and documented that work as successful. The Building Official may grant one extension of a permit subject to this subsection for a period not exceeding 180 days, provided he/she receives a written request stating justifiable case, prior to the expiration date of the permit. The Building Official may deny the request for a permit extension if her/she determines that justifiable cause was not shown in the request.*

When a permit subject to this subsection has expired, work shall not recommence prior to obtaining a new permit, which shall be subject to Section R105.5.2 of this code. Payment of a full permit fee is required.

k) Section R105.5.2 is added to read as follows:

R105.5.2 Expiration of permit in connection with an unpermitted structure. *Notwithstanding Section 105.5 or any other provision of this code to the contrary, if a permit is issued in order to bring an unpermitted structure (as defined in Section R110.1.1 of this code) or other unlawful condition into compliance with any applicable law, or ordinance, such permit shall automatically expire and become null and void ninety (90) calendar days after the date on which the permit was issued. The Building Official may extend the validity of the permit for a period not exceeding ninety (90) calendar days beyond the initial ninety (90) day limit upon written request by the applicant filed with the Building Official prior to the expiration date of the original permit.*

l) Section R105.6 is amended to read as follows:

R105.6 Suspension or revocation. *The Building Official is authorized to suspend or revoke a permit issued under the provisions of this code or other relevant laws,*

ordinances, rules, or regulations, wherever and whenever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulations or any of the provisions of this code.

The Building Official may also withhold inspections or approvals or suspend or revoke permit, where work is being performed in violation of approved plans, conditions of approval or permit, or applicable laws, and/or where work is being done not in accordance with the direction of the Building Official or this code.

The Building Official is authorized to suspend or revoke a permit if he/she, or a designee thereof, determines work is occurring in connection therewith between the hours of 7:00 p.m. and 7:00 a.m., Monday through Saturday and any time on Federal Holidays, which results in violations of the noise regulations located in Article 9, Chapter 6, Part 2, Division 6 of the Agoura Hills Municipal Code, and the permittee has not received prior written permission from the city manager to create such noise at that time.

The Building Official is authorized to suspend or revoke a permit issued under the provisions of this code if dust is generated in excess of local, state or federal standards or conditions of project approval.

m) Section R105.7 is amended to read as follows:

R105.7 Placement of permit. The building permit or copy shall be kept on the site of the work until completion of the project. *Required permits and approved plans shall be maintained in good condition and be posted or otherwise made available at the job site, such as to allow the Building Official to conveniently make the required review, inspection, and entries related to the project.*

n) Section R105.8 is amended to read as follows:

R105.8 Responsibility of permittee. It shall be the duty of every person who performs work for the installation or repair of building, structure, electrical, gas, mechanical, or plumbing systems, for which this code is applicable, to comply with this code. *Building permits shall be presumed by the City to incorporate all of the work that the applicant, the applicant's agent, employees and/or contractors shall carry out. Said proposed work shall be in accordance with the approved plans and with all requirements of this code and any other laws or regulations applicable thereto. No city approval shall relieve or exonerate any person from the responsibility of complying with the provisions of this code nor shall any vested rights be created for any work performed in violation of this code.*

o) Section R105.10 is added to read as follows:

R105.10 Transferability. *No permit issued pursuant to Article VIII of the Agoura Hills Municipal Code shall be transferable to any other person or apply to any location other*

than that stated in the permit, unless a justifiable cause is demonstrated to the satisfaction of the Building Official and approved in writing.

p) Section R108.4.1 is added to read as follows:

R108.4.1 Re-inspection Fee. *A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections previously called for are not made. This section is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.*

Re-inspection fees may be assessed when the inspection record permit card is not posted or otherwise available on the work site, the approved plans are not readily available for the inspector, for failure to provide access on the date for which the inspection is requested, or for deviation from the plans requiring the approval of the Building Official. Where re-inspection fees have been assessed, no additional inspection of the work shall be performed until the required fees identified by the latest fees adopted by the City of Agoura Hills have been paid.

q) Section R108.5.1 is added to read as follows:

R108.5.1 Refund Policy. *The plan review fee for any project that has been reviewed will not be refunded since the review has already been conducted. When a project has been reviewed, approved, and a permit has been issued, but no work or inspections have taken place, and a refund is requested, the City will refund 80% of the original permit fee for which no work or inspection has been performed. There will be no refund given if the project has commenced and an inspection taken place. The Building Official makes the final determination whether a refund is due for a specific project.*

r) Section R108.6 is amended to read as follows:

R108.6 Work commencing before permit issuance. Any person who commences any work for which a permit is required by this code before obtaining the necessary permits *shall be subject to a special investigation by the Building Official before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required for such work by this code, or as identified in the latest fees adopted by the City Council of the City of Agoura Hills.*

s) Section R108.7 is added to read as follows:

R108.7 Plan review fees. *When submittal documents are required by Section R107, a plan review fee shall be paid at the time of submitting the submittal documents for*

plan review. Said plan review fee shall be in accordance with the schedule as established by the applicable governing authority.

The plan review fees specified in this section are in addition to and separate fees from the permit fees specified in Section R108.2.

Where submittal documents are incomplete or changed so as to require additional plan review, or where the project involves deferred submittal items as defined in Section R106.3.3, an additional plan review fee may be charged at a rate established by the applicable governing authority.

When submittal documents are for a project involving production housing (track home), the plan review fee shall be based on full plan review for the first model home/unit and 20% of the fee for any reproduction of that model home/unit. If the model home/unit and the reproduction units are not the same size and configuration, which would require a plan review, a full plan review fee or additional fee may apply, as determined by the Building Official.

t) Section 109.1.4.3 is added to read as follows:

R109.1.4.3 Roof sheathing and shear inspection. *Prior to a complete framing inspection, a roof sheathing and shear inspection shall be made after roof sheathing and all structural shear panels or walls are in place and secured by nailing or other approved methods.*

u) Section 109.5 is added to read as follows:

R109.5 Setback and height certification. *When determined by the Building Official, a survey and certification may be required to confirm that the building or structure is placed on the site in accordance with the approved location and setback distances and to confirm that it does not exceed the approved building height shown on the approved plans.*

v) Section R110.1.1 is added to read as follows:

R110.1.1 Unpermitted Structures. *No person shall own, use, occupy, or maintain an unpermitted structure. For purposes of this subsection, "unpermitted structure" shall be defined as any building or structure, or portion thereof, that was erected, constructed, enlarged, altered, repaired, moved, improved, removed, connected, converted, demolished, or equipped with regulated devices, fixtures or installations, at any point in time by any person, without the required permit(s) having first been obtained from the Building Official, or with a valid permit as issued by the Building Official which subsequently expired and became null and void. An unpermitted structure also includes one for which a building permit has been suspended or revoked.*

w) Section R110.2 is amended to read as follows:

R110.2 Certificate issued. After the Building Official or his/her designee inspects the building or structure and finds no violation of the provisions of this code or other laws that are enforced by *the city*, the Building Official shall issue a certificate of occupancy that contains the following:

1. The *building* permit number.
2. The address of the structure.
3. The name and address of the owner or the owner's authorized agent.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code *for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.*
6. The name of the Building Official.
7. The edition of the code under which the permit was issued.
8. When an automatic sprinkler system is provided, whether the sprinkler system is required.
9. Any special stipulations and conditions of the building permit.
10. *Assessor's Parcel Number.*
11. *Zoning designation.*
12. *The date of certificate issuance.*

x) Section R110.3 is amended to read as follows:

R110.3 Temporary Certificate of Occupancy (TCO). *The Building Official may, in writing, authorize temporary occupancy of any building or structure, or portion thereof, that lacks a permanent certificate of occupancy for any reason, provided patent conditions in open and accessible portions of the building or structure do not reveal a substantial hazard to an occupant or occupants.*

Applications for a temporary certificate of occupancy shall be on a city-approved form. Such applications shall be accompanied by a fee to process the application and for the inspection of the building or structure to determine its suitability for a temporary certificate of occupancy. Such fees shall be established by the City Council by resolution.

A temporary certificate of occupancy is valid for a period of time to be specified by the Building Official in the certificate. The city attorney may require applicants for a temporary certificate of occupancy to execute an indemnification, as approved by the City Attorney, in favor of the city and its employees as a prerequisite to receiving a temporary certificate of occupancy.

The Building Official may extend the period of a temporary certificate of occupancy in writing, as well as impose conditions thereto. Property owners shall acknowledge and agree to said conditions in writing. The breach of any condition thereof shall render a temporary certificate of occupancy null and void without further action by the city. In such an event, the owners shall cause all use and occupancy of the building or structure to be terminated by a date required by the Building Official. Use or occupancy of a building or structure, or allowing the use or occupancy of a building or structure, with an expired temporary certificate of occupancy, is a violation of this code and unlawful. Failing to cause the termination of all uses and occupancy in a structure after a termination date is a violation of this code and unlawful. The boards established by Section 1.8.8 do not have jurisdiction to consider, decide, or rule on decisions pertaining to the issuance, expiration, or nullification of a temporary certificate of occupancy, or with regard to any other matter relating thereto.

The Building Official is authorized to adopt regulations or procedures, such as requiring a security deposit or bond, for the implementation of this section.

y) Section R110.4 is amended to read as follows:

R110.4 Revocation. *The Building Official may, in writing, suspend or revoke a certificate of occupancy whenever the Building Official determines that the certificate was issued in error, or on the basis of incorrect information supplied, or when it is determined that the building, structure or premises, or portion thereof, is in violation of any provision of this code, or other relevant laws, ordinances, rules and/or regulations. Use or occupancy of a building or structure, or allowing the use or occupancy of a building or structure, with a suspended or revoked certificate of occupancy, is a violation of this code and unlawful. The boards established by Section 1.8.8 do not have jurisdiction to consider, decide, or rule pertaining to the issuance, suspension, or revocation of a certificate of occupancy, or with regard to any other matter relating thereto.*

z) Section R111.3 is amended, and subsections R111.3.1, R111.3.2, and R111.3.3 are added, to read as follows:

R111.3 Authority to Disconnect Service Utilities. *The powers granted the Building Official pursuant to this subsection extend to all buildings, structures, or systems (including electrical, plumbing, and mechanical) that are regulated by this code and its references. This subsection supersedes all similar provisions in other codes that are part of Article VIII of the Agoura Hills Municipal Code.*

R111.3.1 Authority to Disconnect Electric Utility. *The Building Official is hereby empowered to disconnect or to require in writing the discontinuance of electric utility service to buildings, structures or premises, or portions thereof, or to wiring, devices or materials where such buildings, structures or premises, or portions thereof, are determined to be a hazard to life, health*

and/or property, or where they lack permits and required inspection approvals.

The Building Official is hereby empowered to disconnect or to require in writing the discontinuance of electric utility service as a means of preventing, restraining, correcting or abating any violation of this code, or other relevant laws, ordinances, rules or regulations.

The electrical service shall remain disconnected or electrical utility service shall remain discontinued until the code violation has been abated to the satisfaction of the Building Official, or until the installation of such wiring, devices or materials have been made safe as directed by the Building Official; or until a permit has been issued and the work has been inspected and approved by the Building Official.

R111.3.2 Authority to Disconnect Gas Utility. *The Building Official is hereby empowered to disconnect or to require in writing the discontinuance of gas utility service to buildings, structures or premises, or portions thereof, or to appliances, devices or materials where such buildings, structures or premises, or portions thereof, are determined to be a hazard to life, health and/or property, or where they lack permits and required inspection approvals.*

The Building Official is hereby empowered to disconnect or to require in writing the discontinuance of gas utility service as a means of preventing, restraining, correcting or abating any violation of this code, or other relevant laws, ordinances, rules or regulations.

The gas service shall remain disconnected or gas utility service shall remain discontinued until the code violation has been abated to the satisfaction of the Building Official, or until the installation of such appliances, devices or materials have been made safe as directed by the Building Official; or until a permit has been issued and the work has been inspected and approved by the Building Official.

R111.3.3 Authority to Disconnect Water Utility. *The Building Official is hereby empowered to disconnect or to require the property owner to disconnect the water utility service to buildings, structures or premises, or portions thereof, or to fixtures, devices or materials where such buildings, structures or premises, or portions thereof, are determined to be a hazard to life, health, property or to the environment, or where they lack permits and required inspection approvals.*

The Building Official is hereby empowered to disconnect or to require the property owner to disconnect the water utility service as a means of

preventing, restraining, correcting or abating any violation of this code, or other relevant laws, ordinances, rules or regulations.

The water service shall remain disconnected or water utility service shall remain discontinued until the code violation has been abated to the satisfaction of the Building Official, or until the installation of such appliances, devices or materials have been made safe as directed by the Building Official; or until a permit has been issued and the work has been inspected and approved by the Building Official.

aa) Section R112 is deleted in its entirety.

bb) Section R113.1 is amended to read as follows:

R113.1 Unlawful Acts. *It is unlawful for any property owner and/or other responsible person to erect, construct, alter, extend, repair, move, remove, demolish, or occupy any building or structure, as well as any regulated equipment, system, or installation, or cause same to be done, in conflict with this code. It is unlawful for any property owner and/or other responsible person to conduct or maintain, whether due to action or inaction, any building or structure, as well as any regulated equipment, system, or installation in violation of this code. It is unlawful for any property owner and/or other responsible person to conduct or maintain grading on land that occurred without a permit.*

cc) Section R113.4 is amended to read as follows:

R113.4 Violation Penalties. *Any person who violates, or who maintains a violation of this Code or who fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or who fails to comply with a directive or order of the Building Official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law as follows:*

(a) Any person, firm, partnership, association, corporation or joint venture violating any of the provisions of the California Building Standards Code or other code(s) adopted in Article VIII of the Agoura Municipal Code shall be guilty of a misdemeanor. Any person violating a stop work order issued pursuant to Section R114 of this chapter shall be guilty of a misdemeanor. Any person who continues to occupy or any person who enters a structure which has been posted "unsafe" by the Building Official pursuant to Section R113.5 of this chapter shall be guilty of a misdemeanor.

(b) Each day that person, firm, association, corporation or joint venture violates any of the provisions of the California Building Standards Code or other code(s) adopted in Article VIII of the Agoura Municipal Code is a separate offense and shall be punishable thereof as provided in the Agoura Hills Municipal Code.

dd) Section R113.5 is added to read as follows:

R113.5 Unsafe Conditions. *Any building, structure, or equipment that has any or all of the conditions hereinafter described shall constitute an unsafe or dangerous building or structure:*

(a) Structural inadequacies, damage, deficiencies, defects, or deterioration, as well as nearby hazardous embankments or excavations, that could cause a building or structure to partially or completely collapse or fail.

(b) Electrical, plumbing or mechanical work or installations, which, because of a defect in materials or installation, or due to some other faulty operating or other condition, pose a risk of explosion or fire.

(c) Unsanitary or unhealthful conditions that are present in a building or structure.

(d) All forms of construction, as well as electrical, plumbing, or mechanical work, systems, fixtures, appliances, or other installations for which all required permits and inspection approvals have not been obtained from the Building Official.

(e) Occupancy or use for which a building or structure was not designed or intended, or that results in a change in the occupancy classification thereof.

(f) Inadequate egress from a building or structure.

(g) A vacant building or structure that is not secured against unauthorized entry.

(h) Any condition that violates any regulation in Article VIII of the Agoura Hills Municipal Code.

Any or all of the foregoing conditions endanger the health, safety or welfare of occupants, persons who may enter the premises, or the public.

ee) Section R113.6 is added to read as follows:

R113.6 Orders to Vacate. *Notwithstanding any other provision of this code, if the Building Official or a designee thereof, determines a condition is present in a building or structure or on premises that constitutes an immediate danger or hazard to the health, safety, or welfare of occupants or to the public, the Building Official may order persons to vacate buildings, structures, premises, or portions thereof. Such orders may include orders to not re-enter, as well as authorize limited entry subject to written conditions. Conditions may include, but not be limited to, requiring buildings, structures, and premises to be secured from entry or access by means that are acceptable to the Building Official. Orders shall advise persons of their appeal rights as discussed in this subsection.*

Orders may be personally served on an occupant, or served by first-class mail and posted on the premises containing the immediate danger or hazard. If an owner does not occupy said premises, a copy of the order shall also be sent by first-class mail to the owner as identified by Los Angeles County Assessor records. For owner-occupied properties, the issuance date of an order is the date of its personal service. For non-owner-occupied properties, the issuance date of an order is the date an order to the owner and any occupant(s), or a copy thereof, is deposited in a U.S. Postal Service mail container and posted on the premises. Failure of any person to receive an order shall not affect its validity, or the appeal period. When identifying a mailing address for an owner, the Building Official shall consider such information as shown in the Los Angeles County Assessor records.

Orders issued pursuant to this subsection, and any conditions thereof, are appealable by a property owner or occupant on a City-approved form that must be received by the City Clerk's Office within ten days of an order's issuance. Appellants shall state all grounds for their appeal in said form. Failure to tender an appeal in a timely manner constitutes a waiver of the right to appeal, in which case an order is final.

If a timely appeal is made, the Building & Safety Department shall provide ten days' advance written notice to the appealing party or parties of the date, time, and place of the hearing. A timely appeal does not stay an order, or any conditions thereof. Failure of any person to receive a notice of hearing shall not affect its validity.

Timely appeals shall be heard by the housing or local appeals board, as applicable. Appeal hearings are informal, and rules of evidence do not apply. Failure of an appellant or appellants to appear at a hearing constitutes a waiver of the right to appeal, in which case the order is final. The housing or local appeals board, as applicable, shall, within ten days following the hearing, issue a written decision upholding, modifying, or reversing the order or conditions thereof, notice of which shall be sent to the appellant(s) by first-class mail. Such decisions are not appealable. The notice of decision shall contain the following statement: "The [Housing Appeals Board/Local Appeals Board] decision is final, and judicial review of this decision is subject to the provisions and time limits set forth in Cal. Code of Civil Procedure §§ 1094.5 and 1094.6."

Orders may be accompanied by, or combined with, Stop Work Orders or Notices of Violations (which are not appealable). Orders shall be rescinded in writing when the Building Official determines that the immediate danger or hazard has been fully corrected or abated with all permits, approvals, and inspections as required by the Agoura Hills Municipal Code.

ff) Section R113.7 is added to read as follows:

Section R113.7 Violations. *It is unlawful and a public nuisance for any person to maintain an unsafe or dangerous building or structure. Each and every day that a*

building or structure is maintained in an unsafe or dangerous condition is a new violation of this code. It is a violation of this code and unlawful for any person to fail to comply with an order to vacate, as well as all conditions thereof. Each such violation shall be a misdemeanor."

gg) Section R114.1 is amended to read as follows:

R114.1 Authority. Whenever the Building Official finds any work regulated by this code being performed in a manner either contrary to the provisions of this code *or without permit,* or dangerous, or unsafe, the Building Official is authorized to issue a stop work order.

hh) Section R300.3 is added to read as follows:

R300.3 Grading. *The grading associated with the design and construction of new buildings, additions, and alterations to existing buildings shall comply with Appendix J of the California Building Code as adopted and amended by the City of Agoura Hills.*

ii) Section R301.1.3.2 is amended to read as follows:

R301.1.3.2 Wood-frame structures. *The Building Official shall require construction documents to be approved and stamped by a California licensed architect or engineer for all dwellings of wood-frame construction more than two stories and basement in height located in Seismic Design Category A, B or C. Notwithstanding other sections of law; the law establishing these provisions is found in Business and Professions Code Sections 5537 and 6737.1.*

The Building Official shall require construction documents to be approved and stamped by a California-licensed architect or engineer for all dwellings of woodframe construction more than one story in height or with a basement located in Seismic Design Category D_0, D_1, or D_2.

jj) Section R301.1.5 is added to read as follows:

R301.1.5 Seismic design provisions for buildings constructed on or into slopes steeper than one unit vertical in three units horizontal (33.3 percent slope)*. The design and construction of new buildings and additions to existing buildings, when constructed on or into slopes steeper than one unit vertical in three units horizontal (33.3 percent slope), shall comply with Section 1613.8 of the California Building Code, as incorporated in the Agoura Hills Municipal Code.*

kk) Section R301.2.2.11 is added to read as follows:

R301.2.2.11 Anchorage of Mechanical, Electrical, or Plumbing Components and Equipment. *Mechanical, electrical, or plumbing components and equipment shall be anchored to the structure. Anchorage of the components and equipment shall be designed to resist loads in accordance with the California Residential Code and ASCE*

7, except where the component is positively attached to the structure and flexible connections are provided between the component and associated ductwork, piping, and conduit; and either

1. *The component weighs 400 lbs. (1,780 N) or less and has a center of mass located 4 ft. (1.22 m) or less above the supporting structure; or*

2. *The component weighs 20 lbs. (89N) or less or, in the case of a distributed system, 5 lb/ft. (73 N/m) or less.*

ll) Section R401.1 is amended to read as follows:

R401.1 Application. The provisions of this chapter shall control the design and construction of the foundation and foundation spaces for buildings. In addition to the provisions of this chapter, the design and construction of foundations in flood hazard areas as established by Table R301.2 shall meet the provisions of Section R322. Wood foundations shall be designed and installed in accordance with AWC PWF.

Exception: The provisions of this chapter shall be permitted to be used for wood foundations only in the following situations:

1. In buildings that have no more than two floors and a roof.
2. When interior basement and foundation walls are constructed at intervals not exceeding 50 feet.

Wood foundations in Seismic Design Category D_0, D_1, or D_2 shall *not be permitted*.

Exception: *In non-occupied, single-story, detached storage sheds and similar uses other than carport or garage, provided the gross floor area does not exceed 200 square feet, the plate height does not exceed 12 feet in height above the grade plane at any point, and the maximum roof projection does not exceed 24 inches.*

mm) Section R403.1.2 is amended to read as follows:

R403.1.2 Continuous footing in Seismic Design Categories D_0, D_1, or D_2. Exterior walls of buildings located in Seismic Design Categories D_0, D_1, or D_2 shall be supported by continuous solid or fully grouted masonry or concrete footings. *Required interior braced wall panels in buildings located in Seismic Design Categories D_0, D_1, and D_2 shall be supported on continuous foundations.*

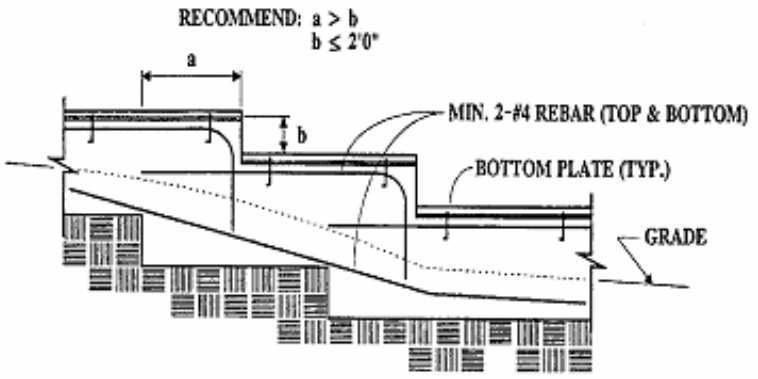
nn) Section R403.1.3.6 is amended to read as follows:

R403.1.3.6 Isolated concrete footings. In detached one- and two-family dwellings located in *Seismic Design Category A, B, or C*, that are three stories or less in height, and constructed with stud bearing walls, isolated plain concrete footings supporting columns or pedestals are permitted.

oo) Section R403.1.5 is amended to read as follows:

R403.1.5 Slope. The top surface of footings shall be level. The bottom surface of footings shall not have a slope exceeding one unit vertical in 10 units horizontal (10-percent slope). Footings shall be stepped where it is necessary to change the elevation of the top surface of the footings or where the slope of the bottom surface of the footings will exceed one unit vertical in 10 units horizontal (10-percent slope).

For structures assigned to Seismic Design Categories D_0, D_1, or D_2, stepped footings shall be reinforced with four No. 4 rebars. Two bars shall be placed at the top and bottom of the footings as shown in Figure R403.1.5.2.



STEPPED FOUNDATIONS

pp) Section R404.2 is amended to read as follows:

R404.2 Wood foundation walls. Wood foundation walls shall be constructed in accordance with the provisions of Sections R404.2.1 through R404.2.6 and with the details shown in Figures R403.1(2) and R403.1(3). *Wood foundation walls shall not be used for structures located in Seismic Design Category D_0, D_1, or D_2.*

qq) Section CJ103.1 of Appendix CJ is amended to read as follows:

CJ103.1 General. Emergency sleeping cabins, emergency transportable housing units, membrane structures and tents constructed and/or assembled in accordance with this appendix, shall be occupied only during the declaration of a state of emergency, local emergency, or shelter crisis, *and authorized by the City Council.*

Buildings and structures constructed in accordance with the California Building Standards Code, used as emergency housing, shall be permitted to be permanently occupied.

8203. California Electrical Code Adopted with Local Amendments

A. Adoption of California Electrical Code, 2025 Edition.

Pursuant to California Government Code §§ 50022.1 to 50022.8, the California Electrical Code, 2025 Edition, published as Title 24, Part 3, of the California Code of Regulations, is adopted by reference, subject to the amendments, additions, and deletions set forth below.

One true copy of the California Electrical Code is on file in the office of the Building Official and is available for public inspection as required by law.

B. Amendments to the Code.

Section 89.100.0 is added to read as follows:

89.100.0 Administration. The 2025 California Building Code and the 2025 California Residential Code, as incorporated into the Agoura Hills Municipal Code, will govern the administration of the California Electrical Code.

8204. California Mechanical Code Adopted with Local Amendments

A. Adoption of California Mechanical Code, 2025 Edition.

Pursuant to California Government Code § 50022.1 to 50022.8, the California Mechanical Code ("CMC"), 2025 Edition, published as Title 24, Part 4, of the California Code of Regulations, is adopted by reference, subject to the amendments, additions, and deletions set forth below.

One true copy of the CMC, is on file in the office of the Building Official and is available for public inspection as required by law."

B. Amendments to the Code.

a) Section 100.0 is added to read as follows:

100.0 Administration The 2025 California Building Code and the 2025 California Residential Code, as incorporated into the Agoura Hills Municipal Code, will govern the administration of the CMC.

8205. California Plumbing Code Adopted with Local Amendments.

A. Adoption of California Plumbing Code, 2025 Edition.

Pursuant to California Government Code § 50022.1 to 50022.8, the California Plumbing Code ("CPC"), 2025 Edition, published as Title 24, Part 5, of the California Code of Regulations, is adopted by reference, subject to the amendments, additions, and deletions set forth below.

One true copy of the CPC is on file in the office of the Building Official and is available for public inspection as required by law.

B. Amendments to the Code.

a) Section 100.0 is added to read as follows:

100.0 Administration. The 2025 California Building Code and the 2025 California Residential Code, as incorporated into the Agoura Hills Municipal Code, will govern the administration of the CPC.

b) Section 1208.13.1 (Seismic Gas Shutoff Valves) is added to read as follows:

1208.13.1 Seismic Gas Shutoff Valves

1208.13.1.1 Scope. *A seismic gas shutoff valve shall be installed in compliance with the requirements of this section on each gas fuel line in the following:*

1208.13.1.1.1. *Any building or structure, with gas fuel line, for which a building permit was first issued on or after January 1, 2023.*

1208.13.1.1.2. *Any building or structure which is altered or expanded under a building permit first issued on or after January 1, 2023, when such alteration or addition is valued at more than $10,000.*

1208.13.1.1.3. *Any building or structure sold on or after January 1, 2023. However, when an individual condominium unit is sold in a building that has multiple gas lines, then the requirements of this section shall apply only to the line or lines serving the condominium unit that has been sold.*

1208.13.1.2. Maintenance. *Where the installation of a seismic gas shutoff valve is required by this section in any building or structure, that seismic gas shutoff valve shall be maintained for the life of that building or structure or shall be replaced with a valve complying with the requirements of this section.*

1208.13.1.3 General Requirements. *Where the installation of a seismic gas shutoff valve on a fuel line is required by this section, that valve must:*

1208.13.1.3.1 *Be mounted rigidly to the exterior of the building or structure containing the fuel line unless the Building Official determines that the seismic gas shutoff valve has been tested and listed for an alternate method of installation.*

1208.13.1.3.2 *Be installed downstream of the gas utility meter, except that a valve may be installed upstream of the gas utility meter at the discretion of the gas utility if the valve would otherwise meet the requirements of this section.*

1208.13.1.3.3 *Be listed by an approved testing laboratory and certified by the Office of the State Architect.*

1208.13.1.3.4 *Have a thirty-year warranty which warrants that the valve is free from defects and will continue to properly operate for thirty years from the date of operation.*

1208.13.1.4 Critical Facilities. *The requirements of this Section shall not apply to any building that is used by any public agency for the provision of emergency services, including fire, police, and similar public safety services.*

1208.13.1.5 Definitions. *For purposes of this section, certain terms shall be defined as follows:*

1208.13.1.5.1 *Downstream of the Gas utility meter shall refer to all customer-owned gas piping.*

1208.13.1.5.2 *Seismic Gas Shutoff Valve shall mean a system consisting of a seismic sensing means and actuating means designed to automatically actuate a companion gas shutoff means installed in a gas piping system in order to shut off the gas downstream of the location of the gas shutoff means in the event of a severe seismic disturbance. The system may consist of separable components or may incorporate all functions in a single body. The terms "seismically activated gas shutoff valves" and "earthquake-sensitive gas shutoff valves," are synonymous.*

1208.13.1.5.3 *Upstream of the Gas Utility meter shall refer to all gas piping installed by the utility up to and including the meter and the utility's bypass toe at the connection to the customer-owned piping.*

8206. California Energy Code Adopted

Pursuant to California Government Code §§ 50022.1 to 50022.8, the California Energy Code, 2025 Edition, published as Title 24, Part 6, of the California Code of Regulations, is adopted by reference.

One true copy of the California Energy Code is on file in the office of the Building Official and is available for public inspection as required by law.

8207. California Wildland-Urban Interface Code Adopted with Local Amendments.

A. Adoption of California Wildland-Urban Interface Code, 2025 Edition.

Pursuant to California Government Code §§ 50022.1 to 50022.8, the California Wildland-Urban Interface Code (“WUIC”), 2025 Edition, published as Title 24, Part 7, of the California Code of Regulations, is adopted by reference, subject to the amendments, additions, and deletions set forth below.

One true copy of the WUIC is on file in the office of the Building Official and is available for public inspection as required by law.

B. Amendments to the Code.

a) Section 100.0 is added to read as follows:

100.0 Administration. The 2025 California Building Code and the 2025 California Residential Code, as incorporated into the Agoura Hills Municipal Code, will govern the administration of the WUIC.

b) Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the Wildland-Urban Interface Code of *the City of Agoura Hills*, hereinafter referred to as "this code."

c) Section 103.1 is amended to read as follows:

103.1 Creation of agency. The *City of Agoura Hills Building and Safety Division and the County of Los Angeles Fire Department* are the agencies in charge of the enforcement of this code, by and through the official in charge thereof, who shall be known as the code official. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

d) Section 501.1 is amended to read as follows:

501.1. Scope. New **b**uildings and structures, *and any additions, alterations, or repairs made to existing buildings* located in *or moved within the City of Agoura Hills,* shall be constructed in accordance with the California Building Code or *California Residential Code*, and this code.

Exceptions:

1. Group U accessory structures not exceeding 120 square feet (11 m^2) in floor area where located not less than 50 feet (15 240 mm) from applicable buildings.

2. Group U agricultural buildings not less than 50 feet (15 240 mm) from applicable buildings.

e) Section 503.1 is amended to read as follows:

503.1 General. Buildings and structures hereafter constructed, modified, or relocated into or within *the City of Agoura Hills* shall meet the construction requirements in accordance with Chapter 5. Materials required to be ignition-resistant building materials shall comply with the requirements of Section 503.2.

Exceptions:

1. New accessory buildings and miscellaneous structures complying with Section 504.11.
2. *Reserved*.

3. Group C occupancy special buildings conforming to the limitations specified in Section 450.4.1 of the California Building Code.

f) Section 503.3.4 is amended to read as follows:

503.3.4. Fire-retardant-treated wood shingles and shakes. *Wood shingles and wood shakes are prohibited in the City of Agoura Hills regardless of classification*.

g) Section 504.1.1 is added to read as follows:

504.1.1 Roof Coverings. *Roof covering shall be Class A as specified in CBC Section 1505.2 and CRC Section R902.1*

8208. California Historical Building Code Adopted with Local Amendments

A. Adoption of California Historical Building Code, 2025 Edition

Pursuant to California Government Code §§ 50022.1 to 50022.8, the California Historical Building Code ("CHBC"), 2025 Edition, published as Title 24, Part 8, of the California Code of Regulations, is adopted by reference, subject to the amendments, additions, and deletions set forth below.

One true copy of the CHBC is on file in the office of the Building Official and is available for public inspection as required by law.

B. Amendments to the Code

a) Section 8-100.0 is added to read as follows:

8-100.0 Administration. The 2025 California Building Code and the 2025 California Residential Code, as incorporated into the Agoura Hills Municipal Code, will govern the administration of the CHBC.

8209. Reserved.

8210. California Existing Building Code adopted with local Amendments

A. Adoption of California Existing Building Code, 2025 Edition.

Pursuant to California Government Code § 50022.1 to 50022.8, the California Existing Building Code ("CEBC"), 2025 Edition, published as Title 24, Part 10, of the California Code of Regulations, is adopted by reference, subject to the amendments, additions, and deletions set forth below. Appendix A (Guidelines for Seismic Retrofit of Existing Buildings) with Chapters A1, A2, A3, A4 is also adopted as Voluntary Earthquake Hazard Reduction Measures in Existing Buildings (Voluntary Seismic Retrofit).

One true copy of the CEBC, is on file in the office of the Building Official and is available for public inspection as required by law."

B. Amendments to the Code.

a) Section 100.0 is added to read as follows:

100.0 Administration. The 2025 California Building Code and the 2025 California Residential Code, as incorporated into the Agoura Hills Municipal Code, will govern the administration of the CEBC.

8211. California Green Building Standards Code Adopted with Local Amendments.

B. Adoption of California Green Building Standards Code, 2025 Edition.

Pursuant to California Government Code §§ 50022.1 to 50022.8, the California Green Building Standards Code ("CGBSC"), 2025 Edition, published as Title 24, Part 11, of the California Code of Regulations, is adopted by reference, subject to the amendments, additions, and deletions set forth below.

One true copy of the CGBSC, is on file in the office of the Building Official and is available for public inspection as required by law."

B. Amendments to the Code.

a) Section 100.0 is added to read as follows:

100.0 Administration. The 2025 California Building Code and the 2025 California Residential Code, as incorporated into the Agoura Hills Municipal Code, will govern the administration of the CGBSC.

b) Section 202 is amended by adding a definition for Bicycle Lockers to read as follows:

202 Definitions. Bicycle Locker. A permanently anchored facility or equipment used for locking bicycles in place. This must be covered but does not have to be enclosed.

c) Section 4.106.4.1 and subsection 4.106.4.1.1 of CALGreen are amended to read as follows:

4.106.4.1 New One- And Two-Family Dwellings and Townhouses with Attached Private Garages. For each dwelling unit*, a dedicated 208/240-volt branch circuit shall be installed in a listed raceway*. The raceway shall not be less than trade size 1 (nominal 1-inch inside diameter). The raceway shall originate at the main service or subpanel and shall terminate into a listed cabinet, box, or other enclosure in close proximity to the proposed location of an EV charger. Raceways are required to be

continuous at enclosed, inaccessible, or concealed areas and spaces. *The branch circuit and associated overcurrent protective device shall be rated at 40 amperes minimum. Other electrical components, including a receptacle or blank cover, related to this section shall be installed in accordance with the California Electrical Code*.

4.106.4.1.1 Identification. The service panel or subpanel circuit directory shall identify the overcurrent protective device designated for future EV charging purposes *as "EV READY" in accordance with the California Electrical Code. The receptacle or blank cover shall be identified as "EV READY."*

d) Table 5.106.5.3.1 in Section 5.106.5.3.1 is amended to read as follows:

TABLE A5.106.5.3.1— EV CAPABLE SPACES AND EVCS

TOTAL NUMBER OF ACTUAL PARKING SPACES	NUMBER OF REQUIRED EV CAPABLE SPACES	OTHER THAN OFFICE AND RETAIL NUMBER OF REQUIRED EVCS [2,3]	OFFICE AND RETAIL NUMBER OF REQUIRED EVCS [2,3]
1-9	*2*	*1*	*2*
10-25	*5*	*3*	*4*
26—50	*11*	*6*	*8*
51-75	*19*	*10*	*14*
76—100	*26*	*13*	*20*
101-150	*38*	*19*	*29*
151-200	*53*	*27*	*40*
201 and over	*30* percent of actual parking spaces[1]	50 percent of EV-capable spaces[1]	75 percent of EV-capable spaces[1]

1. Calculation for spaces shall be rounded up to the nearest whole number.
2. Each EVCS shall reduce the number of required EV-capable spaces by the same number.
3. At least one Level 2 EVSE shall be provided.

e) Table 5.106.5.3.6 in Section 5.106.5.3.6 is amended to read as follows:

TABLE 5.106.5.3.6 - EVCS—POWER ALLOCATION METHOD

TOTAL NUMBER OF ACTUAL PARKING SPACES	MINIMUM TOTAL kVA @ 6.6 kVA	OTHER THAN OFFICE AND RETAIL TOTAL kVA REQUIRED IN ANY COMBINATION OF EV CAPABLE[3,4], LOW POWER LEVEL 2 LEVEL 2[1,2], OR DCFC	OFFICE AND RETAIL TOTAL kVA REQUIRED IN ANY COMBINATION OF EV CAPABLE[3,4], LOW POWER LEVEL 2 LEVEL 2[1,2], OR DCFC
1-9	*13.2*	*13.2*	*13.2*
10—25	*33*	*33*	*33*
26—50	*72.6*	*72.6*	*72.6*
51—75	*125.4*	*125.4*	*125.4*
76—100	*171.6*	*171.6*	*171.6*
I01—150	*250.8*	*250.8*	*250.8*
151-200	*349.8*	*349.8*	*349.8*
201 and over	30 percent of actual parking spaces x 6.6	Total required kVA — P x .30 x 6.6, Where P = Parking spaces in facility	Total required kVA= P x .30 xx 6.6, Where P =Parking spaces in facility

1. Level 2 EVSE@ 6.6 kVA minimum.
2. At least one Level 2 EVSE shall be provided.
3. Maximum allowed kVA to be utilized for EV-capable spaces is 67 percent.
4. If EV capable spaces are utilized, they shall meet the requirements of Section 5.106.5.3.1 EV capable spaces.
5. For office and retail buildings, the maximum allowed kVA to be utilized for EV-capable spaces is 25 percent.

8212. California Referenced Standards Code adopted

The 2025 Edition of the California Referenced Standards Code, published by the International Code Council, and all appendices, amendments, supplements, and errata thereto, is hereby adopted by reference and shall be applicable to the City of Agoura Hills, and referred to as the "Referenced Standards Code of the City of Agoura Hills."

One copy of the California Referenced Standards Code of the City of Agoura Hills shall be kept on file in the Building Official's office for public inspection.

8213. Reserved.

8214. Reserved.

8215. Reserved

8216. Expedited Review of Small Residential Rooftop Solar Energy System Permits.

A. DEFINITIONS

"Small residential rooftop solar energy system" shall have the same meaning as provided in the Solar Rights Act, Government Code § 65850.5(j)(3), as the same may be amended from time to time.

B. SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEM STANDARD PLAN AND PERMIT APPLICATION CHECKLIST

1. The City shall adopt standard plan(s) and checklist(s) of all requirements with which small residential rooftop solar energy systems shall comply to be eligible for expedited review. The small residential rooftop solar system standard plan(s) and checklist(s) shall substantially conform to recommendations for expedited permitting, including the checklists and standard plans contained in the most current version of the California Solar Permitting Guidebook adopted by the Governor's Office of Planning and Research.

2. All documents required for the submission of a small residential rooftop solar energy system permit application, the standard plan(s), and checklist(s) shall be made available on the publicly accessible City Website.

3. Electronic submittal of the required permit application and documents by e-mail shall be available to all small residential rooftop solar energy system permit applicants. An applicant's electronic signature shall be accepted on all forms, applications, and other documents in lieu of a wet signature.

C. PERMIT APPLICATION REVIEW

1. An application that satisfies the information requirements in the checklist(s) and standard plan(s) shall be deemed complete.

2. If an application is deemed incomplete, a written correction notice detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permit issuance shall be sent to the applicant for resubmission.

3. The Building Official or his or her designee shall issue a building permit for any complete application that meets the requirements of the approved checklist(s) and standard plan(s) as follows: within three [3] business days for any application, or as soon thereafter as may be practicable. Review of the application shall be limited to the Building Official's or his or her designee's review of whether the application meets local, state, and federal health and safety requirements.

4. Any condition imposed on an application shall be designed to mitigate the specific, adverse impact upon health and safety at the lowest possible cost.

D. INSPECTION REQUIREMENTS

1. Inspection requests may be submitted by phone, e-mail, or in person.

2. Only one inspection shall be required and performed by the Building Official or his or her designee for small residential rooftop solar energy systems eligible for expedited review.

3. The inspection shall be done in a timely manner. The Building Official or his or her designee shall use their best efforts to schedule an inspection within one [1] business day of a request and provide a two [2] hour inspection window.

4. If a small residential rooftop solar energy system fails inspection, a subsequent inspection is authorized but need not conform to the requirements of this Section.

E. FEES

Fees for permits and inspections associated with this Chapter may be established by resolution of the City Council."

F. VIOLATIONS. PENALTIES

In addition to any other applicable provision of this article VIII, any person, firm, partnership, association, corporation or joint venture violating any of the provisions of this chapter shall be guilty of a misdemeanor.

8217. Expedited Review of Electric Vehicle Charging Station Permits.

A. APPLICABILITY

This section applies to applications for expedited building permits for electric vehicle charging stations consistent with California Government Code Section 65850.7.

B. DEFINITIONS

1. “Electric vehicle charging station” or “charging station” means any level of electric vehicle supply equipment station that is designed and built in compliance with Article 625 of the California Electrical Code, as it read on January 1, 2016, and delivers electricity from a source outside of an electric vehicle into a plug-in electric vehicle.

2. “Electronic submission” means a submission of an application utilizing email, the internet, and/or facsimile transmission.

3. “Specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date an application was deemed complete.

C. PROCESS

1. The Building Official shall adopt a checklist of all application requirements for expedited building permits for electric vehicle charging stations. The checklist shall substantially conform to the most current version of the “Plug-In Electric Vehicle Infrastructure Permitting Checklist” found in the “Zero-Emission Vehicles in California: Community Readiness Guidebook” published by the Governor’s Office of Planning and Research. The checklist, application form, and any other documents required by the Building Official shall be published on the City’s website.

2. Anyone seeking to install an electric vehicle charging station at any site within the City shall apply to the Building Official for an expedited nondiscretionary building permit.

3. An application for an expedited building permit for an electric vehicle charging station, and all associated documentation, may be submitted to the Building Official in person, by mail, or by electronic submission. Electronic signatures may be used in lieu of wet signatures.

4. An application that, in the opinion of the Building Official, satisfies the information requirements of the checklist adopted by the City shall be deemed complete.

5. If an application for an expedited building permit is deemed incomplete, the Building Official shall provide a written correction notice of the deficiencies and the additional information required to complete the application.

6. If the Building Official determines that an application for an expedited building permit is complete, the Building Official shall process the application. If the Building Official determines that the proposed charging station meets all health and safety requirements of state and federal law, and would not have a specific, adverse impact upon the public health or safety, the application shall be approved and a building permit shall be issued.

7. If the Building Official finds, based on substantial evidence, that a proposed charging station could have a specific, adverse impact upon the public health or safety, the City may require the applicant to apply for an electric vehicle charging station use permit in order to install the proposed charging station.

8. An application for an electric vehicle charging station use permit shall be reviewed by the Building Official. The Building Official shall not deny such an application without making written findings, based upon substantial evidence in the record, that the proposed charging station would have a specific, adverse impact upon the public health or safety which could not feasibly be satisfactorily mitigated or avoided. The written findings required for the rejection of an electric vehicle charging station use permit application shall include the Building Official's basis for rejecting any potentially feasible alternatives that could mitigate or prevent the alleged adverse impact. Pursuant to Government Code Section 65850.7, the Building Official's review shall be limited to health and safety issues. Aesthetic concerns, or other items not related to public health or safety may not be considered.

9. A decision of the Building Official made pursuant to paragraphs 6-8 of this subsection may be appealed to the Planning Commission. The Planning Commission's review shall also be limited to health and safety issues.

10. Any condition imposed on an application for an expedited building permit or electric vehicle charging station use permit shall be designed to mitigate the specific, adverse impact upon health and safety at the lowest possible cost.

D. FEES

Fees for permits and inspections associated with this Chapter may be established by resolution of the City Council."

E. VIOLATIONS PENALTIES

In addition to any other applicable provision of this article VIII, any person, firm, partnership, association, corporation or joint venture violating any of the provisions of this chapter shall be guilty of a misdemeanor.

8218. Reserved.

8219. Reserved."

SECTION 3: Section 8300 of Chapter 3 (Property Maintenance and Unsafe Structures) of Article VIII (Building Regulations) of the Agoura Hills Municipal Code is hereby amended as follows:

"8300. INTERNATIONAL PROPERTY MAINTENANCE CODE ADOPTED WITH LOCAL AMENDMENTS.

A. Adoption of International Property Maintenance Code, 2024 Edition.

Pursuant to California Government Code § 50022.1 to 50022.8, the International Property Maintenance Code ("IPMC"), 2024 Edition, promulgated and published by the International Code Council, is adopted by reference, subject to the amendments, additions, and deletions set forth below.

One true copy of the IPMC is on file in the office of the Building Official and is available for public inspection as required by law.

B. Amendments to the Code.

a) Section 101.1 of the IPMC is amended to read as follows:

101.1 Title. These regulations shall be known as the Property Maintenance Code of the *City of Agoura Hills*, hereinafter referred to as "this code."

b) Section 103.1 of the IPMC is amended to read as follows:

103.1 Agency. *The City of Agoura Hills Community Development Department is the code compliance agency,* and the official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

c) Section 104.1 of the IPMC is amended to read as follows:

104.1 Fees. The fees for activities and services performed by *the official code under this code shall be in accordance with the schedule as established by the applicable governing authority.*

d) Section 106 of the IPMC is deleted and replaced to read as follows:

106. Means of Appeals. *The Planning Commission of the City of Agoura Hills shall act as the Board of Appeals as it relates to this Chapter of the Municipal Code. Any person directly affected by a decision of the City's code officials or a notice or order issued under this Maintenance code shall have the right to appeal the decision by having a Planning Commission hearing. This hearing will be set by the Director of Community Development.*

e) Section 107 of the IPMC is deleted and replaced to read as follows:

107. Violations. The City is authorized to abate nuisances related to conditions of property and/or property maintenance pursuant to Chapter 6 of Article V *of the City of Agoura Hills Municipal Code.*

f) Section 109.4 of the IPMC is deleted and replaced to read as follows:

109.4. Notices. Notices related to nuisances arising from conditions of property and/or property maintenance shall be given as set forth in *Chapter 6 of Article V of the City of Agoura Hills Municipal Code.*

g) Section 112 is added to the IMPC to read as follows:

SECTION 112. COST RECOVERY

112.1 Cost of City service. *The cost to the City of any demolition or repair carried out under this code, including the entire cost of the services rendered by the City, shall be a special assessment against the property upon which the structure is located.*

112.2 Account of costs and receipts and notice of assessment. *The code official will notify in writing all parties concerned of the amount of such assessment resulting from such work. Within five days of the receipt of such notice, any concerned party may file a written request with the code official requesting a hearing on the correctness or reasonableness, or both, of such assessment. The board of appeals thereupon shall set the matter for hearing, give such concerned party notice thereof as provided in Section 107.3 of this code, and hold such hearing and determine the reasonableness or correctness of the assessment. The board of appeals shall notify in writing such party concerned of its decision. If the total assessment determined as provided for in this section is not paid in full within ten days after receipt of such notice from the board of appeals, the code official shall record in the office of the department or registrar-recorder a statement of the total balance still due and a legal description of the property. From the date of such recording, such balance due shall be a special assessment against the parcel.*

112.3 Collection with ordinary taxes. *The special assessment set forth shall be collected at the same time and in the same manner as ordinary county taxes are collected, and shall be subject to the same penalties, interest, and procedures for*

foreclosure and sale in case of delinquency, as is provided for ordinary County taxes. All laws applicable to the levy, collection, and enforcement of County taxes shall be applicable to such assessment.

SECTION 4. CEQA. The City Council finds that it can be seen with certainty that there is no possibility the adoption of this Ordinance may have a significant effect on the environment because the Ordinance provides for greater environmental protection by adopting and amending building standards and administrative provisions designed to provide for greater energy efficiency, construction sustainability, and protection from seismic and climatic forces, including fire-related dangers. Therefore, it is exempt from California Environmental Quality Act review pursuant to Title 14, Section 15061(b)(3), of the California Code of Regulations (CEQA Guidelines).

SECTION 5. If any provision of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, the City Council hereby declares that it would have passed each and every remaining provision irrespective of such holding in order to accomplish the intent of this Ordinance.

SECTION 6. Upon adoption, the Building Official is hereby authorized and directed to transmit a copy of this ordinance, together with the findings resolution, to the California Building Standards Commission as required by California Health and Safety Code Section 17958.7.

SECTION 7. The City Clerk shall certify to the passage of this ordinance and shall cause a summary of same to be published at least once in the local newspaper of general circulation, circulated within the City of Agoura Hills. A copy of the full text of this ordinance shall be on file in the Office of the City Clerk on and after the date following introduction and passage and shall be available to any member of the public.

This ordinance shall become operative on the latter of the 31st day after its adoption or January 1, 2026.

PASSED, APPROVED, AND ADOPTED, this ____ day of _____, 2025.

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

_____
Penny Sylvester, Mayor

ATTEST:

_____
Kimberly M. Rodrigues, MMC, City Clerk

APPROVED AS TO FORM:

_____
Candice K. Lee, City Attorney

RESOLUTION NO. 25-2119

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, MAKING FINDINGS THAT AMENDMENTS TO THE 2025 EDITIONS OF THE CALIFORNIA BUILDING, RESIDENTIAL, PLUMBING, WILDLAND-URBAN INTERFACE, FIRE, EXISTING BUILDING, AND GREEN BUILDING STANDARDS CODES, AS ADOPTED BY ORDINANCE OF THE CITY OF AGOURA HILLS, ARE REASONABLY NECESSARY BECAUSE OF LOCAL CLIMATIC, GEOLOGICAL, OR TOPOGRAPHICAL CONDITIONS.

WHEREAS, it is the desire and intent of the City Council of the Agoura Hills to provide citizens with the greatest degree of structural, fire, and life safety in buildings in the most cost-effective manner by adopting by ordinance that body of regulations referred to as the 2025 California Building Standards Code with amendments specific to the City of Agoura Hills;

WHEREAS, the City Council has determined that the provisions of the 2025 California Building Standards Code shall be adopted as modified, changed, and amended, as provided for in the ordinance, based upon the specific findings, and that said Council takes said action in order to more fully preserve and protect the public health, safety, welfare, and property;

WHEREAS, in the ordinance, the City Council makes modifications to building standards in the 2025 California Building Code, 2025 California Residential Code, 2025 California Plumbing Code, 2025 California Existing Building Code, 2025 California Wildland-Urban Interface Code, 2025 California Fire Code, and 2025 California Green Building Standards Code, which will be more restrictive than State Law;

WHEREAS, California Health and Safety Code Section 17958.5 requires the City Council make express findings before adopting such changes, and Section 17958.7 requires that such findings be filed with the California Building Standards Commission; and

WHEREAS, Assembly Bill 130 has placed a moratorium on new local amendments to residential building standards from October 1, 2025, to June 1, 2031, subject to limited exceptions. This moratorium applies to new and existing residential buildings, thereby prohibiting local amendments that make residential building standards more restrictive. Local governments are still permitted to adopt amendments to residential building standards when the modifications: (i) are substantially equivalent to those adopted and filed by the city or county, and in effect as of September 30, 2025; or, (ii) are deemed necessary by the Building Standards Commission as emergency standards to protect public health and safety; or, (iii) relate to home hardening; or, (iv) are necessary to implement a local code amendment adopted to align with a general plan approved before June 10, 2025, and that permits mixed-fuel construction while incentivizing all electric construction.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, HEREBY FINDS AND RESOLVES AS FOLLOWS:

1. Amendments to building standards in the 2025 editions of the California Building Code, California Residential Code, California Plumbing Code, California Existing Building Code, California Wildland-Urban Interface Code, California Fire Code, and California Green Building Standards Code, adopted in Ordinance No. 25-480 by the City Council, are reasonably necessary because of local climatic, geological and/or topographical conditions that create seismic hazards, landslides, erosion, and wildfire, and in compliance with Assembly Bill 130 (AB130) residential building standards moratorium. A summary of the amendments, with specific references to the express findings and AB130 moratorium exceptions, is provided in the table attached hereto as Exhibit A and is incorporated by reference herein.

2. The Building Official of the City of Agoura Hills shall file a copy of Ordinance No. 25-480, together with a copy of this Resolution, with the California Building Standards Commission, and shall obtain an endorsed copy from said Department to be filed with the City of Agoura Hills.

PASSED, APPROVED, AND ADOPTED, this ____ day of _____, 2025, by the following vote to wit:

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

_____
Penny Sylvester, Mayor

ATTEST:

_____
Kimberly M. Rodrigues, MMC, City Clerk

APPROVED AS TO FORM:

_____
Candice K. Lee, City Attorney

EXHIBIT A
BUILDING STANDARDS CODE EXPRESS FINDINGS

A. **Local Administrative Finding** – This amendment is necessary for administrative clarification. It does not modify a Building Standard pursuant to Sections 17958 and 18941.5 of the California Health and Safety Code and does not require an express finding to be made pursuant to Sections 17958.5 and 17958.7 of the California Health and Safety Code. This amendment establishes administrative standards for the effective enforcement of building standards and therefore needs to be incorporated into the code to ensure that new buildings and structures, as well as additions or alterations to existing buildings or structures, are designed and constructed in accordance with the scope and objectives of the Codes.

B. **Local Geological Conditions** – The City of Agoura Hills is located in an area with high seismic risk with buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake, the 1987 Whittier Narrows Earthquake, the 1971 San Fernando Earthquake and the 1933 Long Beach Earthquake. Earthquakes caused by these faults could produce primary effects such as strong ground shaking or ground rupture, and secondary effects such as liquefaction and landslides. These primary and secondary effects pose a significant hazard to the City's building stock and infrastructure, and to public health and safety. This could result in the collapse of vulnerable buildings and bridges, ground rupture affecting roads and highways, and liquefaction damaging buildings and pipelines (water, gas, and sewage). Fire from broken gas lines and the lack of water from broken water lines could result in major damage. Landslides caused by strong shaking, possibly in combination with wet weather conditions, could block highways and railroads, thereby isolating parts of the City and affecting emergency response. Earthquake-induced landslides could also produce rocks to fall and possibly strike and damage buildings and vehicles. Furthermore, the soils in some areas of the City are expansive and unstable. The protection of human life and the preservation of property support the imposition of fire protection, grading, and structural requirements greater than those outlined in codes adopted by the California Building Standard Commission. The proposed modification will reduce the failures and injuries, save lives, and minimize structural damage, and therefore needs to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the Codes.

C. **Local Climatic Conditions** – The seasonal hot and dry weather in combination with Santa Ana winds and wildfire, which may expose additional structures to the fire. Furthermore, the topography of the City is characterized by steep slopes and unstable soils, if they fail, can impede and delay rescue efforts. The above-described local topographical factors and problems support the imposition of requirements greater than those outlined in codes adopted by the California Building Standards Commission.

D. **Local Topographical and Geological Conditions** – The City of Agoura Hills is located in a hilly area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. Additionally, the topography within the City includes significant hillsides with narrow and winding access, which makes a timely response challenging. The hilly terrain, with potential hazards such as slides, erosion, and local flooding, can be mitigated through the proposed amendments. To better protect the community, more restrictive requirements are imposed than those outlined in codes adopted by the California Building Standards Commission.

E. **Local Climatic Conditions** – The seasonal hot and dry weather in combination with Santa Ana winds frequently creates a high potential for wildland fires in areas of the City of Agoura Hills, which is in a very high fire hazard severity zone. These conditions create an environment in which the entire local fire department, as well as resources from outside the community, are required to control, monitor, fight, and protect against such fire situations to protect life and preserve property. In addition, the region is within a climate system capable of producing major winds, fire, and rain-related disasters, including but not limited to those caused by the Santa Ana winds and El Niño (or La Niña) subtropical-like weather in areas of the City without adequate fire department personnel to protect against and control such a situation. Climate change is causing historic droughts, devastating wildfires, torrential storms, extreme heat, property damage, and threats to human health and food supplies. The State of California has outlined specific steps to reduce greenhouse gas emissions to prevent these negative impacts of a changing climate, including moving the State to 100 percent clean energy by 2045. This allows local governments to achieve greenhouse gas emission reductions and have a positive impact by powering buildings with clean electricity. The proposed modification to increase the number of EV charging spaces and stations will help to address and significantly reduce local air and noise pollution and greenhouse gas emissions, and will improve the health and welfare of the region's residents, businesses and visitors and reduce the rise in sea or flood levels that could put at risk the region's homes, businesses, and public facilities. To better protect the community, more restrictive requirements are imposed than those outlined in the Codes adopted by the California Building Standards Commission.

F. **Appendix adopted by State Agency (HCD) –** A State agency, such as HCD or SFM has adopted the appendix with the State adoption of the model codes. For transparency, the City is formally adopting these appendices.

AB130 RESIDENTIAL BUILDING STANDARDS MORATORIUM EXCEPTIONS

AB130-1. The changes or modifications are substantially equivalent to those previously filed by the governing body of the city or county and were in effect as of September 30, 2025.

- **a.** Previously amended and adopted under Ordinance 22-465 with the 2022 CA Code cycle.
- **b.** Previously amended and adopted under Ordinance 23-473 with the 2023 LA County Fire Code Adoption in 2023.
- **c.** Previously amended and adopted under Ordinance 23-466 with the Reach Code in 2023.

AB130-2. The commission deems those changes or modifications necessary as emergency standards to protect health and safety.

AB130-3. The changes or modifications are related to home hardening.

AB130-4. The building standards are related to home hardening and are proposed for adoption by a local fire prevention district pursuant to Section 13869.7.

AB130-5. Changes or modifications are necessary to implement a local code amendment adopted to align with a general plan approved on or before June 10, 2025, that permits mixed-fuel residential construction consistent with federal law while also incentivizing all-electric construction as part of an adopted greenhouse gas emissions reduction strategy.

AB130-6. The changes or modifications are related to administrative practices, are proposed for adoption during the intervening period pursuant to Section 18942, and exclusively result in any of the following:

- **a.** Reductions in time for a local agency to issue a post-entitlement permit.
- **b.** Alterations to a local agency's post-entitlement fee schedule.
- **c.** Modernization of, or adoption of, new permitting platforms and software utilized by the local agency.
- **d.** Reductions in the cost of internal operation for a local agency.
- **e.** Establishment, alteration, or removal of local programs related to enforcement of building code violations or complaints alleging building code violations.

2025 CALIFORNIA FIRE CODE AMENDMENTS

TITLE/DESCRIPTION	EXPRESS FINDINGS	AB 130 EXCEPTIONS
Amend Section 101.1 - Title	A	AB130-1a
Amend 103.1 General	A	AB130-1a
Amend 903.2.8 - Group R	C, D	AB130-1a
Amend 903.2.11 - Specific building areas and hazards	C, D	AB130-1a
Add 903.2.11.7 – Where required	C, D	AB130-1a

2025 CALIFORNIA BUILDING CODE AMENDMENTS

TITLE/DESCRIPTION	EXPRESS FINDINGS	AB130 EXCEPTIONS
Amend Section 1.8.8.1 - Appeal	A	AB130-1a
Add Section 1.8.8.4 - Limitation of authority	A	AB130-1a
Amend Section 101.1 - Title.	A	AB130-1a
Amend Section 101.4.5 - Fire prevention	A	AB130-1a
Amend Section 103.3 - Deputies	A	AB130-1a
Amend Section 105.1 - Required	A	AB130-1a
Amend Section 105.2 - Permit exemptions	A, B, C	AB130-1a
Amend Section 105.3.2 - Time limitation of application	A	AB130-1a
Add Section 105.3.2.1 - Time limitation of application in connection with an unpermitted structure	A	AB130-1a
Amend Section 105.5 - Expiration of permit	A	AB130-1a
Amend Section 105.5.1 - Expiration	A	AB130-1a
Add Section 105.5.2 - Expiration of permit in connection with an unpermitted structure	A	AB130-1a
Amend Section 105.6 - Suspension or revocation	A	AB130-1a
Amend Section 105.7 - Placement of permit	A	AB130-1a
Add CBC Section 105.8 Responsibility of permittee	A	AB130-1a
Add Section 105.9 - Transferability	A	AB130-1a
Amend Section 109.4 - Work commencing before permit issuance	A	AB130-1a
Add Section 109.5.1 - Re-inspection Fee	A	AB130-1a
Add Section 109.6.1 - Refund Policy	A	AB130-1a
Add Section 109.7 - Plan review fees	A	AB130-1a
Add Section 110.1.1 - Setback and height certification	A	AB130-1a
Add Section 110.3.4.2 - Roof sheathing and shear inspection.	A, B	AB130-1a
Delete Exception for Section 110.3.6 - Lath, gypsum board, and gypsum panel product Inspection	A, B	AB130-1a
Add Section 111.1.1 - Unpermitted structures	A	AB130-1a
Amend Section 111.2 - Certificate issued	A	AB130-1a
Amend Section 111.3 - Temporary Certificate of Occupancy (TCO)	A	AB130-1a
Amend Section 111.4 - Revocation	A	AB130-1a
Amend Section 112.3 and add subsections 112.3.1, 112.3.2, and 112.3.3 - Authority to Disconnect Service Utilities	A	AB130-1a
Delete Section 113 - Means of appeals	A	AB130-1a
Amend Sections 114.1 - Unlawful acts	A	AB130-1a
Amend Section 114.4 - Violation penalties	A	AB130-1a
Amend Section 115.1 - Authority.	A	AB130-1a
Amend Section 116.1 - Unsafe conditions	A, B, C	AB130-1a
Add Section 116.3.1 - Orders to vacate	A	AB130-1a
Delete Sections 116.4 and 116.5	A	AB130-1a

Add Section 116.6 - Violations	A	AB130-1a
Add 903.2.11.7 – Where required	C, D	AB130-1a
Add CBC Section 1613.8 - Seismic design provisions for hillside buildings	B, C, D	AB130-1a
Amend CBC Section 1807.1.4 - Permanent wood foundation system	B, C	AB130-1a
Amend CBC Section 1807.2 - Retaining walls	B, C, D	AB130-1a
Amend CBC Section 1809.3 - Stepped footings	B, D	AB130-1a
Amend CBC Section 1809.7 and Table 1809.7 - Prescriptive footings for light-frame construction	B	AB130-1a
Amend CBC Section 1809.12 - Timber footings	B, C	AB130-1a
Amend CBC Section 2304.10.2 - Fastener requirement	B	AB130-1a
Amend CBC Section 2304.12.2.8 - Wood used in retaining walls and cribs	B, C	AB130-1a
Amend CBC Section 2306.2 - Wood-frame diaphragms	B	AB130-1a
Amend CBC Section 2306.3 - Wood-frame shearwalls	B	AB130-1a
Amend CBC Section 2308.10.8.1 - - Foundation requirements	B	AB130-1a
Amend CBC Section 3109.2 - Definitions	A, C, D	AB130-1a
Add CBC Section J101.3 - Hazards	E	AB130-1a
Add CBC Section J101.4 - Safety precautions	E	AB130-1a
Add CBC Section J101.5 - Protection of utilities	A, E	AB130-1a
Add CBC Section J101.6 - Protection of adjacent properties	E	AB130-1a
Add CBC Section J101.7 - Stormwater control measures	E	AB130-1a
Add CBC Section J101.8 - Conditions of approval	A	AB130-1a
Add CBC Section J101.9 - Rules and regulations	A	AB130-1a
Amend CBC Section J103.2 - Exemptions.	A, E	AB130-6a, AB130-6d
Add CBC Section J103.3 - Permit issuance	A, E	AB130-1a
Add CBC Section J103.4 - Grading fees	A	AB130-1a
Add CBC Section J104.2.1 - Grading designation	A, E	AB130-1a
Add CBC Section J104.2.2 - Regular grading requirements	A, E	AB130-1a
Add CBC Section J104.2.3 - Engineered grading requirements	A, E	AB130-1a
Add CBC Section J105.3 - Permittee.	A	AB130-1a
Add CBC Section J105.4 - Required inspections.	A, E	AB130-1a
Add CBC Section J109.5 - Disposal	A, E	AB130-1a
Add CBC Section J112 - National Pollutant Discharge Elimination System (NPDES) compliance	A, E	AB130-1a
Adopting CBC Appendix I – Patio Covers	F	N/A
Adopting CBC Appendix J - Grading	A, E, F	AB130-1a
Adopting CBC Appendix P – Sleeping Lofts	F	N/A
Adopting CBC Appendix Q - Emergency Housing	F	AB130-1a
Amending CBC Appendix Q - Section Q103.1 – General	A	AB130-1a

2025 CALIFORNIA RESIDENTIAL CODE AMENDMENTS

TITLE/DESCRIPTION	EXPRESS FINDINGS	AB 130 EXCEPTIONS
Amend Section 1.8.8.1 - Appeal	A	AB130-1a
Add Section 1.8.8.4 - Limitation of authority	A	AB130-1a
Amend Section R101.1 - Title	A	AB130-1a
Amend Section R103.3 - Deputies	A	AB130-1a
Amend Section 105.1 - Required	A	AB130-1a
Amend Section R105.2 - Permit Exemptions	A, B, C	AB130-1a
Amend Section R105.3.2 - Time limitation of application	A	AB130-1a
Add Section R105.3.2.1 - Time limitation of application in connection with an unpermitted structure	A	AB130-1a
Amend Section R105.5 - Expiration of permit	A	AB130-1a
Amend Section R105.5.1 - Expiration	A	AB130-1a
Add Section 105.5.2 Expiration of permit in connection with an unpermitted structure	A	AB130-1a
Amend Section R105.6 - Suspension or revocation	A	AB130-1a
Amend Section R105.7 - Placement of permit	A	AB130-1a
Amend Section R105.8 - Responsibility	A	AB130-1a
Add Section R105.10 - Transferability	A	AB130-1a
Add Section R108.4.1 - Re-inspection Fee	A	AB130-1a
Add Section R108.5.1 - Refund policy	A	AB130-1a
Amend Section R108.6 - Work commencing before permit issuance	A	AB130-1a
Add Section R108.7 - Plan review fees	A	AB130-1a
Add Section R109.1.4.3 - Roof sheathing and shear inspection.	A, B	AB130-1a
Add Section R109.5 - Setback and height certification	A	AB130-1a
Add Section R110.1.1 - Unpermitted structures	A	AB130-1a
Amend Section R110.2 - Certificate issued	A	AB130-1a
Amend Section R110.3 - Temporary Certificate of Occupancy (TCO)	A	AB130-1a
Amend Section R110.4 - Revocation	A	AB130-1a
Amend Section R111.3 and add subsections R111.3.1, R111.3.2, and R111.3.3 - Authority to disconnect service utilities	A	AB130-1a
Delete Section R112 - Means of appeals	A	AB130-1a
Amend Sections R113.1 - Unlawful acts	A	AB130-1a
Amend Section R113.4 - Violation penalties	A	AB130-1a
Add Section R113.5 – Unsafe conditions	A, B, C	AB130-1a
Add Section R113.6 - Orders to vacate	A	AB130-1a
Add Section R113.7 - Violations	A	AB130-1a
Amend Section R114.1 - Authority.	A	AB130-1a
Add R300.3 - Grading	D	AB130-1a
Amend CRC Section R301.1.3.2 Wood-frame Structures	B, C	AB130-1a
Add CRC Section R301.1.5 Seismic Design Provisions for Buildings on Slopes Steeper than 33%	B, C	AB130-1a
Add R301.2.2.11 -Anchorage of Mechanical, Electrical, or Plumbing Components and Equipment	B	AB130-1a
Amend CRC Section R401.1 Application	B, C	AB130-1a
Amend CRC Section R403.1.2 –Continuous footings	B	AB130-1a
Amend CRC Sections R403.1.3.6 – Isolated concrete footings	B	AB130-1a
Amend CRC Sections R403.1.5 Slope	B	AB130-1a
Amend CRC Section R404.2 - Wood Foundation Walls	B, C	AB130-1a
Adopt Appendix BB – Tiny Houses	F	AB130-1a
Adopt Appendix BF – Patio Covers	F	N/A

Adopt Appendix BK – Cob Construction- Monolithic Adobe	F	N/A
Adopt Appendix BL – Hemp-Lime Hempcrete Construction	F	N/A
Adopt Appendix BN – Extended Plate Wall Construction	F	N/A
Adopt Appendix BO – Existing Building and Structures	F	N/A
Adopt Appendix CI - Swimming Pool Safety Act	F, A, C	AB130-1a
Adopt Appendix CJ Emergency Housing	F, B, C	AB130-1a
Amending Appendix CJ - CJ103.1 – General	A	AB130-1a

2025 CALIFORNIA ELECTRICAL CODE AMENDMENTS

TITLE/DESCRIPTION	EXPRESS FINDINGS	**AB 130 EXCEPTIONS**
Add Section 89.100 Administration	A	AB130-1a

2025 CALIFORNIA MECHANICAL CODE AMENDMENTS

TITLE/DESCRIPTION	EXPRESS FINDINGS	**AB 130 EXCEPTIONS**
Add Section 100 Administration	A	AB130-1a

2025 CALIFORNIA PLUMBING CODE AMENDMENTS

TITLE/DESCRIPTION	EXPRESS FINDINGS	**AB 130 EXCEPTIONS**
Add Section 100 Administration	A	AB130-1a
Add CPC Section 1208.13.1 - Seismic Gas Shutoff Valves	B	AB130-1a

2025 CALIFORNIA WILDLAND-URBAN INTERFACE CODE AMENDMENTS

TITLE/DESCRIPTION	**EXPRESS FINDINGS**	**AB 130 EXCEPTIONS**
Add Section 100 Administration	A	AB130-1a, AB130-6d
Amend Section 101.1 - Title	A	AB130-1a,
Amend 103.1 – Creation of Agency	A	AB130-1a,
Amend 501.1 Scope (Special Building Construction Regulations)	C	AB130-1a, AB130-3
Amend 503.1 General (Ignition-Resistant Construction Material)	C	AB130-1a, AB130-3
Amend 503.3.4 Fire-retardant-treated wood shingles and shakes.	C	AB130-1a, AB130-3
Add 504.1.1 Roof coverings.	C	AB130-1a, AB130-3

2025 CALIFORNIA HISTORICAL BUILDING CODE AMENDMENT

TITLE/DESCRIPTION	EXPRESS FINDINGS	AB 130 EXCEPTIONS
Add Section 8-100 Administration	A	AB130-1a

2025 CALIFORNIA EXISTING BUILDING CODE AMENDMENT

TITLE/DESCRIPTION	EXPRESS FINDINGS	AB 130 EXCEPTIONS
Add Section 100 Administration	A	AB130-1a
Adopt Appendix A - Guidelines for the Seismic Retrofit of Existing Buildings	B	AB130-1a

2025 CALIFORNIA GREEN BUILDING STANDARDS CODE AMENDMENTS

TITLE/DESCRIPTION	EXPRESS FINDINGS	AB 130 EXCEPTIONS
Add Section 100 Administration	A	AB130-1a
Amend CALGreen Section 202	A, C	AB130-1a
Amend CALGreen Section 4.106.4.1 and 4.106.4.1.1 – New One- And Two-Family Dwellings and Townhouses With Attached Private Garages	E	AB130-1c
Amend Table 5.106.5.3.1 and Table 5.106.3.6 – EV Capable spaces and EVCS	E	Non-Residential

CITY OF AGOURA HILLS

REPORT TO CITY COUNCIL

DATE:	**NOVEMBER 12, 2025**
TO:	**HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**
FROM:	**NATHAN HAMBURGER, CITY MANAGER**
BY:	**KATRINA GARCIA, ASSOCIATE PLANNER** **ROBBY NESOVIC, PRINCIPAL PLANNER**
SUBJECT:	**CONDUCT A PUBLIC HEARING, WAIVE FULL READING, AND INTRODUCE AN ADU ORDINANCE AMENDMENT**

On August 25, 2021, the City Council adopted Ordinance No. 21-456, replacing the previous ADU Ordinance (No. 17-434) to reflect changes in state law related to Accessory Dwelling Units (ADUs) and Junior ADUs (JADUs). Ordinance No. 21-456 was submitted to the California Department of Housing and Community Development (HCD) for review, and on February 3, 2023, HCD issued a letter to the City identifying several sections that did not comply with state law (then under Government Code §§ 65852.2 and 65852.22). Since receiving the HCD letter, numerous additional amendments to state law have rendered portions of Ordinance No. 21-456 outdated or inconsistent. In May 2025, HCD sent a follow-up letter identifying additional conflicts resulting from the legislative changes.

The Draft ADU Ordinance Amendment ("Ordinance") presented in this report addresses the compliance issues raised in HCD's 2023 and 2025 letters, along with other recent state-level updates, and how the City proposes to address the legislative changes.

The Draft ADU Ordinance Amendment was reviewed by the Land Use and Economic Development Committee (LUEDC) on October 6, 2025. The Committee expressed support for the proposed amendments and did not recommend any additional changes. The Ordinance was subsequently presented to the Planning Commission at its regularly scheduled meeting on October 16, 2025. During the discussion, staff clarified the scope of the City's authority to regulate ADUs and the extent of those regulations. No further modifications to the Ordinance were proposed. Following deliberation, the Planning Commission voted unanimously (5-0) to approve Resolution No. 25-1307. The approved Resolution is included as Attachment 2.

Over the past four years, the Government Code pertaining to ADUs has undergone significant revisions. These changes have affected both the substance and organization of the applicable regulations, prompting the need for a comprehensive update to the City's ADU Ordinance. In response, staff proposes to repeal and replace the existing ADU Ordinance (§ 9283 through 9283.6 of Article IX of the Agoura Hills Municipal Code). A draft of the Ordinance is attached as Attachment 1.

The Ordinance has been reorganized to improve clarity, consistency with state law, and ease of use for both applicants and City staff. In particular, the Ordinance now distinguishes more clearly between state-exempt ADUs and Junior ADUs (JADUs), and those that are subject to local development standards. This structure is intended to give both applicants and staff a clearer understanding of development standards, legal deadlines and procedural expectations earlier in the review process.

Key changes between the current ordinance and the proposed amendment include:

- Clear separation between state-exempt and non-exempt ADUs and JADUs
- Deed restrictions and covenant requirements now apply only to JADUs
- Removal of discretionary fire safety review provisions (made objective)
- Development standards for state-exempt ADUs and JADUs defer to the Government Code
- Measurement changes from gross floor area to interior livable space

A dedicated section has been added for state-exempt ADUs and JADUs (§ 9283.2). These units, which are protected under state law, include those up to 800 square feet with rear and side setbacks of four feet or less (See Attachment 3 for additional state-exempt ADUs). Rather than restating these protections throughout the ordinance, they are consolidated in one section for clarity. Much of the development criteria for state-exempt units directly references state law. This approach ensures the ordinance remains enforceable even if the state modifies its ADU regulations in the future. One recent state-level change allows up to eight detached ADUs on existing multi-family properties, provided the number of ADUs does not exceed the number of existing units on the lot.

Provisions related to deed restrictions and covenants now apply exclusively to JADUs. These requirements include a minimum rental term of 30 consecutive days, a prohibition on separate sale or conveyance from the primary dwelling, and a mandate for owner-occupancy in either the JADU or the main structure. The City can no longer impose covenant requirements on non-exempt ADUs but must continue to enforce the minimum 30-day rental term. Staff proposes to monitor compliance with this requirement using the City's short-term rental tracking software, Avenu. To align the ADU Ordinance with the Short-Term Rental Ordinance, staff proposes an amendment to paragraph A of Agoura Hills Municipal Code § 61005. This change will enable the City to regulate rental terms for ADUs that are not subject to deed restrictions or covenants.

A separate section for non-exempt ADUs and JADUs (§ 9283.3) retains local development standards for units that exceed 800 square feet, such as regulations concerning lot coverage, front yard setbacks, equestrian overlays, oak tree protection, and certain architectural design elements.

One of the most notable changes in the Ordinance is the removal of the discretionary fire safety review currently found in § 9283.2. This section previously allowed the Community Development Director to impose additional fire safety measures—such as setbacks, parking, sprinklers, or hydrants—on properties proposing more than one ADU or JADU that lacked two points of vehicular access. However, HCD has determined that cities cannot impose such discretionary limitations on the number of ADUs allowed on a lot. Staff has removed this provision in response to HCD's letter and state law requirements, but the Ordinance still retains objective fire safety measures allowed under state law, such as requiring 10 feet separation for non-exempt ADUs.

Most recently, the State passed SB 543 which impacts how ADUs and JADUs are measured. Under the current ordinance, the City measures the gross floor area, which includes all the space between the exterior walls. SB 543, however, redefines the measurement to include only the interior livable space. As a result, structures may be physically larger, since non-habitable areas such as interior walls, mechanical rooms, and stairwells would no longer count toward the size limit. This change has been incorporated into the Ordinance.

In summary, staff believes the proposed amendments will bring the City's ADU Ordinance into full compliance with the Government Code, and will reduce or eliminate the need for the City to continuously revise our ADU regulations. The revisions will also improve clarity and usability by clearly distinguishing which regulations the City is authorized to enforce, making implementation more straightforward for current and future staff. The Ordinance also retains certain standards pertaining to fire safety, horse keeping areas, and architectural materials, to the extent that it is allowed by state law.

FISCAL IMPACT

The City's Fiscal Year 2025-26 Budget will not be impacted by the ADU Ordinance. Enforcement of the ADU Ordinance will be completed by staff.

RECOMMENDATION

Staff recommends the City Council conduct a public hearing, waive full reading and introduce Ordinance No. 25-481; an Ordinance of the City Council of the City of Agoura Hills, California, amending Article IX (Zoning) of the Agoura Hills Municipal Code to repeal and replace the ADU regulations in Section 9283, amend related definitions in Section 9120 consistent with State law, and amend Section 61005 to clarify short-term rental prohibitions; and making a finding of exemption under the California Environmental Quality Act.

Attachments

Attachment 1 - Ord. No. 25-481.pdf
Attachment 2 - PC RESO 25-1307.pdf
Attachment 3 - State Exempt ADUs.pdf

ORDINANCE NO. 25-481

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING ARTICLE IX (ZONING) OF THE AGOURA HILLS MUNICIPAL CODE TO REPEAL AND REPLACE THE ADU REGULATIONS IN SECTION 9283, AMEND RELATED DEFINITIONS IN SECTION 9120 CONSISTENT WITH STATE LAW, AND AMEND SECTION 61005 TO CLARIFY SHORT-TERM RENTAL PROHIBITIONS; AND MAKING A DETERMINATION OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

WHEREAS, the California Legislature has adopted Senate Bill 477 (2024), an urgency statute that repealed and replaced Government Code Sections 65852.2, 65852.22, and related provisions governing accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs); and

WHEREAS, SB 477 consolidated and reorganized the State's Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) laws into Chapter 13 (commencing with Section 66310) of Division 1 of Title 7 of the Government Code, now codified as Government Code Sections 66310 through 66342; and

WHEREAS, these statutory changes require all California cities, including charter cities, to amend their local ADU ordinances to ensure consistency with the updated state framework and avoid statutory preemption; and

WHEREAS, on August 25, 2021, the City Council of the City of Agoura Hills adopted Ordinance No. 21-456, updating local standards for ADUs in accordance with then-existing provisions of Government Code Sections 65852.2 and 65852.22; and

WHEREAS, the amendments to state law enacted since 2021 have rendered portions of the City's existing ADU ordinance obsolete, necessitating its repeal and replacement to maintain compliance with current state requirements; and

WHEREAS, the City Council desires to adopt updated ADU regulations that align with Government Code Sections 66310 through 66342, while also preserving local objectives related to neighborhood character, infrastructure capacity, and the City's General Plan goals; and

WHEREAS, the updated ordinance reflects the City's commitment to supporting housing affordability, infill development, and sustainable land use in a manner consistent with state law and local priorities; and

WHEREAS, the Planning Commission held a duly noticed public hearing on October 16, 2025 to consider the proposed Ordinance as required by law, at which the Planning Commission received testimony from City staff and all interested parties regarding the proposed Municipal Code amendments. Following the close of the public hearing the Planning Commission adopted Resolution No. 25-1307 recommending approval of the Ordinance; and

WHEREAS, the City Council, at a regular meeting, considered the Ordinance on November 12, 2025, at a duly noticed public hearing, as prescribed by law, at which time

City staff and interested persons had an opportunity to and did testify either in support or against this matter. Following the public hearing, the City Council considered the entire record of information received at the public hearings before the Planning Commission and City Council.

NOW, THEREFORE, the City Council of the City of Agoura Hills, California hereby ordains as follows:

Section 1. The facts set forth in the recitals of this Ordinance are true and correct.

Section 2. The proposed Ordinance aligns with the objectives of Article IX (Zoning) of the Agoura Hills Municipal Code and is consistent with the City's General Plan. It supports Goal H-3 of the General Plan Housing Element, which promotes providing a variety of housing options to meet the diverse lifestyle needs and income levels of Agoura Hills residents. In particular, the Ordinance advances Policy H-3.5 by encouraging the development of new accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) across all residential zones, helping to distribute smaller, more affordable housing units throughout the community.

Section 3. Zoning Code Amendment. The definitions of "Accessory dwelling unit" and "Junior accessory dwelling unit" in Sections 9120.1 (A) and 9120.5 (E) of Part 3 (Definitions) of Chapter 1 (Introduction) of Article (IX) Zoning of the Agoura Hills Municipal Code are hereby amended to read as follows, with deleted language shown in ~~strikeout~~ and new language shown in underline; with all other definitions to remain unchanged:

"Accessory dwelling unit. "Accessory dwelling unit" or "ADU" means a detached or attached residential dwelling unit that provides complete, independent living facilities for one (1) or more persons and is located on a lot with a proposed or existing primary residence. The unit shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An ADU also includes the following:

1. An efficiency unit, as defined by Section 17958.1 of the California Health and Safety Code and the California Building Code; and
2. A manufactured home, as defined by Section 18007 of the California Health and Safety Code."

"Junior accessory dwelling unit. "Junior accessory dwelling unit" or "JADU" means a unit that is no more than five hundred (500) square feet of interior livable space in size and contained entirely within a single-family residence~~, excluding an attached garage~~. A junior accessory dwelling unit may include separate sanitation facilities or may share sanitation facilities with the existing structure. A junior accessory dwelling unit must have exterior access that is independent of that for the single-family dwelling."

Section 4. Zoning Code Amendment. Paragraph "A" of Section 61005 (Prohibitions) of Chapter 10 (Short-term rental regulations) of Article VI (Taxes; Licenses; Business Regulations) of the Agoura Hills Municipal Code is hereby amended to read as follows, with deleted language shown in ~~strikeout~~ and new language shown in underline; with all other provisions of that section to remain unchanged:

"A structure may not be used as a short-term rental unit if it is subject to use limitations imposed by any applicable law, ~~the property has a recorded covenant, deed restriction, or agreement restricting its use,~~ including but not limited to accessory dwelling units (ADU), junior accessory dwelling units (JADU), units constructed under the provisions of Senate Bill 9, and affordability covenants."

Section 5. Zoning Code Amendment. Sections 9283 - 9283.6 of Part 9 (Special Residential Use Standards) of Chapter 2 (Residential Land Use Districts) of Article IX (Zoning) of the Agoura Hills Municipal Code are hereby repealed and replaced in their entirety with the following:

"9283. Accessory dwelling units and junior accessory dwelling units: Purpose.

This section provides standards for the development and maintenance of accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs), in accordance with Chapter 13 of the California Government Code (Sections 66310 – 66342).

9283.1 ADUs and JADUs: Approval timeline.

An application that contains all required information listed on the City's submittal checklist for ADUs and JADUs shall be processed within the following timelines:

A. *Completeness.* An application for an ADU or JADU shall be reviewed for completeness by the community development director (or the director's designee) in accordance with the deadlines and procedures identified in state law.

B. *Approval.* An application for an ADU or JADU shall be ministerially approved by the community development director (or the director's designee) within sixty (60) days after receipt of a complete application consistent with state law, if all objective criteria has been met.

C. *Notice of Inconsistency.* If an application for an ADU or JADU is denied, the Community Development Director or their designee shall provide the applicant with a written notice of inconsistency within sixty (60) days after receipt of a complete application. The notice shall include a detailed list of defects or deficiencies in the application and describe how the application may be corrected or brought into compliance, consistent with state law.

D. *Delayed Action.* When an application to create an ADU or JADU is submitted concurrently with an application for a permit to construct a new single-family or multi-family dwelling on the same lot, the City may defer action on the ADU or JADU application until a decision is made on the primary dwelling permit. Notwithstanding such deferral, the ADU or JADU application shall be considered ministerially, without discretionary review or a public hearing.

9283.2 State Exempt ADUs and JADUs

State-exempt ADUs and JADUs are those that meet the specific criteria set forth in California Government Code Section 66323 and Article 3 (commencing with Section 66333). All ADUs and JADUs that meet the criteria for state exemption shall be permitted ministerially subject to the following requirements.

A. *Permitted locations.* ADUs and JADUs are permitted in any zoning designation where residential development is allowed (including mixed-use zones), except that JADUs are only permitted on lots with existing or proposed single-family residences.

B. *Code Compliance*. ADUs and JADUs shall comply with all applicable building, fire, and health safety codes, as permitted under state law.

C. *Rental term.* All ADUs and JADUs approved under this section shall not be rented for less than 30 days. Short-term rentals of fewer than 30 days are prohibited.

D. *Sale or conveyance.*

1. A JADU shall not be sold or otherwise conveyed separately from the single-family residence.

2. Except as otherwise allowed by Government Code section 66341, an ADU shall not be sold or otherwise conveyed separately from the primary dwelling of a single-family lot or, in the case of a multi-family lot, from all dwellings on that lot.

E. *Owner-occupancy for JADUs.* The property owner shall reside in the JADU or the remaining portion of the dwelling, unless the owner is another governmental agency, land trust, or housing organization. Owner occupancy is not required for approved ADUs.

F. *Deed restrictions for JADUs.* A declaration of restrictions, approved by the City Attorney, shall be recorded by the property owner, against the title of the property, in the County Recorder's office. A copy of the recorded document shall be filed with the Community Development Department, prior to the issuance of a Certificate of Occupancy. The declaration of restrictions shall specify the size and attributes of the JADU, and places the following restrictions on the property, the property owner, and all successors in interest:

1. The JADU shall be rented only for terms longer than thirty (30) consecutive days;

2. The JADU shall not be sold or conveyed separately from the primary residence;

3. The property owner (other than a governmental entity, land trust, or housing organization) shall reside in either the JADU or in the remaining portion of the single-family residence;

4. The JADU and the property shall be maintained in accordance with all applicable laws, and

5. Any violation will be subject to penalties as provided in the Municipal Code

G. *Utility connections and related impact fees.*

1. State-exempt ADUs and JADUs are not required to have a new or separate utility connection directly between the ADU or JADU and the utility, except that ADUs constructed concurrently with a new single-family dwelling, or

ADUs conveyed separately pursuant to state law, shall be subject to standard utility connection requirements and associated fees.

2. If the ADU will use a private sewage disposal system, the property owner shall obtain approval by the local environmental health officer prior to receiving approval from the City.

3. The city shall not impose any development impact fees upon the development of an accessory dwelling unit with seven hundred fifty (750) square feet of interior livable space or less. Any development impact fees charged for an accessory dwelling unit that has more than seven hundred fifty (750) square feet of interior livable space shall be charged proportionately in relation to the square footage of the primary dwelling.

H. If an automatic sprinkler system is required for the primary residence, the ADU or JADU shall also have an automatic sprinkler system.

9283.3 All Other ADUs

All ADUs that do not meet the specific criteria set forth in California Government Code Section 66323 (State exempt ADUs and JADUs) are subject to additional local development standards as provided in this section.

A. *Permitted Locations.* ADUs are permitted in any zoning designation where residential development is allowed.

B. *Lot size.* All new ADUs are exempt from compliance with the minimum lot size requirements.

C. *Lot coverage.* All new ADUs shall conform to the lot coverage requirements for the zoning district in which the ADU is located.

D. *Size.* The maximum gross floor area of any new ADU shall not exceed the following:

1. *New detached ADU:* Up to eight hundred fifty (850) square feet of interior livable space for a studio or one (1)-bedroom unit; or one thousand (1,000) square feet of interior livable space for an ADU with more than one (1) bedroom.

2. *New attached ADU:* Up to eight hundred fifty (850) square feet of interior livable space for a studio or one (1)-bedroom unit; or one thousand (1,000) square feet of interior livable space for an ADU with more than one (1) bedroom; or fifty (50) percent of the primary residence's living area, whichever is less.

E. *Conversion of existing legally established accessory structures:* An ADU that involves the conversion of a legally established accessory structure, but does not qualify as a state-exempt ADU under Government Code Section 66323, may occupy the full area of the existing structure. Any expansion beyond the existing structure shall comply with this section and shall not result in an ADU exceeding 1,000 square feet of interior livable space.

F. *Height*. The maximum height of any new ADU shall not exceed the following:

1. *New detached ADU:* A new detached ADU shall not exceed a roof peak height of sixteen (16) feet above grade or up to eighteen (18) feet as allowed by Government Code 66321(b)(4).
2. *New attached ADU:* A new attached ADU shall not exceed the height limit applicable to the primary residence or twenty-five (25) feet above grade, whichever is less.

G. *Setbacks*. An ADU shall comply with all front yard setback requirements applicable to the lot's primary residence. Unless otherwise provided in this section, any new attached or detached ADUs shall have a minimum setback of four (4) feet from the rear property line and four (4) feet from the side property line.

1. Notwithstanding these provisions, in the Old Agoura Design Overlay District, a detached ADU may be erected in the required minimum front yard provided it does not exceed more than twenty-five (25) percent of the minimum required front yard.
2. Notwithstanding the above, no setback shall be required for an ADU that is within an existing structure or constructed in the same location and within the same dimensions as an existing legally established structure.
3. A detached ADU must maintain a ten (10)-foot separation from any primary dwelling unit on the lot.

H. *Design and other improvements.*

1. The ADU's exterior building materials, colors, and finishes shall match those of the primary dwelling.
2. All exterior light fixtures on the ADU shall be fully shielded and directed downward to prevent light spillover onto adjacent properties and residential structures.
3. All exterior equipment associated with the ADU shall comply with the requirements in section 9606.1.
4. If an automatic sprinkler system is required for the primary residence, the ADU shall also have an automatic sprinkler system.
5. Attached ADUs shall have exterior access that is independent from the primary dwelling. No internal access between the attached ADU and the primary residence is allowed.
6. ADUs shall be constructed on a permanent foundation and shall be built in compliance with the California Building Code or California Residential Code.

I. *Parking requirements.* One (1) off-street parking space shall be provided for an ADU, in addition to the parking required for the primary residence. No parking shall be required for a JADU. The required parking space for the ADU may be provided as tandem parking on an existing driveway.

1. *Parking exemption.* Notwithstanding all applicable parking requirements, no additional parking spaces are required for an ADU meeting the criteria of California Government Code Section 66322(a).
2. *Replacement parking.* When an existing garage, carport, covered parking structure, or uncovered parking space is demolished in conjunction with the construction an ADU or is converted into an ADU, replacement parking for the primary dwelling unit shall not be required.

J. *Horse-keeping area.* To endeavor to minimize impacts of ADUs on horse keeping uses located in the Equestrian Overlay Zone, notwithstanding section 9592(a), the community development director shall have the discretion to make the minimum horse keeping area optional if the size of the lot is under ten thousand eight hundred ninety (10,890) square feet or if the lot has an average slope over twenty-five (25) percent.

K. Notwithstanding the standards pertaining to allowable lot coverage, allowable site coverage, minimum front yard setback distances, and minimum horse-keeping area, one (1) ADU up to 800 square feet in gross floor area, with a height up to sixteen (16) feet from above grade, and at least four (4)-foot side and rear yard setbacks shall be allowed, pursuant to Government Code 66321.

L. *Rental Term.* The ADU shall not be rented for less than 30 days. Short-term rentals of fewer than 30 days are prohibited.

M. *Sale or Conveyance.* Except as otherwise required by Government Code section 66341, an ADU shall not be sold or otherwise conveyed separately from the primary dwelling of a single-family lot or, in the case of a multi-family lot, from all dwellings on that lot.

N. *Very High Fire Hazard Severity Zones.* Detached ADUs in Very High Fire Hazard Severity Zones shall maintain a minimum ten (10)-foot separation from other structures, unless doing so would preclude the construction of an ADU up to eight hundred (800) square feet of interior livable space with four (4)-foot side and rear yard setbacks, in which case reduced separation shall be allowed if the ADU complies with applicable California Building Code fire-resistance standards.

O. *Utility connections and related impact fees.*

1. Non-exempt ADUs, or those approved under this section, require a new, separate sewer connection directly between the ADU and the utility. The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the ADU, based on either the gross floor area or the number of drainage-fixture unit (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system. The fee or charge may not exceed the reasonable cost of providing this service.
2. If the ADU will use a private sewage disposal system, the property owner shall obtain approval by the local environmental health officer prior to approval from the City.

3. The city shall not impose any development impact fees upon the development of an accessory dwelling unit seven hundred fifty (750) square feet of interior livable space or less. Any development impact fees charged for an accessory dwelling unit that has more than seven hundred fifty (750) square feet of interior livable space shall be charged proportionately in relation to the square footage of the primary dwelling."

Section 6. California Environmental Quality Act (CEQA). Pursuant to the California Environmental Quality Act, City staff determined that the adoption of the proposed Ordinance is exempt from environmental review under CEQA pursuant to Public Resource Code Section 21080.17, and Title 14, Section 15282(h) of the California Code of Regulations, which apply to "[t]he adoption of an ordinance regarding second units in a single-family or multifamily residential zone by a city or county to implement the provisions of Section 65852.1 and 65852.2 [now codified as Chapter 13 of Division 1 of Title 7, Section 66310 – 66342] of the Government Code as set forth in Section 21080.17 of the Public Resources Code."

Section 7. Severability Clause. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or its application to any person or circumstances, is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause, phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 8. Effective Date. This Ordinance shall take effect thirty (30) days after passage.

Section 9. Certification. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same or a summary thereof to be published and poste din the manner require by law.

PASSED, APPROVED, AND ADOPTED this ___ day of _____, 2025, by the following vote to wit.

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

_____
Penny Sylvester, Mayor

ATTEST:

_____
Kimberly M. Rodrigues, MMC, City Clerk

APPROVED AS TO FORM:

_____
Candice K. Lee, City Attorney

RESOLUTION NO. 25-1307

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS RECOMMENDING THAT THE CITY COUNCIL APPROVE A ZONING ORDINANCE AMENDMENT TO AMEND ARTICLE IX (ZONING) OF THE AGOURA HILLS MUNICIPAL CODE (AHMC) TO REPEAL AND REPLACE THE ACCESSORY DWELLING UNIT (ADU) REGULATIONS IN SECTION 9283, AMEND RELATED DEFINITIONS IN SECTION 9120 CONSISTENT WITH STATE LAW, AND AMEND SECTION 61005 TO CLARIFY SHORT-TERM RENTAL PROHIBITIONS; AND MAKE A DETERMINATION OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA). (CASE NO. PZ-2025-150-ZOA; APPLICANT: CITY OF AGOURA HILLS)

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA, HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

WHEREAS, an application was duly filed by the City of Agoura Hills to amend Article IX (Zoning) of the Agoura Hills Municipal Code to modify regulations pertaining to accessory dwelling units to bring existing regulations into compliance with State law.

WHEREAS, the Planning Commission determined that the adoption of the proposed ordinance is exempt from environmental review under the California Environmental Quality Act pursuant to Public Resources Code Section 21080.17, and Title 14, Section 15282(h) or the California Code of Regulations which applies to "The adoption of an ordinance regarding second units in a single-family or multifamily residential zone by a city or county to implement the provisions of Section 65852.1 and 65852.2 [now codified as Chapter 13 of Division 1 of Title 7, Section 66310 – 66342] of the Government Code as set forth in Section 21080.17 of the Public Resources Code."

WHEREAS, the Planning Commission of the City of Agoura Hills considered the proposed ordinance at a public hearing held on October 16, 2025 at 6:00 p.m. Notice of the time, date and means of participation in, and purpose of the aforementioned hearing was duly given and published as required by state law.

WHEREAS, the evidence, both written and oral, was duly presented to and considered by the Planning Commission of the City of Agoura Hills at the foresaid public hearing.

WHEREAS, after the close of the public hearing, the Planning Commission considered all public comments received both before and during the public hearing, the presentation by city staff, the staff report, the recommendations, and all other pertinent documents and associated actions regarding the proposed ordinance amendment.

WHEREAS, the Planning Commission finds the proposed ordinance would be consistent with the objectives of Article IX (Zoning) of the Agoura Hills Municipal Code and with the City General Plan. The Ordinance supports Goal H-3 of the General Plan

Housing Element, which promotes providing a variety of housing options to meet the diverse lifestyle needs and income levels of Agoura Hills residents. In particular, the Ordinance advances Policy H-3.5 by encouraging the development of new accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) across all residential zones, helping to distribute smaller, more affordable housing units throughout the community.

Section 1. Based on the aforementioned findings, the Planning Commission hereby recommends the City Council adopt "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING ARTICLE IX (ZONING) OF THE AGOURA HILLS MUNICIPAL CODE TO REPEAL AND REPLACE THE ADU REGULATIONS IN SECTION 9283, AMEND RELATED DEFINITIONS IN SECTION 9120 CONSISTENT WITH STATE LAW, AND AMEND SECTION 61005 TO CLARIFY SHORT-TERM RENTAL PROHIBITIONS; AND MAKING A DETERMINATION OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)" attached hereto as Exhibit A.

Section 2. The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and this certification to be entered in the Book of Resolutions of the Planning Commission of the City.

PASSED, APPROVED, and ADOPTED this 16th day of October by the following vote to wit:

AYES:	(5)	Roth, Reinhardt, Platzer, Sharon, Stein
NOES:	(0)	
ABSENT:	(0)	
ABSTAIN:	(0)	

Morgan Roth, Chairperson

ATTEST

Robby Nesovic, Secretary

EXHIBIT A

DRAFT ORDINANCE NO. 25-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING ARTICLE IX (ZONING) OF THE AGOURA HILLS MUNICIPAL CODE TO REPEAL AND REPLACE THE ADU REGULATIONS IN SECTION 9283, AMEND RELATED DEFINITIONS IN SECTION 9120 CONSISTENT WITH STATE LAW, AND AMEND SECTION 61005 TO CLARIFY SHORT-TERM RENTAL PROHIBITIONS; AND MAKING A DETERMINATION OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

WHEREAS, the California Legislature has adopted Senate Bill 477 (2024), an urgency statute that repealed and replaced Government Code Sections 65852.2, 65852.22, and related provisions governing accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs); and

WHEREAS, SB 477 consolidated and reorganized the State's Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) laws into Chapter 13 (commencing with Section 66310) of Division 1 of Title 7 of the Government Code, now codified as Government Code Sections 66310 through 66342; and

WHEREAS, these statutory changes require all California cities, including charter cities, to amend their local ADU ordinances to ensure consistency with the updated state framework and avoid statutory preemption; and

WHEREAS, on August 25, 2021, the City Council of the City of Agoura Hills adopted Ordinance No. 21-456, updating local standards for ADUs in accordance with then-existing provisions of Government Code Sections 65852.2 and 65852.22; and

WHEREAS, the amendments to state law enacted since 2021 have rendered portions of the City's existing ADU ordinance obsolete, necessitating its repeal and replacement to maintain compliance with current state requirements; and

WHEREAS, the City Council desires to adopt updated ADU regulations that align with Government Code Sections 66310 through 66342, while also preserving local objectives related to neighborhood character, infrastructure capacity, and the City's General Plan goals; and

WHEREAS, the updated ordinance reflects the City's commitment to supporting housing affordability, infill development, and sustainable land use in a manner consistent with state law and local priorities; and

WHEREAS, the Planning Commission held a duly noticed public hearing on October 16, 2025 to consider the proposed Ordinance as required by law, at which the Planning Commission received testimony from City staff and all interested parties regarding the proposed Municipal Code amendments. Following the close of the public hearing the Planning Commission adopted Resolution No. 25-_____ recommending approval of the Ordinance; and

WHEREAS, the City Council held a duly noticed public hearing on _____, received public comment, considered the staff report and recommendations, and finds

that the adoption of this Ordinance is in the interest of public health, safety, and welfare and consistent with the City's General Plan and Housing Element.

NOW, THEREFORE, the City Council of the City of Agoura Hills, California hereby ordains as follows:

Section 1. The facts set forth in the recitals of this Ordinance are true and correct.

Section 2. The proposed Ordinance aligns with the objectives of Article IX (Zoning) of the Agoura Hills Municipal Code and is consistent with the City's General Plan. It supports Goal H-3 of the General Plan Housing Element, which promotes providing a variety of housing options to meet the diverse lifestyle needs and income levels of Agoura Hills residents. In particular, the Ordinance advances Policy H-3.5 by encouraging the development of new accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) across all residential zones, helping to distribute smaller, more affordable housing units throughout the community.

Section 3. Zoning Code Amendment. The definitions of "Accessory dwelling unit" and "Junior accessory dwelling unit" in Sections 9120.1 (A) and 9120.5 (E) of Part 3 (Definitions) of Chapter 1 (Introduction) of Article (IX) Zoning of the Agoura Hills Municipal Code are hereby amended to read as follows, with deleted language shown in ~~strikeout~~ and new language shown in underline; with all other definitions to remain unchanged:

"Accessory dwelling unit. "Accessory dwelling unit" or "ADU" means a detached or attached residential dwelling unit that provides complete, independent living facilities for one (1) or more persons and is located on a lot with a proposed or existing primary residence. The unit shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An ADU also includes the following:

1. An efficiency unit, as defined by Section 17958.1 of the California Health and Safety Code and the California Building Code; and
2. A manufactured home, as defined by Section 18007 of the California Health and Safety Code."

"Junior accessory dwelling unit. "Junior accessory dwelling unit" or "JADU" means a unit that is no more than five hundred (500) square feet of interior livable space in size and contained entirely within a single-family residence~~, excluding an attached garage~~. A junior accessory dwelling unit may include separate sanitation facilities or may share sanitation facilities with the existing structure. A junior accessory dwelling unit must have exterior access that is independent of that for the single-family dwelling."

Section 4. Zoning Code Amendment. Paragraph "A" of Section 61005 (Prohibitions) of Chapter 10 (Short-term rental regulations) of Article VI (Taxes; Licenses; Business Regulations) of the Agoura Hills Municipal Code is hereby amended to read as follows, with deleted language shown in ~~strikeout~~ and new language shown in underline; with all other provisions of that section to remain unchanged:

"A structure may not be used as a short-term rental unit if it is subject to use limitations imposed by any applicable law, ~~the property has a recorded covenant, deed restriction, or agreement restricting its use,~~ including but not limited to accessory dwelling units (ADU), junior accessory dwelling units (JADU), units constructed under the provisions of Senate Bill 9, and affordability covenants."

Section 5. Zoning Code Amendment. Sections 9283 - 9283.6 of Part 9 (Special Residential Use Standards) of Chapter 2 (Residential Land Use Districts) of Article IX (Zoning) of the Agoura Hills Municipal Code are hereby repealed and replaced in their entirety with the following:

"9283. Accessory dwelling units and junior accessory dwelling units: Purpose.

This section provides standards for the development and maintenance of accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs), in accordance with Chapter 13 of the California Government Code (Sections 66310 – 66342).

9283.1 ADUs and JADUs: Approval timeline.

An application that contains all required information listed on the City's submittal checklist for ADUs and JADUs shall be processed within the following timelines:

A. *Completeness.* An application for an ADU or JADU shall be reviewed for completeness by the community development director (or the director's designee) in accordance with the deadlines and procedures identified in state law.

B. *Approval.* An application for an ADU or JADU shall be ministerially approved by the community development director (or the director's designee) within sixty (60) days after receipt of a complete application consistent with state law, if all objective criteria has been met.

C. *Notice of Inconsistency.* If an application for an ADU or JADU is denied, the Community Development Director or their designee shall provide the applicant with a written notice of inconsistency within sixty (60) days after receipt of a complete application. The notice shall include a detailed list of defects or deficiencies in the application and describe how the application may be corrected or brought into compliance, consistent with state law.

D. *Delayed Action.* When an application to create an ADU or JADU is submitted concurrently with an application for a permit to construct a new single-family or multi-family dwelling on the same lot, the City may defer action on the ADU or JADU application until a decision is made on the primary dwelling permit. Notwithstanding such deferral, the ADU or JADU application shall be considered ministerially, without discretionary review or a public hearing.

9283.2 State Exempt ADUs and JADUs

State-exempt ADUs and JADUs are those that meet the specific criteria set forth in California Government Code Section 66323 and Article 3 (commencing with 66333. All ADUs and JADUs that meet the criteria for state exemption shall be permitted ministerially subject to the following requirements.

A. *Permitted locations.* ADUs and JADUs are permitted in any zoning designation where residential development is allowed (including mixed-use zones), except that JADUs are only permitted on lots with existing or proposed single-family residences.

B. *Code Compliance*. ADUs and JADUs shall comply with all applicable building, fire, and health safety codes, as permitted under state law.

C. *Rental term.* All ADUs and JADUs approved under this section shall not be rented for less than 30 days.

D. Sale or conveyance.

1. A JADU shall not be sold or otherwise conveyed separately from the single-family residence.
2. Except as otherwise allowed by Government Code section 66341, an ADU shall not be sold or otherwise conveyed separately from the primary dwelling of a single-family lot or, in the case of a multi-family lot, from all dwellings on that lot.

E. Owner-occupancy for JADUs. The property owner shall reside in the JADU or the remaining portion of the dwelling, unless the owner is another governmental agency, land trust, or housing organization. Owner occupancy is not required for approved ADUs.

F. *Deed restrictions for JADUs.* A declaration of restrictions, approved by the City Attorney, shall be recorded by the property owner, against the title of the property, in the County Recorder's office. A copy of the recorded document shall be filed with the Community Development Department, prior to the issuance of a Certificate of Occupancy. The declaration of restrictions shall specify the size and attributes of the JADU, and places the following restrictions on the property, the property owner, and all successors in interest:

1. The JADU shall be rented only for terms longer than thirty (30) consecutive days;
2. The JADU shall not be sold or conveyed separately from the primary residence;
3. The property owner (other than a governmental entity, land trust, or housing organization) shall reside in either the JADU or in the remaining portion of the single-family residence;
4. The JADU and the property shall be maintained in accordance with all applicable laws, and
5. Any violation will be subject to penalties as provided in the Municipal Code

G. Utility connections and related impact fees.

1. State-exempt ADUs and JADUs are not required to have a new or separate utility connection directly between the ADU or JADU and the utility, except that ADUs constructed concurrently with a new single-family dwelling, or

ADUs conveyed separately pursuant to state law, shall be subject to standard utility connection requirements and associated fees.

2. If the ADU will use a private sewage disposal system, the property owner shall obtain approval by the local environmental health officer prior to receiving approval from the City.
3. The city shall not impose any development impact fees upon the development of an accessory dwelling unit with seven hundred fifty (750) square feet of interior livable space or less. Any development impact fees charged for an accessory dwelling unit that has more than seven hundred fifty (750) square feet of interior livable space shall be charged proportionately in relation to the square footage of the primary dwelling.

H. If an automatic sprinkler system is required for the primary residence, the ADU or JADU shall also have an automatic sprinkler system.

9283.3 All Other ADUs

All ADUs that do not meet the specific criteria set forth in California Government Code Section 66323 (Non-exempt ADUs) are subject to additional local development standards as provided in this section.

A. *Permitted Locations.* ADUs are permitted in any zoning designation where residential development is allowed.

B. *Lot size.* All new ADUs are exempt from compliance with the minimum lot size requirements.

C. *Lot coverage.* All new ADUs shall conform to the lot coverage requirements for the zoning district in which the ADU is located.

D. *Size.* The maximum gross floor area of any new ADU shall not exceed the following:

1. *New detached ADU:* Up to eight hundred fifty (850) square feet of interior livable space for a studio or one (1)-bedroom unit; or one thousand (1,000) square feet of interior livable space for an ADU with more than one (1) bedroom.
2. *New attached ADU:* Up to eight hundred fifty (850) square feet of interior livable space for a studio or one (1)-bedroom unit; or one thousand (1,000) square feet of interior livable space for an ADU with more than one (1) bedroom; or fifty (50) percent of the primary residence's living area, whichever is less.

E. *Conversion of existing legally established accessory structures:* An ADU that involves the conversion of a legally established accessory structure, but does not qualify as a state-exempt ADU under Government Code Section 66323, may occupy the full area of the existing structure. Any expansion beyond the existing structure shall comply with this section and shall not result in an ADU exceeding 1,000 square feet of interior livable space in total floor area.

F. *Height.* The maximum height of any new ADU shall not exceed the following:

1. *New detached ADU:* A new detached ADU shall not exceed a roof peak height of sixteen (16) feet above grade or up to eighteen (18) feet as allowed by Government Code 66321(b)(4).
2. *New attached ADU:* A new attached ADU shall not exceed the height limit applicable to the primary residence or twenty-five (25) feet above grade, whichever is less.

G. *Setbacks.* An ADU shall comply with all front yard setback requirements applicable to the lot's primary residence. Unless otherwise provided in this section, any new attached or detached ADUs shall have a minimum setback of four (4) feet from the rear property line and four (4) feet from the side property line.

1. Notwithstanding these provisions, in the Old Agoura Design Overlay District, a detached ADU may be erected in the required minimum front yard provided it does not exceed more than twenty-five (25) percent of the minimum required front yard.
2. Notwithstanding the above, no setback shall be required for an ADU that is within an existing structure or constructed in the same location and within the same dimensions as an existing legally established structure.
3. A detached ADU must maintain a ten (10)-foot separation from any primary dwelling unit on the lot.

H. *Design and other improvements.*

1. The ADU's exterior building materials, colors, and finishes shall match those of the primary dwelling.
2. All exterior light fixtures on the ADU shall be fully shielded and directed downward to prevent light spillover onto adjacent properties and residential structures.
3. All exterior equipment associated with the ADU shall comply with the requirements in section 9606.1.
4. If an automatic sprinkler system is required for the primary residence, the ADU shall also have an automatic sprinkler system.
5. Attached ADUs shall have exterior access that is independent from the primary dwelling. No internal access between the attached ADU and the primary residence is allowed.
6. ADUs shall be constructed on a permanent foundation and shall be built in compliance with the California Building Code or California Residential Code.

I. *Parking requirements.* One (1) off-street parking space shall be provided for an ADU, in addition to the parking required for the primary residence. No parking shall be required for a JADU. The required parking space for the ADU may be provided as tandem parking on an existing driveway.

1. *Parking exemption.* Notwithstanding all applicable parking requirements, no additional parking spaces are required for an ADU meeting the criteria of California Government Code Section 66322(a).
2. *Replacement parking.* When an existing garage, carport, covered parking structure, or uncovered parking space is demolished in conjunction with the construction an ADU or is converted into an ADU, replacement parking for the primary dwelling unit shall not be required.

J. *Horse-keeping area.* To endeavor to minimize impacts of ADUs on horse keeping uses located in the Equestrian Overlay Zone, notwithstanding section 9592(a), the community development director shall have the discretion to make the minimum horse keeping area optional if the size of the lot is under ten thousand eight hundred ninety (10,890) square feet or if the lot has an average slope over twenty-five (25) percent.

K. Notwithstanding the standards pertaining to allowable lot coverage, allowable site coverage, minimum front yard setback distances, and minimum horse-keeping area, one (1) ADU up to 800 square feet in gross floor area, with a height up to sixteen (16) feet from above grade, and at least four (4)-foot side and rear yard setbacks shall be allowed, pursuant to Government Code 66321.

L. *Rental Term.* The ADU shall not be rented for less than 30 days. Short-term rentals of fewer than 30 days are prohibited.

M. *Sale or Conveyance.* Except as otherwise required by Government Code section 66341, an ADU shall not be sold or otherwise conveyed separately from the primary dwelling of a single-family lot or, in the case of a multi-family lot, from all dwellings on that lot.

N. *Very High Fire Hazard Severity Zones.* Detached ADUs in Very High Fire Hazard Severity Zones shall maintain a minimum ten (10)-foot separation from other structures, unless doing so would preclude the construction of an ADU up to eight hundred (800) square feet of interior livable space with four (4)-foot side and rear yard setbacks, in which case reduced separation shall be allowed if the ADU complies with applicable California Building Code fire-resistance standards.

O. *Utility connections and related impact fees.*

1. Non-exempt ADUs require a new, separate sewer connection directly between the ADU and the utility. The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the ADU, based on either the gross floor area or the number of drainage-fixture unit (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system. The fee or charge may not exceed the reasonable cost of providing this service.
2. If the ADU will use a private sewage disposal system, the property owner shall obtain approval by the local environmental health officer prior to approval from the City.

3. The city shall not impose any development impact fees upon the development of an accessory dwelling unit seven hundred fifty (750) square feet of interior livable space or less. Any development impact fees charged for an accessory dwelling unit that has more than seven hundred fifty (750) square feet of interior livable space shall be charged proportionately in relation to the square footage of the primary dwelling."

Section 6. California Environmental Quality Act (CEQA). Pursuant to the California Environmental Quality Act, City staff determined that the adoption of the proposed Ordinance is exempt from environmental review under CEQA pursuant to Public Resource Code Section 21080.17, and Title 14, Section 15282(h) of the California Code of Regulations, which apply to "The adoption of an ordinance regarding second units in a single-family or multifamily residential zone by a city or county to implement the provisions of Section 65852.1 and 65852.2 [now codified as Chapter 13 of Division 1 of Title 7, Section 66310 – 66342] of the Government Code as set forth in Section 21080.17 of the Public Resources Code."

Section 7. Severability Clause. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or its application to any person or circumstances, is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause, phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 8. Effective Date. This Ordinance shall take effect thirty (30) days after passage.

Section 9. Certification. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same or a summary thereof to be published and poste din the manner require by law.

PASSED, APPROVED, AND ADOPTED this ___ day of _____, 2025, by the following vote to wit.

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

_____
Penny Sylvester, Mayor

ATTEST:

_____
Kimberly M. Rodrigues, MMC, City Clerk

APPROVED AS TO FORM:

_____
Candice K. Lee, City Attorney

State-exempt ADUs (Accessory Dwelling Units) (Government Code § 66323)

1. Junior ADU (JADU)
    a. Not more than 500 sq. ft. contained entirely within the SFD (including attached garages)
    b. May include separate sanitation facilities or shared with main residence
        i. If shared, access to the interior of the main residence is required.
    c. A separate entrance from the main entrance of the existing or proposed SFD is required.
2. *Conversions on Single-Family lots*. One ADU and JADU within the proposed or existing space of a single-family dwelling (SFD), or accessory structure and may include an expansion of 150 sq. ft. of less to accommodate for ingress/egress
    a. Space has exterior access from the proposed or existing SFD
    b. Side and rear setbacks sufficient for fire and safety
3. *New detached ADU on Single-Family Lots.* One detached, new construction ADU on a lot with a proposed or existing SFD (Can be combined with a JADU).
    a. 800 sq. ft. max.
    b. Side and rear yard setbacks of at least 4 ft.
    c. Height: 16 ft maximum, and an allowance of an additional two feet to accommodate the roof pitch on the ADU that aligns with the roof pitch of the primary dwelling
4. *Conversions on Multi-Family lots.* Multiple ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. The applicant may build at least one ADU within an existing multifamily dwelling, and up to the number of ADUs that equals twenty-five (25) percent of the existing number of multifamily dwelling units in the structure.
5. *New detached ADUs on Multi-Family Lots.*
    a. Existing Multi-family dwelling - Not more than eight (8) detached ADUs, but not to exceed the number of the existing units on the lot
        i. Side and rear setbacks of at least 4 ft.
        ii. Height: 16 ft max. or 18 ft. if the existing multi-family dwelling is multi-story
    b. Proposed Multi-family dwelling – Not more than two detached accessory dwelling units
        i. Side and rear setbacks of at least 4 ft.
        ii. Height: 16 ft max. or 18 ft. if the proposed multi-family dwelling is multi-story

CITY OF AGOURA HILLS

REPORT TO CITY COUNCIL

DATE:	**NOVEMBER 12, 2025**
TO:	**HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**
FROM:	**NATHAN HAMBURGER, CITY MANAGER**
BY:	**ROBBY NESOVIC, PRINCIPAL PLANNER**
SUBJECT:	**CONDUCT A PUBLIC HEARING, WAIVE FULL READING, AND INTRODUCE A PROTECTED TREE ORDINANCE**

One of the Community Development Department's goals for the 2025-26 Fiscal Year, as adopted by the City Council, is to amend the City's Oak Tree Ordinance (Agoura Hills Municipal Code ("AHMC") Section 9657 et. Seq.). The Oak Tree Ordinance Amendment was prompted by a few key issues with our oak tree regulations, particularly pertaining to enforcement and the cost burden that oak trees have on single-family property owners throughout the City. Staff brought a set of goals and objectives, or "Planning Principles", to the Land Use and Economic Development Committee (LUEDC) on June 10, 2025, and to the full City Council on July 9, 2025. The City Council was supportive of the Planning Principles as drafted and presented by staff. One of the principles called for the protection of two additional species of trees, the California sycamore and Southern California black walnut, which is why the draft Ordinance is now being referred to as the Protected Tree Ordinance ("Ordinance"). The Planning Principles presented to the City Council are attached to this report as Attachment 1.

The Ordinance was presented to the LUEDC on September 29, 2025, where the subcommittee provided input to staff. The LUEDC was supportive of the Ordinance and some minor changes were incorporated to address their comments.

At the regularly scheduled Planning Commission meeting on October 16, 2025, the Planning Commission recommended approval of the Ordinance with a 5-0 vote following the public hearing. One suggestion made by a few of the Planning Commissioners was to consider eliminating or reducing permit fees for General Tree Permits. Staff noted that the City Council could consider fee reductions by separate resolution after a fiscal analysis of the impact on the City's adopted Budget. The Planning Commission Resolution and the Ordinance are Attachments 2 and 3.

<u>Planning Principle # 1 Analysis: Consistency and Consolidation</u>

The Ordinance consolidates all protected tree regulations into section 9657 of the AHMC to ensure consistency. Certain language from Appendix A (Oak Tree Preservation Guidelines) was carried over to the new Ordinance, and Appendix A would be deleted from the AHMC. There are also several references throughout the municipal code pertaining to oak trees. Where appropriate, the Ordinance amends those sections of the AHMC to reference section 9657, or in other instances replaces the word "oak tree" with "protected tree".

Further, standards for individual types of permits have been internally consolidated within the Ordinance to ensure simple, straightforward regulations. Depending on the type of activity proposed, an applicant will now fall under one of three permit categories:

- *General Tree Permits* - Work within the Tree Protection Zone (TPZ) of a Protected Tree that is not routine maintenance and will not jeopardize the long-term health of the tree, or tree removals that are not associated with development or emergencies (Section 9657.4, page 6).
- *Hazardous Tree Permits* - Situations in which a protected tree is considered hazardous and must be removed for safety purposes (Section 9657.5, page 8).
- *Development Tree Permits* - New construction projects that will impact or have the potential to impact protected trees (Section 9657.6, page 10).

Under the new Ordinance, if a member of the public wants to know submittal requirements and the permit process for a General Tree Permit, all they would have to do is look at Section 9657.4, which contains all applicable regulations for General Tree Permits. The same goes for Hazardous Tree Permits and Development Tree Permits (including AHO projects and SB 9 projects, which have their own sections). This clarity will increase the likelihood of compliance and reduce back and forth interactions between staff and the applicant, streamlining the permit process.

The amount of information in the current guidelines is overwhelming to applicants and even consultants. The Ordinance was condensed to contain only objective information related to the permit process, application materials, mitigation requirements, monitoring requirements, and standards of work.

Planning Principle # 2 Analysis: Too Punitive, With No Incentives

Stringent regulations sometimes serve as a deterrent for the planting of new protected trees. The Ordinance tries to address this issue directly by adding a planting incentives section (9657.8). The following incentives are proposed:

- *Registered plantings*. Any property owner that willingly plants new Protected Tree species on their property may register those trees with the City. Registered plantings on file with the City will not be subject to the protections of the Ordinance. New developments may not register required plantings.
- *Modifications and variances*. The Ordinance gives the Community Development Director the ability to waive variance and modification fees for development projects that avoid impacts to Protected Trees, and as a result, do not meet established zoning criteria. In other words, a financial incentive is granted to developers willing to modify their development plans to avoid protected trees. Examples of modifications may include a 20% encroachment into a required setback or a 10% decrease in the number of required parking spaces.

In addition to the specific incentives listed above, the City plans to implement a Tree Grant Program that would provide free protected trees to local property owners paid for through mitigation funds. Landmark tree plaques could also be provided to property owners that maintain landmark oak trees.

Processing procedures for General Tree Permits have been simplified, further incentivizing compliance with protected tree regulations. Currently, General Tree Permits are processed in the same manner as Development Tree Permits. This means that they technically require an oak tree report prepared by a certified arborist, with cumbersome informational requirements that make it unreasonably costly to prune a protected tree.

General Tree Permits involving only pruning and less than five protected trees now only require the following information to be submitted:

- Application form - to be made available on the City's website
- Justification statement - A written statement explaining the justification for planned activities
- Photos of the trees proposed for pruning, marked up with proposed cut locations
- Required fees

Once the above information is submitted, the application will generally be approved if a tree care company certified by the City is conducting the pruning activities, and photos will be provided to the City upon completion of work. For work done by a non-certified tree care company, a site inspection will be required and the pruning cuts will be approved by the City's arborist prior to commencing work.

Planning Principle # 3 Analysis: Difficult to Enforce

The enforcement mechanisms for violations of the oak tree ordinance currently contain a level of subjectivity and lead to disputes between the violator and the City. This subjectivity sometimes requires involvement by the City Prosecutor, which is expensive and inefficient. Section 9657.14 of the draft Ordinance contains all proposed policies related to penalties and enforcement for violations. Violators of the Ordinance would be subject to the following penalties:

- Increased permit fees to account for code enforcement time spent (adopted via separate resolution)
- Required mitigation based on the size of protected trees removed
- Restitution, if the violation is particularly egregious or willful, or if it is a repeat violator

It is worth noting that the current regulations also allow for the penalties noted above. The difference with the new regulations is that the mitigation amounts are objective, and restitution amounts will be objective and established by resolution concurrently or shortly after adoption of the Ordinance. In other words, there will be no opportunity for a violator to dispute the amount of restitution.

Separately, many violators of the City's current oak tree regulations are tree trimming companies. The Ordinance allows the City to establish a registration system whereby tree care companies may be certified by the City by attending annual training. The City-endorsed tree care company list would be advertised on the City's website and at City Hall. City-endorsed tree care companies in violation of the Ordinance would face revocation of their endorsement status in addition to the other established penalties for violations.

Planning Principle # 4 Analysis: Limited Space for Large Oaks

One challenge with protected tree mitigation is that properties sometimes don't have the space to provide for new plantings on-site. The Mountains Recreation and Conservation Authority (MRCA) has historically allowed mitigation trees to be planted on their property through the establishment of a contract and the payment of a per-tree fee by the applicant. Staff has been made aware that the MRCA may no longer be accepting mitigation trees, so staff has sought to find alternative off-site mitigation strategies. The Ordinance allows the City to establish a mitigation fund, and staff is working to create a tree grant program. Concurrently with the Ordinance, staff will be presenting a resolution to establish the cost of off-site mitigation plantings based on the size of trees required to be planted. If on-site plantings are not possible for a given project, the applicant will be required to pay an in-lieu fee based on the number of plantings that would have been required. The City will then use those mitigation fees to provide free trees to local property owners through its tree grant program. This will reduce costs associated with mitigation because property owners will be responsible for the irrigation and maintenance of the trees, which is a significant contributor to costs associated with replacement plantings at MRCA. Staff is also exploring opportunities for collaboration with local non-profits to provide off-site tree plantings on large sites near the City.

Planning Principle # 5 Analysis: Unclear and Impractical Requirements

In addition to the reorganization of the Ordinance to provide for clear and concise regulations based on project type, a major change is proposed to the way the City currently calculates project-specific impacts to protected trees.

The City regulates the removal of oak trees through an analysis of the amount of canopy area proposed for removal or the amount of encroachment into the protected zone of all protected trees on a site. Currently, the City does not allow a project to remove greater than 10% of the total estimated canopy area or root structure of protected trees on a site, and any individual tree that is encroached greater than 20% is required to be mitigated for. Because of inconsistencies within the current regulations and the difficulty associated with calculating root zone impacts, it is sometimes hard to tell whether a project complies with all applicable provisions. While an evaluation of root zone and canopy impacts is effective at evaluating a project's short-term impacts to the total urban canopy area of a site, it is not as effective at encouraging the integration of protected trees into a site's design, because as soon as an applicant is required to encroach more than 20% into the protected zone of a tree, they are actually better off removing the tree. For example, if a developer wants to integrate an existing oak tree into a proposed parking area, all impacts associated with grading and paving the parking area around the tree would count against the developer, and they would likely still have to mitigate for the tree.

The draft Ordinance aims to simplify removal limits and encourage the retention of individual protected trees on site, particularly large or heritage trees, by modifying removal limits to be based on a percentage of the total Diameter at Standard Height (DSH) of protected trees removed from a site. DSH is the standard measurement of a tree trunk's diameter, measured around 4.5 feet from the ground. Mitigation requirements are proposed to escalate based on the percentage of DSH removed and the size of the trees removed, to provide scaling mitigation for more impactful projects. Any more than 10% of the total DSH removal will require a variance, and scaling mitigation would be required based on the percentage of DSH removed. We do not currently have scaling mitigation requirements, so we would receive significantly more mitigation when impacts exceed 10%.

To demonstrate the proposed regulations, if all protected trees on a site had a cumulative diameter of 200 inches, all allowable removal percentages would be based on the diameter of the trees actually proposed for removal. Below are some examples of mitigation based on a site that has 200 inches of protected trees:

- If a developer needed to remove one 20-inch protected tree, they would be required to plant three 24-inch box trees as mitigation, since they would meet the 10 percent removal threshold.
- If the same developer needed to remove two 20-inch box trees, it would require a variance and they would need to plant six 36-inch box trees since they are at the 20% removal percentage.
- If the same developer needed to remove three 20-inch box trees, they would need a variance and to provide twelve 36-inch box trees since they fall over the 20% removal threshold.

As you can see above, after the 10 percent threshold is exceeded, the size of replacement requirements will increase. This increases cost for the developer, encouraging fewer removals and ensuring higher quality replacements. After the 20% threshold is reached, replacement amounts *and* size are increased, substantially increasing cost to the developer. Essentially, by analyzing removal limits using total DSH, a developer will be encouraged to keep as many protected trees on site as possible, whereas before, any encroachment activities would count against the developer. This particularly applies to large or heritage trees, as their DSH is higher and would lead to higher removal percentages and mitigation requirements. Encouraging the retention of individual trees rather than focusing on canopy area removal percentage would eventually lead to greater canopy area, as any impacts to a tree's canopy would eventually grow back, given that the tree stays healthy. Additionally, scaling mitigation requirements would ensure that an appropriate amount of mitigation plantings are required for larger trees.

Planning Principle # 6 Analysis: Other Tree Species

Two additional tree species were added to the Ordinance; the California sycamore and the Southern California black walnut. With the addition of two new tree species, we needed to modify our definition of what constitutes a "protected tree". Currently, the City protects all oak trees that are two inches or more in diameter. This is an extremely low bar for protection, as trees that small provide little or no environmental value. The Ordinance proposes a new 6-inch threshold for protection, which is more practical and is about the size when trees start to provide more significant value to the environment. The new definition for "protected tree" is proposed as follows:

> *"Protected Tree.* All scrub oak species regardless of size and all of the following species of trees with a DSH that measures 6 inches or greater are considered protected trees: California sycamore (Platanus racemosa), Southern California black walnut (Juglans californica), or any oak (Quercus) species."

Due to the amount of information in the current regulations and proposed regulations, a comparison chart is provided below, which provides a brief explanation of the major changes with current regulations versus what is proposed, and the reason for the change.

Table 1 - Comparison Chart

Standard/Topic	Current Regulations	Proposed Regulations	R

Total Site Removal Limits	10% of canopy or root structure of all protected trees - Variance required over 10%.	10% total DSH of all protected trees; if more than 10% proposed for removal, variance and additional mitigation required. Scaling mitigation for over 20% DSH removal.	DSH is more retention mitigation protection F
Removal Limits for Individual Trees	Mitigation shall be provided for any encroachment greater than 20% into the TPZ or canopy.	If TPZ encroachment exceeds 10%, the tree shall be required to be put on a monitoring program as a condition of approval, and mitigation is required if the tree dies as a result of project impacts.	The new stan trees to be Canopy or roo against the de determines th result of the ac F
New Development Mitigation	2:1 to 4:1 ratio per tree removed depending on commercial vs. Residential, varies between 24-inch box and 36-inch box. Landmark trees: 60-inch box.	Scaling mitigation. 2:1 to 5:1 ratio per tree removed based on size of tree removed. Size of replacements increases after 10% removal. Number and size of replacements increases after 20% removal. Landmark trees: increased mitigation requirements.	Scaling mitiga and number of flexibility whil fewer remo mitigation for possible when as larger nurse areas with Consistent wi
Scrub Oak Mitigation	Not explicitly stated.	Objective replacement requirements for Development Tree Permits based on square footage removed, with scaling mitigation.	Scrub oaks ar new developm shrubs that spaces. Howev have their o because the r based on sq number of in Consistent wi
General Tree Permit Application Materials	Application form, justification statement, fees, Oak Tree Report, and site map required for all permits.	Application form, justification statement, fees, and photos of the trees proposed to be pruned with recommended cut locations. Protected Tree Report and site map is only required for General Tree Permits involving 5 or more trees.	A site plan ma not necessary Tree Perm expedite prot costs, with Consistent

General Tree Permit Approval Authority	One tree removal is allowed under Director Review; Everything else requires PC Approval. Director decision subject to appeal.	Director Review for all General Tree Permits, not subject to appeal.	General Tree pruning of mu one tree. It is i Permits to removal, as tho taken as part would be a makes sense of General cumbersome a of a directo Permits as it wait through th work. Consiste
General Tree Permit Mitigation	Inconsistent - 9657 Requires 4:1 mitigation; Guidelines require 1:1 for residential.	No mitigation required for removal of dead trees, so long as it did not die as a result of a violation of the protected tree regulations. 1:1 mitigation required for trees that are in conflict with existing infrastructure.	Owners shoul tree happens their fault. W removal of de allows some that conflict wi too onerous o with P
Protected Trees	All oak trees	Oaks, California sycamore, Southern California black walnut	Consistent
Planting Incentives	None.	(1) Registered plantings - exemptions for new, non-required plantings; (2) Reduced fees for modifications and variances for avoidance of protected trees. (3) Tree grant program and landmark tree plaques will be initiated separately from the ordinance.	Consistent
Compliance Incentives	Punitive action.	Punitive action and company registrations to encourage compliance.	An education care compani with the munic companies website and Pla
Exemptions From Protected Tree Regulations	Emergencies; Routine Maintenance; Nursery Trees; Active Fires	Small trees; Emergencies; Routine Maintenance; Nursery Trees; Active Fires; Registered plantings	Trees under 6 protection, as any significa benefit. Regist to encourage Consistent
Permit Types	Administrative or Planning Commission Approvals	General Tree Permits; Hazardous Tree Permits; Development Tree Permits	Separating pe and distinct activity all Ordinance mor straightforwar type without ov with Pla

Hazardous Tree Permit Threshold	Only immediately hazardous or dead trees may be removed under an Hazardous Tree Permit.	The Director may now consider a protected tree to be in a hazardous or dangerous condition if the continued existence would lead to a hazardous or dangerous condition, even with reasonable mitigation efforts.	This change is be able to ass facing loss c trees encroa further burde mitigation re Permits do nc believes the la director en whether the re by case bas
Monitoring Requirements	Required as a condition of approval; extensive guidelines laid out for the treatment of oak trees.	Monitoring required for up to five years with specified information to ensure the health of impacted or replacement trees; conditions of approval relied on for things such as protected tree fencing and treatment of protected trees during construction.	Monitoring re that mitigati approval are m out several p treatment ordinance, as project-specif approval for Staff will still a of approval p transparenc P
Required Findings	Findings different for administrative vs. PC approvals	Findings different for General, Emergency, and Development Tree Permits.	Finding sectio same, but a fe clarity and l General, Emer Permit type P
Appendix A (Oak Tree Preservation Guidelines)	Exists	Removed	The guideline conflict with S The Ordinance regulations a regulations. M from the gui Ordinance. Cor
Special Development Tree Permits	AHO and SB 9 projects have their own respective oak tree sections.	AHO and SB 9 projects have their own regulations within the Ordinance for consistency and consolidation. Requirements now based on DSH rather than canopy or root structure area removed, consistent with all other protected tree permits.	Consistent
Penalties and Enforcement	Restitution is somewhat subjective.	Restitution will be established by resolution, and will be objective based on the size of trees removed. Mitigation planting requirements will be consistent with development requirements.	Consistent

In summary, staff believes that the Ordinance accomplishes each planning principle by reducing the burden of protected trees on existing developed property, increasing new incentives for planting, and maintaining or increasing mitigation requirements for new development, which will result in equal or greater protections of the environment, and opportunities for environmental enhancements through incentive programs.

FISCAL IMPACT

The City's Fiscal Year 2025-26 Budget will not be impacted by the Protected Tree Ordinance. Funds were allocated to the Community Development Department's contract services account to pay for the City arborist's time spent on the project (Dudek). The project is currently on or under budget.

RECOMMENDATION

Staff recommends the City Council conduct a public hearing, waive full reading and introduce Ordinance No. 25-482; an Ordinance of the City Council of the City of Agoura Hills, California, amending the Agoura Hills Municipal Code to consolidate all protected tree regulations into section 9657 and updating the City's protected tree regulations to streamline permit processing, prioritize the retention of individual trees, incentivize the planting of new protected trees, include the California sycamore and Southern California black walnut as protected trees, and make other amendments; and making a determination of exemption under the California Environmental Quality Act (CEQA).

Attachments

Planning Principles.pdf
Planning Commission Resolution No. 25-1308.pdf
Ordinance No. 25-482.pdf

Draft Planning Principles - Oak Tree Ordinance Update

	Ordinance Issue Areas	Description	Proposed Planning Principles
1	Consistency and Consolidation	The City's oak tree regulations live in multiple locations of the AHMC. The Oak Tree Preservation Guidelines live in AHMC Section 9657, and separate Oak Tree Preservation Guidelines are in Appendix A of the AHMC. Additionally, there are separate oak tree permit requirements for affordable housing developments and Senate Bill 9 developments that live in the Affordable Housing Overlay District standards, the Objective Design Standards, and Senate Bill 9 standards respectively. With oak tree permit requirements living in at least five different locations of the AHMC, it is often confusing for applicants to understand which regulations apply. Additionally, in some instances, the Oak Tree Preservation Guidelines in AHMC Section 9657 conflict with the guidelines in Appendix A. For example, replacement requirements are inconsistent, and permit requirement thresholds are not straightforward. Lastly, the Oak Tree Preservation Guidelines in Appendix A are unnecessarily long, and few applicants read them in their entirety. The Ordinance should be consolidated, and should be organized to follow the logical process of applying for an oak tree permit.	*Planning Principle # 1* *Ensure internal consistency and consolidate all oak tree regulations into one area of the code. Re-organize the information in a way that is easy to read and provides clarity for the public and staff.*
2	Too Punitive, With No Incentives	The current oak tree regulations aim to protect oak trees through permit and development restrictions and punitive action, with little or no incentives to plant new oak trees. This has inevitably led property owners to be less willing to plant new oak trees on their property out of fear of future repercussions or restrictions. Punitive oak tree regulations may deter property owners from removing existing oak trees on an individual basis, however, it may also dissuade property owners from planting new oak trees on their property in the first place. For this reason, it is difficult to know whether the current protections actually result in a net increase or decrease in total oak tree canopy throughout the City if you take into consideration the property owners that actively avoid the planting of new oak trees. Staff would like to explore ways to reduce the burden of oak tree regulations on property with existing development, particularly single-family homeowners, and incentivize the planting of new oak trees, while maintaining replacement and design requirements for new development. Additionally, the Ordinance should clearly define "Heritage Oak Trees", and we should provide greater protections for those trees. Staff would like to explore property owner incentives for maintaining those trees and designing new projects around them.	*Planning Principle # 2* *Reimagine ways to encourage the planting of new oak trees and reduce the cost burden of oak trees on property owners. There should be a good balance between incentives and protections, with enough flexibility to not discourage new plantings. Clearly define "Heritage Oak Trees" and provide greater protections for those heritage oaks. Provide incentives for properties that celebrate and maintain them.*
3	Difficult to Enforce	City Code Enforcement staff currently struggles with the enforcement of oak tree regulations, specifically with illegal removals and the appropriate mitigatory remedies, as the process is mostly subjective and based upon the opinion of a certified arborist, who is usually employed by the violator. This often, if not always, results in disputes over the value of removed oak trees between the violator's arborist and the City (and our Oak Tree Consultant by extension). These disputes are extremely costly for the City in terms of staff time and consultant time spent, and do not lead to an efficient resolution of violations, or speedy replacement of lost oak trees and habitat. Having clear, objective enforcement remedies in the case of unpermitted work will benefit the City, its residents, and the violator. In many cases, the violators are actually tree trimming service companies. Establishing a registration process where tree trimming companies can become certified by the City would be a good, relatively low-cost option to encourage compliance and dissuade bad actors. The City's Oak Tree Consultant could provide periodic trainings to applicants about City regulations and best practices, and revoke certifications for compliance issues.	*Planning Principle # 3* *Provide for clear and objective enforcement remedies and flexible replacement options. Explore options to dissuade bad actors and encourage compliance, particularly with tree trimming companies, potentially by establishing and enforcing company registrations for oak tree trimming.*
4	Limited Space for Large Oaks	There have been many instances where a property owner needs to remove an oak tree for legitimate reasons but has nowhere to plant the required mitigation trees on the property. Those owners have historically been required to contract with the Mountains Recreation and Conservation Authority (MRCA) to plant off-site mitigation trees or pay an in-lieu fee to the City based on the assessed value of the tree. These are expensive options and are sometimes not feasible for single-family homeowners. Additionally, staff has been informed that MRCA may no longer be accepting mitigation trees. For these reasons, staff would like to pursue the creation of a mitigation bank on City-owned property or provide other options for mitigation through local planting partnerships and oak tree reimbursement programs that would provide free oak saplings or box trees to local homeowners, paid for by oak tree mitigation funds.	*Planning Principle # 4* *Explore alternative mitigation strategies for instances where on-site replacements are not feasible. Examples may include the creation of a mitigation bank on City-owned property, establishing local planting partnerships with non-profits or local nurseries, or creating an oak tree reimbursement program.*
5	Unclear and Impractical Requirements	The current oak tree regulations have some unclear compliance thresholds. For example, the current regulations limit oak tree impacts by requiring property owners or applicants to assess the estimated tree canopy/root structure removal for overall sites, as well as individual trees. The general limit is 10% canopy/root structure removal for the overall site and 20% crown/root structure removal for individual trees. To assess root structure removal, the City requires arborists to include percent Tree Protection Zone (TPZ) encroachment for individual trees and overall sites in their oak tree reports. However, TPZ encroachment and root structure removal are not the same thing. Furthermore, the regulations are unclear if the 10% - 20% limit is for canopy AND root structure, or canopy OR root structure, and they also do not specify what happens if a project surpasses impact limits. What happens if a project does surpass impact limits? This question has left the City in a position where staff must interpret the intent of the oak tree regulations on a case-by-case basis. The Ordinance also contains some impractical thresholds. One example is that an Oak Tree Report prepared by certified arborist is required for simple pruning permits. Oak Tree Reports contain a lot of information, are very expensive, and could be required every 1-2 years in some instances. For a single-family homeowner, obtaining a permit could be cost prohibitive. In instances of general pruning, photographs of the tree with recommended cut locations or a field visit by the City's arborist could suffice rather than requiring the preparation of an oak tree report.	*Planning Principle # 5* *Create clear and objective application requirements and compliance thresholds for all types of oak tree permit applications and streamline the application process for general pruning permits.*
6	Other Tree Species	While it is not technically an "issue" with the current Ordinance, staff has received numerous inquiries from the public about why we only protect oak trees, and if we have considered protecting other types of trees that are native to the City. Dudek provided City staff with recommendations for other tree species to consider protecting based on several different factors. The native tree species and factors used to consider for inclusion in the Ordinance are below. Native Tree Species Considered for Inclusion • Madrone (arbutus menziesii) • Southern California black walnut (juglans californica) • California sycamore (platanus racemosa) • Fremont cottonwood (populus fremontii) • Red willow (salix laevigata) • Pacific willow (salix lasiandra) • California bay laurel (umbellularia californica) Factors Used for Recommendation • Likelihood of impact from development • Frequency in natural setting • Frequency in urban landscape • Ecological area • Water usage • Potential size at maturity • Consistency with the City's Climate Action Plan Based on the above factors, staff only recommends that we consider the protection of two additional tree species; 1) the Southern California black walnut; and 2) the California sycamore.	*Planning Principle # 6* *Evaluate community interest in protecting other types of trees within the City, particularly the California sycamore and the Southern California black walnut. Include protections and/or incentives for these species if public opinion is favorable.*

RESOLUTION NO. 25-1308

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING THE AGOURA HILLS MUNICIPAL CODE TO CONSOLIDATE ALL PROTECTED TREE REGULATIONS INTO SECTION 9657 AND UPDATING THE CITY'S PROTECTED TREE REGULATIONS TO STREAMLINE PERMIT PROCESSING, PRIORITIZE THE RETENTION OF INDIVIDUAL TREES, INCENTIVIZE THE PLANTING OF NEW PROTECTED TREES, INCLUDE THE CALIFORNIA SYCAMORE AND SOUTHERN CALIFORNIA BLACK WALNUT AS PROTECTED TREES, AND MAKE OTHER AMENDMENTS; AND MAKING A DETERMINATION OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

WHEREAS, the City of Agoura Hills lies in the County of Los Angeles in the Conejo Valley, the beauty of which is greatly enhanced by the presence of large numbers of native trees, including oak trees, California sycamores, and Southern California black walnut;

WHEREAS, the further, uncontrolled and indiscriminate destruction of these trees would detrimentally affect the safety and welfare of the citizens of Agoura Hills;

WHEREAS, it is currently the policy of the City to require the preservation of all healthy oak trees unless compelling reasons justify the removal, cutting, pruning and/or encroachment into the protected zone of an oak tree;

WHEREAS, the protection and preservation of the California sycamore and Southern California black walnut, in addition to oak trees, would provide environmental and healthful value to the citizens of Agoura Hills;

WHEREAS, the Ordinance would provide environmental and healthful value to the City by: 1) increasing long-term canopy coverage; 2) reducing the urban heat island effect; 3) improving air quality by absorbing pollutants; 4) supporting biodiversity and habitat for wildlife; 5) combatting climate change by storing carbon dioxide and producing oxygen; 6 reducing noise pollution by serving as a noise buffer; 7) protecting people from ultra-violet rays; 8) conserving energy and reducing energy demand; 9) saving water by slowing water evaporation from other thirsty landscaping by providing shade; and 10) enhancing mental and physical health.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

Section 1. The facts set forth in the recitals of this Resolution are true and correct.

Section 2. Consistency with the General Plan. The Ordinance is consistent with the General Plan, specifically the Natural Resources Element and Goal NR-4, which calls for the protection and enhancement of open space resources, other natural areas, and significant wildlife and vegetation in the City as an integral component of a sustainable environment. The City currently protects oak trees, and the Ordinance will provide protections for two additional species of native trees, thereby protecting and enhancing vegetation in the City. The Ordinance provides specific incentives for the planting of new native trees, furthering General Plan Policies NR-4.10 and S-19.1, which aim to plant new oak trees while maintaining and preserving existing trees. Streamlining permit applications aims to reduce regulatory pressures to further the ultimate goal of incentivizing tree planting and producing more native tree canopy area throughout the City.

Section 3. Consistency with Zoning Ordinance. Pursuant to Section 9672.5 of the Agoura Hills Municipal Code, the Planning Commission finds that the Ordinance is consistent with the objectives of the Zoning Ordinance found in Article IX of the Agoura Hills Municipal Code.

Section 4. California Environmental Quality Act (CEQA). The Ordinance is exempt pursuant to CEQA Guidelines Section 15308 (Actions by Regulatory Agencies for Protection of Natural Resources) because it is an action taken by a regulatory agency to assure the maintenance, restoration, enhancement, and protection of the environment. While the Ordinance allows for a relaxation of processing procedures for General Tree Permits, it will not result in a relaxation of mitigation requirements, and it will not result in a relaxation of standards leading to environmental degradation. This Ordinance protects two additional native tree species, and mitigation requirements for the removal of protected trees are generally increasing, particularly for removals of large trees and heritage trees that provide the most value to the environment. New incentives are also being provided to promote the enhancement and restoration of the City's native trees.

Section 5. Evidence, both written and oral, including the staff report and supporting documentation, was presented to, and considered by the Planning Commission at the aforementioned public hearing.

Section 6. Based on the aforementioned findings, the Planning Commission hereby recommends that the City Council adopt "An Ordinance of the City Council of the City of Agoura Hills, California, amending the Agoura Hills Municipal Code to consolidate all protected tree regulations into section 9657 and updating the City's protected tree regulations to streamline permit processing, prioritize the retention of individual trees, incentivize the planting of new protected trees, include the California sycamore and Southern California black walnut as protected trees, and make other amendments; and making a determination of exemption under the California Environmental Quality Act (CEQA)", attached hereto as Exhibit "A"

Section 7. The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and its certification to be entered in the Book of Resolutions of the Planning Commission of the City.

PASSED, APPROVED, AND ADOPTED this 16th day of October, 2025, by the following vote to wit:

AYES:	(5)	Roth, Platzer, Reinhardt, Sharon, Stein
NOES:	(0)	
ABSENT:	(0)	
ABSTAIN:	(0)	

Morgan Roth, Chair

ATTEST:

Robby Nesovic, Secretary

EXHIBIT "A"

PROPOSED CITY COUNCIL ORDINANCE
(ATTACHED)

ORDINANCE NO. 25-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING THE AGOURA HILLS MUNICIPAL CODE TO CONSOLIDATE ALL PROTECTED TREE REGULATIONS INTO SECTION 9657 AND UPDATING THE CITY'S PROTECTED TREE REGULATIONS TO STREAMLINE PERMIT PROCESSING, PRIORITIZE THE RETENTION OF INDIVIDUAL TREES, INCENTIVIZE THE PLANTING OF NEW PROTECTED TREES, INCLUDE THE CALIFORNIA SYCAMORE AND SOUTHERN CALIFORNIA BLACK WALNUT AS PROTECTED TREES, AND MAKE OTHER AMENDMENTS; AND MAKING A DETERMINATION OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, the City of Agoura Hills lies in the County of Los Angeles in the Conejo Valley, the beauty of which is greatly enhanced by the presence of large numbers of native trees, including oak trees, California sycamores, and Southern California black walnut;

WHEREAS, the further, uncontrolled and indiscriminate destruction of these trees would detrimentally affect the safety and welfare of the citizens of Agoura Hills;

WHEREAS, it is currently the policy of the City to require the preservation of all healthy oak trees unless compelling reasons justify the removal, cutting, pruning and/or encroachment into the protected zone of an oak tree;

WHEREAS, the protection and preservation of the California sycamore and Southern California black walnut, in addition to oak trees, would provide environmental and healthful value to the citizens of Agoura Hills;

WHEREAS, this Ordinance would provide environmental and healthful value to the City by: 1) increasing long-term canopy coverage; 2) reducing the urban heat island effect; 3) improving air quality by absorbing pollutants; 4) supporting biodiversity and habitat for wildlife; 5) combatting climate change by storing carbon dioxide and producing oxygen; 6) reducing noise pollution by serving as a noise buffer; 7) protecting people from ultra-violet rays; 8) conserving energy and reducing energy demand; 9) saving water by slowing water evaporation from other thirsty landscaping by providing shade; and 10) enhancing mental and physical health.

NOW, THEREFORE, the City Council of the City of Agoura Hills, California, hereby ordains as follows:

Section 1. The facts set forth in the recitals of this Ordinance are true and correct.

Section 2. Consistency with the General Plan. This Ordinance is consistent with the General Plan, specifically the Natural Resources Element and Goal NR-4, which calls for the protection and enhancement of open space resources, other natural areas, and significant wildlife and vegetation in the City as an integral component of a sustainable environment. The City currently protects oak trees, and the Ordinance will provide protections for two additional species of native trees, thereby protecting and enhancing vegetation in the City. The Ordinance provides specific incentives for the planting of new native trees, furthering General Plan Policies NR-4.10 and S-19.1, which aim to plant new oak trees while maintaining and preserving existing trees. Streamlining permit applications aims to reduce regulatory pressures to further the ultimate goal of incentivizing tree planting and producing more native tree canopy area throughout the City.

Section 3. Zoning Code Amendment. Division 7 (Oak Tree Preservation Guidelines) of Part 2 (Special Regulations) of Chapter 6 (Regulatory Provisions) of Article IX (Zoning) of the Agoura Hills Municipal Code is hereby amended in its entirety to read as follows:

"DIVISION 7. – PROTECTED TREE PRESERVATION REGULATIONS

9657 – Definitions.

For purposes of this Division, the following words, phrases, and terms shall be defined as set forth in this Section.

A. *Certification Letter.* A letter certifying that work was performed under the direct supervision of a Tree Consultant and that said work fully complies with the conditions of approval of the Protected Tree Permit and this Division.

B. *Crown.* The total collection of a tree's branches, leaves, and reproductive structures.

C. *Damage.* Any actions that cause physical harm to a tree, whether willful or accidental, including but not limited to breaking or extreme pruning of branches, and injury to bark, trunk, or roots.

D. *Dead Tree.* A tree that does not contain any live tissue (i.e., green leaves or live limbs). Because valley oak (*Quercus lobata*) and California sycamore (*Platanus racemosa*) are deciduous trees and are dormant in the winter, their

status must be confirmed by the City's Tree Consultant before being declared dead.

E. *Deadwood.* Limbs or branches that contain no green leaves or live tissue.

F. *Deadwooding.* The process of pruning a tree of its deadwood.

G. *Diameter at Standard Height (DSH).* The measurement of a tree's trunk diameter taken at a standard height of 4.5 feet (54 inches) above ground level. For trees with multiple stems, DSH shall be calculated using the sum of the squares method as defined by the American Society of Consulting Arborists (obtained by measuring each stem's diameter, squaring them, summing the squares, and taking the square root of that total).

H. *Director.* The Community Development Director or their designee.

I. *Dripline.* An imaginary line drawn upon the ground measured at the furthest extension of the crown around the circumference of the tree.

J. *Effective Removal.* Any action that results in the tree's permanent disfigurement, destruction, or removal.

K. *Encroachment.* Any intrusion into the tree protection zone (TPZ) of a tree; including pruning, grading, excavating, trenching, installment of structures, driving vehicles, etc.

L. *Hazardous.* A hazardous tree shall mean any tree that poses an imminent risk or danger to person or property. The Director may determine that a tree is a hazard if the entirety of the tree, or any part of it: (1) appears dead, dangerous, or likely to fall, even after proper maintenance activities are performed to eliminate dead or dangerous parts; (2) obstructs or damages a street, sidewalk, or other existing structure; (3) harbors a serious disease or infestation threatening the health of other trees; (4) interferes with vehicular or pedestrian traffic; or (5) poses any other significant hazard or potential hazard, as determined by the Director; provided, however, that no feasible measures could be implemented to abate any such hazard.

M. *Ground Plane Improvements.* Improvements that do not significantly disturb the soil within the TPZ of a tree.

N. *Landmark Tree.* Any protected tree with a DSH that measures 48 inches or greater.

O. *Lion Tailing.* The improper pruning of excessive amounts of inner and lower branches, leaving foliage primarily at the ends of branches and susceptible to breakage.

P. *Protected Tree.* All scrub oak species regardless of size and all of the following species of trees with a DSH that measures 6 inches or greater are considered protected trees: California sycamore (*Platanus racemosa)*, Southern California black walnut (*Juglans californica)*, or any oak (*Quercus)* species.

Q. *Tree Consultant.* An individual or firm with a degree or experience in arboriculture, including experience in monitoring and maintaining the health of trees. The Tree Consultant must be an International Society of Arboriculture Certified Arborist, a Registered Consulting Arborist from the American Society of Consulting Arborists, or contain other equivalent certifications which would qualify them as a Tree Consultant at the discretion of the City.

R. *Protected Tree Permit.* An entitlement from the City authorizing specific work to be performed on or near a protected tree.

S. *Protected Tree Report.* A report prepared by a Tree Consultant containing specific information on the location, condition, potential impacts of development, recommended actions and mitigation measures regarding one (1) or more Protected trees on an individual lot or project site.

T. *Pruning.* Any and all cutting performed upon the roots or the limbs of a tree.

U. *Removal.* The physical removal of a tree or causing of the death of a tree through damaging, poisoning or other direct or indirect action. Trees approved for retention or relocation which subsequently die shall be considered as removals.

V. *Routine Maintenance.* Actions taken for the continued health of a tree, including but not limited to: pruning dead wood, insect spraying, and watering. Pruning branches smaller than three (3) inches in diameter that does not lead to crown loss over 20 percent (%) is considered routine maintenance. Topping, lion tailing, and any other practice that does not adhere to American National Standards Institute (ANSI) A300 standards and International Society of Arboriculture (ISA) best management practices do not constitute routine maintenance and are prohibited under any circumstances.

W. *Topping.* The drastic and indiscriminate removal or cutting back of branches in a tree to reduce its size and shape.

X. *Tree Protection Zone (TPZ).* Using the dripline as a point of reference, the TPZ shall commence at a point five (5) feet outside of the dripline and extend inwards to the trunk of the tree. In no case shall the TPZ be less than fifteen (15) feet from the trunk of a tree.

9657.1. – Protected Tree Permit required.

Except as otherwise provided in Section 9657.2, no person shall remove or damage any protected tree unless a valid Protected Tree Permit has been issued by the Director or the Planning Commission pursuant to the provisions of this Division.

9657.2. – Exemptions.

The provisions of this Division shall not apply to the following:

A. *Small Trees*: On private property, trees with a DSH smaller than 6 inches for the following species of trees: California sycamore (*Platanus racemosa)*, Southern California black walnut (*Juglans californica)*, or any oak (*Quercus)* species. Trees planted for the purpose of City-required mitigation and scrub oak species are not exempt and must comply with the permit requirements of this chapter.

B. *Emergencies*: If upon a visual inspection, a protected tree is determined to be in a hazardous or dangerous condition by the City, any member of a law enforcement or public safety agency, or the Los Angeles County Fire Department, that agency may order or allow the removal of a protected tree. Prior notice to the Community Development Department shall be provided, if possible. Subsequent to the emergency action, written notification shall be provided to the Community Development Department describing the action taken and the nature of the emergency. For the purposes of this provision, the City may consider a protected tree to be in a hazardous or dangerous condition if the continued existence of the tree in its present location would eventually lead to a hazardous or dangerous condition, even with reasonable mitigation efforts.

C. *Routine Maintenance of trees* as defined in Section 9657.

D. *Nurseries Trees*: Protected trees that are planted, grown and/or held for sale by licensed nurseries or the removal or transplanting of same pursuant to, and as a part of, the operation of a licensed nursery business. This exemption is limited to trees with main trunks smaller than ten (10) inches DSH.

E. *Active Fires*: When removal is determined necessary by fire department personnel actively engaged in fighting a fire.

F. *Registered Plantings*: Any protected tree species that have been registered with the City pursuant to Section 9657.8.

9657.3. – Protected Tree Permit types.

Three different types of Protected Tree Permits exist to regulate work that may remove or damage a protected tree. The type of Protected Tree Permit shall determine application material requirements and the permitting process.

A. *General Tree Permit:* General Tree Permits shall be required for work within the TPZ of a protected tree that is not routine maintenance and will not jeopardize the long-term health of the tree, and tree removals that are not associated with new development or Hazardous Tree Permits. Most tree pruning work falls under a General Tree Permit.

B. *Hazardous Tree Permit:* Hazardous Tree Permits shall be required in those situations in which a protected tree is hazardous and must be removed for safety purposes.

C. *Development Tree Permit:* Development Tree Permits shall be required for new construction projects that directly impact protected trees or propose ground disturbance activities within 25 feet of a protected tree, as measured from the edge of the TPZ.

9657.4. – General Tree Permits.

Required materials, processing procedures, and other requirements for General Tree Permits are set forth below.

A. *Application materials.* An application package for a General Tree Permit shall include the following for the application to be considered complete and processed:

1. *Application form.* A completed Protected Tree Permit application form available on the City's website or online permit platform.
2. *Justification statement.* A written statement by the applicant or their Tree Consultant stating the justification for planned actions involving protected trees.
3. *Photos.* Photos of the tree(s) proposed to be pruned or removed showing the state of the tree and its general location relative to the property listed in the application form. For trees proposed to be pruned, the Photos shall provide a general depiction of proposed cuts to be made to the tree.

4. *Fees.* Fee amounts for General Tree Permits shall be established by City Council resolution and are required to be paid upon the submittal of a General Tree Permit application.
5. *Site plan map.* A site plan map is required for General Tree Permits impacting five (5) or more protected trees. Requirements for site plan maps are set forth in Section 9657.6.A.4.
6. *Protected Tree Report.* A Protected Tree Report is required for General Tree Permits involving five (5) or more protected trees. Requirements for Protected Tree Reports are set forth in Section 9657.6.A.5.

B. *Application process.* After the applicant has submitted all required materials listed above, the City will review the application materials for accuracy and completion, and inspect the project site, if necessary, within 30 days of submittal of a complete application.
   1. For activities involving pruning only, a site inspection may not be required if the pruning is conducted by an individual or company on the City-endorsed tree care company list. Photos of the completed work shall be provided to the City within five days of completion.
   2. For activities involving pruning only, a site inspection shall be conducted by the City's Tree Consultant prior to permit issuance if the pruning activity is conducted by an individual or company that is not on the City-endorsed tree care company list. Photos of the completed work shall be provided to the City within five days of completion.
   3. For all other activities completed under a General Tree Permit, a site inspection may be required to confirm the site conditions stated in the application, or if the activity proposed has the potential to damage a protected tree, as determined the City.

C. *Required findings.* After receiving all of the required information, a General Tree Permit application shall be approved when at least one of the following findings can be made:
   1. The proposed work will not significantly affect the long-term condition of the protected tree(s), as determined by the City's Tree Consultant;
   2. The protected tree(s) is dead or declining and cannot be controlled or mitigated through reasonable preservation measures; or
   3. The protected tree(s) conflicts with existing infrastructure and no reasonable mitigation efforts can be taken to repair or prevent the damage and preserve the tree.

D. *Mitigation*. One 24-inch box of the same species shall be planted for protected trees removed pursuant to Section 9657.4.C.3. above. Mitigation shall not be required for all other General Tree Permits unless it is found that the death, removal, or damage of a protected tree was a result of actions that were taken in violation of this Division. In those instances, the responsible party shall mitigate for the death, removal, or damage of the protected tree(s) as specified in Tables 1 and 2 of Section 9657.6.D.

E. *Approval body*. The Director shall review and approve or deny General Tree Permit applications.

F. *Decision*. Depending on whether the required criteria has been met, an application may be approved, conditionally approved, or denied. For General Tree Permits, the decision of the Director shall be final, and a decision shall be rendered within 30 days of determining the application is complete and accurate. Conditions of approval may include, but are not limited to, the following:

1. The planting of replacement trees on-site or off-site;
2. Payment of a mitigation fee as established by City Council resolution;
3. A mitigation monitoring program to ensure the health and longevity of the protected tree(s).
4. Compliance with applicable local, state, or federal regulations.

G. *Expiration.* A general tree permit shall be valid for 180 days after the date of approval.

9657.5. – Hazardous Tree Permits.

Required materials, processing procedures, and other requirements for Hazardous Tree Permits are set forth below.

A. *Application materials*. An application package for a Hazardous Tree Permit shall include the following in order for the application to be considered complete and processed:

1. *Application form.* A completed Protected Tree Permit application form available on the City's website or online permit platform;
2. *Justification statement.* A written statement by the applicant or their Tree Consultant stating the justification for planned actions involving protected trees;

3. *Photos.* Photos of the tree(s) proposed to be removed showing the state of the tree and its general location relative to the property listed in the application form;
4. *Fees.* Fee amounts for Hazardous Tree Permits shall be established by City Council resolution and are required to be paid upon submittal of a Hazardous Tree Permit application. If the City confirms that the tree is dead or hazardous, application fees for the Hazardous Tree Permit shall be waived and refunded;

B. *Application process.* After the applicant has submitted all required materials, the City will review the application materials for accuracy and completeness and inspect the project site as necessary within 30 days of submittal. If the protected tree(s) are determined not to be in a hazardous or dangerous condition, the application may be elevated to a General Tree Permit or withdrawn.

C. *Approval body.* The Director shall review and approve or deny Hazardous Tree Permit applications.

D. *Required findings.* After receiving all required information, a Hazardous Tree Permit application shall be approved if the following finding can be made:
1. The condition of the protected tree(s) is in a hazardous or dangerous condition or will be in a hazardous or dangerous condition and cannot be controlled or mitigated through reasonable preservation measures, as determined by the City.

E. *Mitigation.* Mitigation shall not be required for Hazardous Tree Permits unless it is found that the death, removal, or damage of a protected tree was a result of actions that were taken in violation of this Division. In those instances, the responsible party shall mitigate for the death, removal, or damage of the protected tree(s) as specified in Tables 1 and 2 of Section 9657.6.D.

F. *Decision.* Depending on if the required criteria has been met, an application may be approved, conditionally approved, or denied. For Hazardous Tree Permits, the decision of the Director shall be final, and a decision shall be rendered within 30 days of determining that the application is complete and accurate. Conditions on approval may include, but are not limited to, the following:
1. The planting of replacement trees on-site or off-site;
2. Payment of a mitigation fee as established by City Council resolution;
3. A mitigation monitoring program to ensure the health and longevity of the protected tree(s).

9657.6. - Development Tree Permits.

Required materials, processing procedures, and other requirements for development tree permits are set forth below.

A. *Application materials*: An application package for a Development Tree Permit shall include the following in order for the application to be considered complete and processed;

1. *Application form.* A completed Protected Tree Permit application form available on the City's website or online permit platform.
2. *Justification statement.* A written statement by the applicant or their Tree Consultant stating the justification for planned actions involving protected trees.
3. *Fees.* Fee amounts for Development Tree Permits are established by City Council resolution and are required to be paid prior to the acceptance of a Development Tree Permit application.
4. *Site Plan Map.* Site plan maps prepared by the applicant's Tree Consultant are required for Development Tree Permits. The site plan map must depict the protected tree(s)' trunk locations, crown spreads (as measured from trunk to edge of dripline to the compass directions of north, south, east, and west), and TPZs of all protected trees on the project site (including trees that are partially on the project site). Site plan maps must additionally depict all existing features and structures, as well as all proposed development activities including but not limited to demolition, grading, trenching, and construction. Site plan maps are valid for two (2) years after date of preparation, so long as the proposed development activity has not changed. The date of protected tree data collection must be within one year of the date of preparation.
5. *Protected Tree Report.* Protected Tree Reports prepared by the applicant's Tree Consultant are required for Development Tree Permits. Protected Tree Reports are valid for two (2) years after date of preparation. The date of protected tree data collection must be within one (1) year of the date of preparation. Protected Tree Reports must include the following information:
    a. Description of the proposed project.
    b. Total number of protected trees on the lot.
    c. Any off-site protected trees within 25 feet of proposed ground disturbance activities, as measured from the edge of the TPZ.

d. Total number of protected trees proposed for removal, encroachment into the TPZ, and preservation without TPZ encroachment. The cumulative percentage of DSH removal for the site shall be provided.

e. Discussion of proposed tree protection measures during site development, including but not limited to protective fencing, arborist monitoring, and construction techniques within the TPZ (digging by hand).

f. Tree Replacement Plan if applicable, including number of replacement trees, species, container sizes, and planting locations (see Section 9657.6.D for tree replacement requirements).

g. The following data for each protected tree:

(1) Species (botanical and common name).

(2) DSH.

(3) Tree height.

(4) Tree crown extent from the trunk to the edge of the dripline to the compass directions of north, south, east, and west.

(5) Health rating on a scale of A to F, including disclosure of any significant health conditions such as poor vigor, evidence of disease, or evidence of pests.

(6) Appearance rating on a scale of A to F, including disclosure of any significant physical structure conditions, such as overextended branches, unbalanced crown, broken branches, etc.

(7) Pictures of the tree in its entirety. Pictures of multiple trees are permissible when it is not feasible to take individual pictures of trees.

(8) Discussion of anticipated impacts on the tree, including the following data:

i. Discussion of all proposed work within the TPZ, including pruning, paving, trenching, grading, filling, etc.

ii. Percent TPZ encroachment.

iii. Percent crown removal, if applicable.

iv. Evaluation of anticipated impacts to the health of the tree.

v. Square footage of removals for scrub oak species.

6. *Tagging.* Trees shall be affixed a tag and unique ID number on the north side of the tree at standard height.

B. *Application process.* After the applicant has submitted all required materials, the City will review the application materials for accuracy and completeness

concurrently and in the same manner as the development application and inspect the project site as necessary.

C. *Removal limits*. Development Tree Permits shall comply with the removal limits set forth below.

1. All scrub oak removals shall not exceed 10 percent of the total square footage of scrub oaks on the lot unless a variance is approved pursuant to Section 9676.2.C. In addition, increased mitigation shall be required if more than 10 percent of the total square footage of scrub oaks are removed, as shown in Section 9657.6.D, Table 1.
2. All other protected tree removals shall not exceed 10 percent of the total DSH of the protected trees on the lot unless a variance is approved.
3. If a project proposes to remove more than 10 percent of the total DSH of protected trees on a lot, a variance and increased mitigation shall be required based on the total proposed removal percentage as shown in Tables 1 and 2 of Section 9657.6.D.
4. For proposed TPZ encroachment that exceeds 10 percent, a monitoring program shall be required to evaluate the health of the tree for up to 5 years following the completion of work. Ground plane improvements shall not count towards the 10 percent TPZ encroachment threshold.
5. Landmark trees shall not be removed unless a variance is approved pursuant to Section 9676.2.C.

D. *Mitigation requirements*: For protected tree removals associated with development tree permits, the applicant shall provide replacement trees at the ratios outlined in Tables 1 and 2 below. In some cases, where it is not possible to obtain nursery grown trees in the sizes required, an equivalent number of smaller container trees shall be planted in an amount equal to the cost of the larger but unavailable trees. Unless approved by the City on the basis of maximizing total urban canopy, prioritizing on-site plantings, and reducing conflicts with required infrastructure, the applicant shall provide replacement trees of the same species for any protected tree approved by the City for removal. In cases where site conditions or fire safety requirements physically preclude a developer from planting all of the required replacement trees on-site, the developer may propose off-site tree plantings in the same ratio as described below, or payment of in-lieu fees established by City Council resolution for each tree that is not able to be planted on-site.

Table 1: Scrub Oak Mitigation Requirements

Scrub Oak Species	
Square Footage to be Removed	Required Replacement Square Footage*
Less than 10% of total scrub oak	Equal to square footage removed
10% - 20% of total scrub oak	One and one half (1.5) times the square footage removed
Greater than 20% of total scrub oak	Two times the square footage removed

**Scrub oaks of the same species shall be planted to a five-foot on center spacing within the replacement area.*

Table 2: Protected Tree Mitigation Requirements

All Other Protected Trees	
DSH of Each Protected Tree to be Removed	Required Quantity and Size of Replacement Trees
Up to 10% Total DSH Removed	
6 inches to 12 inches	Two 24-inch box trees
12 inches to 24 inches	Three 24-inch box trees
24 inches to 36 inches	Four 24-inch box trees;
36 inches to 48 inches	Five 24-inch box trees;
Above 48 inches	Four 24-inch box trees; Two 60-inch box trees
10-20% Total DSH Removed	
6 inches to 12 inches	Two 36-inch box trees
12 inches to 24 inches	Three 36-inch box trees
24 inches to 36 inches	Four 36-inch box trees;
36 inches to 48 inches	Five 36-inch box trees;
Above 48 inches	Four 36-inch box trees; Two 60-inch box trees
Greater than 20% Total DSH Removed	
6 inches to 12 inches	Three 36-inch box trees
12 inches to 24 inches	Four 36-inch box trees
24 inches to 36 inches	Five 36-inch box trees;
36 inches to 48 inches	Six 36-inch box trees;
Above 48 inches	Five 36-inch box trees; Two 60-inch box trees

E. *Monitoring requirements.* On-site replacements and protected trees where TPZ encroachment exceeds 10 percent shall be monitored annually by the applicant's Tree Consultant for (5) years following the completion of construction activities.

1. Any replacement trees that die during the monitoring period shall be replaced at a 1:1 ratio.
2. Any protected tree that has died or significantly declined in health at the end of the monitoring period shall be replaced at the same ratio as required by Section 9657.6.D, Tables 1 and 2.
3. Monitoring reports shall be completed annually by the applicant's Tree Consultant and submitted to the Community Development Department. The monitoring report shall contain the following information for each tree that requires monitoring:
    a. Photographs. A clear photograph of the tree shall be provided for each tree in the monitoring program. Pictures of multiple trees are permissible when it is not feasible to take individual pictures of trees.
    b. A brief summary describing the overall success of replacement plantings and/or the health of existing trees. A detailed explanation shall be provided for trees that have declined in health or appearance, and a recommendation shall be provided on whether or not those trees will need to be replaced. The City shall ultimately determine whether replacements are required.
4. Monitoring reports shall be required for at least five (5) years unless the City determines that they are no longer required based on the health of the trees and the extent of disturbance during or after construction.

F. *Standards for performance of required work.* Following the approval of a Development Tree Permit, all work shall comply with the applicable standards set forth below
    1. *Protective fencing.* A minimum five-foot high chain link fence with dark green mesh will be required to be installed at the outermost edge of the TPZ of each protected tree or group of protected trees. A fencing plan showing that the location, materials, and height of all proposed fencing comply with the requirements of this section shall be submitted by the developer and approved by the City prior to the issuance of a building permit. All required fencing shall be installed consistent with the approved fencing plan prior to the commencement of work. Prior to the removal of the protective fencing, the developer shall contact the City to perform a final inspection. Fencing requirements for individual protected trees may be waived by the City if no construction-related activities or disturbances are proposed within 25 feet of the TPZ.
    2. *Work within the TPZ.* All work conducted within the TPZ shall be performed in the presence of the applicant's Tree Consultant. The applicant's Tree

Consultant shall submit certification letters for all work completed within the TPZ of a protected tree within five working days of the completion of said work. The letter(s) shall describe all work performed, methods utilized, monitoring performed, whether such work was completed in accordance with all conditions of approval.

3. *Hand tools.* All work within the TPZ of a protected tree shall be accomplished using only hand tools.
4. *Root pruning.* All equipment used to prune protected tree roots shall be cleaned prior commencement of work. All root pruning shall consist of clean cuts at a forty-five degree angle with the cut surface facing downward.
5. *Activity within the TPZ.* No vehicles, equipment, materials, litter, or other items shall be used or placed within the TPZ of a protected tree at any time except as specifically required to complete approved work.
6. *Herbicide.* No herbicide shall be used within 100 feet of the TPZ of a protected tree.
7. *On-site documentation.* The following information shall be located and retained on the site for the duration of construction activities.
    a. Approved Protected Tree Report, Site Plan Map, Fencing Plan, and Protected Tree Permit.
    b. Approved development plans.
    c. Approved grading plans, if applicable.
    d. Approved landscape plans, if applicable.
    e. Protected tree regulations.

G. *Approval body.* A development tree permit shall have the same approval body as the associated development entitlements.

H. *Required findings.* After receiving all required information, a Development Tree Permit application shall be approved when all of the following findings can be made:

1. That the removal or damage of any protected tree(s) proposed, if applicable, is necessary because the continued existence at present location(s) either; (1) prevents the planned improvement or proposed use of the subject property to such an extent that alternative development plans cannot achieve the same permitted density or that the cost of such alternative would be prohibitive, or (2) interferes with utility services or streets and highways, either within or outside of the subject property, and no reasonable alternative to such interference exists other than removal or damage of the tree(s);

2. That any proposed removal or damage of the protected tree(s) will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated; and
3. That the proposed development, as conditioned, meets all applicable removal limits and mitigation requirements.

I. *Approval.* An application shall be approved or conditionally approved if all the required findings can be made and shall be denied if any of the required findings cannot be made. Conditions of approval may include, but are not limited to, the following:
1. The planting of replacement trees on-site or off-site;
2. Payment of an in-lieu fee as established by City Council resolution;
3. A mitigation monitoring program to ensure the health and longevity of protected tree(s)

J. *Appeals.* The decision of the Director of Planning and Community Development may be appealed to the Planning Commission upon filing of the proper form and payment of appropriate fees. The decision of the Planning Commission may be appealed to the City Council and any decision by the City Council shall be final. All appeals must be filed within fifteen (15) calendar days of the decision to approve, deny, or conditionally approve the project.

9657.7. – Special Development Tree Permits.

This Section contains special Protected Tree Permit requirements for Affordable Housing Overlay (AHO) and Senate Bill 9 (SB 9) development applications. A Development Tree Permit shall be required for these projects if they involve activity within the TPZ of a protected tree, and the application shall be processed and approved concurrently and in the same manner as the development application. The Special Development Tree Permit required by this Section shall not be subject to the requirements of Section 9657.6, unless identified herein.

A. *AHO projects.*
1. *Application materials.* All application materials required for Development Tree Permits shall be provided as listed in Section 9657.6.A.
2. *Mitigation requirements.* If a project involves the removal of a protected tree, other than a landmark tree, one (1) 24-inch box replacement tree of the same species shall be planted on the site for each protected tree removed. For scrub oak species, on-site replacement shall be equal to the square footage of the area removed, with scrub oaks of the same species planted to a five-foot on center spacing within the replacement area.

a. If proposed TPZ encroachment for an individual protected tree exceeds 20 percent, a monitoring program shall be required to evaluate the health of the tree for up to 5 years following the completion of work. Any protected tree that dies or significantly declines in health during the reporting period shall be replaced with one (1) 24-inch box replacement tree of the same species. Ground plane improvements shall not count towards the 20 percent TPZ encroachment threshold.

3. *Removal limits.* If a project involves the removal of up to ten (10) protected trees within the project site, not more than twenty-five (25) percent of the total DSH of all protected trees on that project site shall be removed. If the project involves the removal of eleven (11) or more protected trees within the project site, not more than thirty-five (35) percent of the total DSH of all protected trees on the project site shall be removed. Total scrub oak removals shall not exceed thirty-five percent of the total square footage of scrub oaks on the project site. Off-site trees that must be removed as a result of the project shall be considered on-site trees for the purpose of calculating total tree removals.
4. *Hillside stabilization.* For the purpose of providing natural stabilization of hillsides and preservation of native landscaping, a minimum of seventy-five (75) percent of all native trees on a slope steeper than fifty (50) percent shall be retained.
5. *Landmark trees.* The removal of a landmark tree is prohibited. If the City is compelled to allow the removal of a landmark tree due to any provisions of state law, no less than six (6) 24-inch box replacement trees shall be planted on the site.
6. *Alternative mitigation options.* In cases where site conditions or fire safety requirements physically preclude a developer from planting all of the required replacement trees on-site, the developer may propose off-site tree plantings in the same ratio as described below, or payment of in-lieu fees established by City Council resolution for each tree that is not able to be planted on-site.
7. *Monitoring requirements.* On-site replacements and existing protected trees where TPZ encroachment exceeds 10 percent shall be monitored annually by the applicant's Tree Consultant for up to (5) years following the completion of construction activities.
   a. Any replacement trees that die within the 5-year monitoring period shall be replaced with a 24-inch box tree of the same species.

b. Any existing protected trees that have died or significantly declined in health at the end of the monitoring period as a result of development activities shall be replaced with a 24-inch box of the same species. Landmark trees that die or significantly decline in health as a result of development activities shall be replaced with six (6) 24-inch box trees of the same species.

c. Monitoring reports shall be completed annually by the applicant's Protected Tree Consultant and submitted to the Community Development Department for at least five years following the start of construction activities as described in Section 9657.6.E.3.

8. *Standards for performance of required work.* All AHO projects shall comply with the standards for performance of required work for Development Tree Permits set forth in Section 9657.6.F.

B. *SB 9 Projects.*

1. *Application materials*. All application materials required for Development Tree Permits shall be provided as listed in Section 9657.6.A.

2. *Mitigation requirements*. If a project involves the removal of one or more protected tree(s), other than a landmark tree, the mitigation requirements for Development Tree Permits shall be required as specified in Section 9657.6.D, Tables 1 & 2.

3. *Removal Limits*. No SB 9 project shall remove more than 10 percent of the total DSH of protected trees or more than 10 percent of the total square footage of scrub oaks on a project site.

   a. If proposed TPZ encroachment for an individual protected tree exceeds 10 percent, a monitoring program shall be required to evaluate the health of the tree for up to 5 years following the completion of work. Any protected tree that dies or significantly declines in health during the reporting period shall be replaced at the ratios specified in Tables 1 & 2 of Section 9657.6.D. Ground plane improvements shall not count towards the 10 percent TPZ encroachment threshold.

4. *Landmark trees*. An SB 9 project shall not result in the removal of a landmark tree.

5. *Alternative mitigation options*. If providing all required replacements on-site is not possible or feasible due to site constraints, the developer may propose to plant off-site replacements or pay an in-lieu fee as established by City Council resolution.

6. *Monitoring requirements*. All monitoring requirements for Development Tree Permits as described in Section 9657.6.E shall apply to SB 9 projects.

7. *Standards for performance of required work.* All SB 9 projects shall comply with the standards for performance of required work for Development Tree Permits set forth in Section 9657.6.F.

9657.8. – Planting incentives.

In order to encourage the planting of as many native trees as possible within the City, incentives should be provided to property owners or businesses that plant new native trees.

A. *Registered plantings.* Any property owner that willingly plants new protected tree species on their property may register those trees with the City. Registered plantings on file with the City shall not be subject to the regulations of this Division. Applicants of Protected Tree Permits may not register required plantings or replacement plantings.

B. *Modifications and variances.* The Director shall have the discretion to waive variance and modification fees for development projects that avoid impacts to protected trees, and as a result, do not meet established zoning criteria.

9657.9. – Company registration.

The City may establish a registration system by which individuals or companies that treat, prune, remove, or otherwise engage in tree care may be trained by the City to become City-endorsed individuals or companies. The purpose of this policy is to endorse tree care companies or individuals that abide by ANSI A300 standards and ISA best management practices, ensure the health and longevity of the City's protected trees, and to streamline general tree permit and development tree permit applications. Training may be held annually and companies that attend may afterwards register with the City to be placed on the City-endorsed tree care company list, which is retained and distributed at City Hall and on the City's website.

9657.10. – Protected tree mitigation fund.

The City may establish a protected tree mitigation fund to be used for the continued wellbeing of protected trees within the City. Funding may be sourced from in-lieu fees and restitution paid to the City for protected tree mitigation. In-lieu fee and restitution amounts shall be established by City Council resolution. Uses of the fund may include, but are not limited to, protected tree planting, maintenance and monitoring, and purchasing land for planting new native trees.

9657.11. – Penalties and enforcement for violation.

The City shall vigorously enforce the provisions of this Division. Violations of this Division shall be subject to the following procedures, notices and remedies:

A. *Penalties.*

1. Any violation(s) of any of the provisions of this Division and/or any failure to comply with any of its requirements shall be punishable as set forth in Chapter 2 (Penalties) and Chapter 5 (Administrative Citations) of Article 1 (General Provisions) of this Code.
2. In addition to the penalties and remedies contained herein, any violation of this Division caused or permitted to exist shall be and is deemed a public nuisance and may be summarily abated as such by the City in accordance with the nuisance abatement provisions set forth in Sections 5608 through 5622 of Chapter 6 (Nuisance Abatement) of Article V (Sanitation and Health) of this Code.
3. Each and every day during any portion of which any violation of any provision of this Division is committed, continued or permitted shall constitute a separate offense and shall be punishable accordingly.

B. *Additional remedies.* In addition to all available remedies permitted by federal, state, and local law, violations of this Division shall be subject to the following remedies:

1. Required mitigation. Mitigation trees in the size and amount specified by Section 9657.6.D, Tables 1 and 2 shall be planted on-site for protected trees that have been removed or effectively removed, at the determination of the City.
    a. If the City determines that it is not possible or feasible to plant all required replacement trees on-site, those trees may be planted off-site in a location approved by the City or an in-lieu fee may be paid as established by City Council resolution.
2. Restitution. It has been determined that the protected trees within the City are valuable assets to the citizens of this community and to the citizens of the County of Los Angeles. Particularly egregious or willful destruction of protected trees or repeat violators of this Division shall be subject to additional restitution in an amount established by City Council resolution to compensate the public for lost assets and environmental degradation. Restitution funds shall be placed in a protected tree mitigation fund.

3. Violations by City-endorsed tree care companies. Any City-endorsed tree care company that commits a violation of this Division may be put on notice that their City-endorsed status will be revoked upon any repeat violation, or if the City finds that the City-endorsed tree care company willfully violated the provisions of this Division.

9657.12 – Nonliability of City.

Nothing in these Sections shall be deemed to impose any liability upon the City of Agoura Hills or upon any of its officers or employees, or agents, nor to relieve the owner and occupant of any private property from the duty to keep trees upon such property or under their control, in a safe condition.

Section 4. Zoning Code Amendment. Section 9525.9 (Oak Trees) of Part 3 (AH Affordable Housing Overlay District) of Chapter 5 (Overlay Districts) of Article IX (Zoning) of the Agoura Hills Municipal Code is hereby amended in its entirety to read as follows:

"9525.9. – Protected Trees.

Any project seeking approval under the AH overlay district and proposing activity within the tree protection zone of a protected tree shall require the review and approval of a Development Tree Permit, subject to the applicable standards located in section 9657.7."

Section 5. Zoning Code Amendment. Section 9293.4 (Development standards for all projects) of Part 11 (Senate Bill 9 Housing Development Standards) of Chapter 2 (Residential Land Use Districts) of Article IX (Zoning) of the Agoura Hills Municipal Code is hereby amended to read as follows, with deleted language shown in ~~strikeout~~ and new language shown in underline:

"9293.4. – Development standards for all projects.

All housing development applications submitted pursuant to this part shall comply with the following development standards:

A. *Parking.* Off-street parking of one (1) space per dwelling unit is required, except that no off-street parking spaces are required in either of the following instances:

1. The parcel is located within one-half (½) mile walking distance of either a high-quality transit corridor, as defined in Section 21155(b) of the Public

Resources Code, or a major transit stop, as defined in Section 21064.3 of the Public Resources Code.

2. There is a car share vehicle located within one (1) block of the parcel.

B. *Septic.* For residential units connected to an onsite wastewater treatment system, a percolation test must have been completed within the last five (5) years, or, if the percolation test has been recertified, within the last ten (10) years.

C. *Setbacks.* Side and rear setbacks shall be a minimum of four (4) feet, except that no setback shall be required for an existing structure, or a structure constructed in the same location and to the same dimensions as an existing structure.

D. *Fencing.* All fencing shall meet the requirements listed in section 9606.2. No fencing or other barriers shall be established that prevent public access to trails or trailheads.

E. *Private streets.* Developments may be served by private streets, provided that:

1. Unless prohibited by Government Code Section 66411.7(b)(3) as amended, an irrevocable offer to dedicate shall be made as a part of all development;
2. Evidence is provided that easements required for the provision of public services and facilities exist to provide adequate access to all development served from said private street;
3. Evidence is provided that adequate agreements exist to guarantee the ongoing maintenance of said private streets; and
4. The width of said private streets comply with the city's standards for public streets.

F. *Accessory dwelling units.* Accessory dwelling units shall not be permitted on parcels that have been created through an urban lot split or are proposed to be created through an urban lot split, and proposed housing developments containing no more than two (2) residential units pursuant to this part.

G. *Utilities.* All utilities shall be provided as required by chapter 6.

H. *Right-of-way improvements.* Unless prohibited by Government Code Section 66411.7(b)(3), all projects adjacent to a public street shall be designed and constructed to full public right-of-way improvements along the project frontages in accordance with the Committee of Public Works Standards, Inc.'s standard plans for public works construction and any applicable specific plans.

I. *Drainage courses.* No structures or parts of structures shall overhang, project, or protrude into any known drainage course.

1. Fences and other structures, culverts and bridges, and any other improvements which must be constructed within drainage courses, shall be designed to the requirements of the city to prevent an obstruction or division of drainage flows and to minimize adverse effects to natural riparian vegetation and ecosystems.

J. *Landscaping.* All projects shall meet the following landscape standards:

1. Landscaping shall be provided in all front yard areas visible to the public from any adjacent rights-of-way that are not specifically used for parking, driveways, walkways, patios, gardens, or other recreational purposes. Existing native vegetation or landscaping in front yard areas may be used to satisfy this standard.
2. All manufactured slopes or the face of cut-and-fill slopes shall be planted or otherwise protected from the effects of storm runoff and erosion, and such planting or protection must occur within thirty (30) days after completion of grading.
3. All new landscaping shall use at least fifty (50) percent native, drought-tolerant species selected from those listed by the California Native Plant Society in the Calscape website specific to Agoura Hills.
4. No plants on the California Invasive Plant Council's list of invasive species may be used in the project landscaping.
5. Artificial turf is discouraged in landscape areas to reduce the urban heat island effect, fire danger, and environmental impacts including waste materials and microplastic pollution.
6. New required landscape areas shall provide at least five (5) different shrubs and groundcovers to provide foliage, texture, and color.
7. Palm trees are prohibited in new landscape areas.
8. Planted berms and slopes shall be no steeper than 2:1, and 3:1 is preferred to provide greater planting opportunities.
9. Landscape design shall conform to stormwater design and low impact development (LID) requirements.
10. Landscape plans shall meet the requirements of the Los Angeles Fire Department, Fuel Modification Unit for fire safety.
11. Landscape and irrigation plans subject to the California State Model Water Efficient Landscape Ordinance (MWELO) shall conform to the requirements therein to achieve water efficient landscaping.

K. *Oak tree report.* The city's oak tree ordinance (section 9657 et seq.) shall not apply to a project seeking approval under this part, except for the following sections:

1. Section II. (Definitions) of appendix A of article IX.
2. Items D, E, F.2, and F.3 of section IV (oak tree permit) of appendix A of article IX.
3. Items A.3 and A.4 of section V (standards for performance of required work) of appendix A of article IX.
4. Item E (oak tree report) of section 9657.5 of the Agoura Hills Municipal Code.

L. *Oak tree standards.* A project seeking approval under this part shall comply with the following standards:

5. No more than ten (10) percent of the total estimated tree canopy or root structure of all protected oak trees on a property shall be removed.
6. Protected oak trees may only be removed, relocated, or altered if the removal, relocation, or alteration is necessary because the continued existence at their present location(s) prevents the proposed use of the subject property to such an extent that alternative development plans cannot achieve the same permitted density or that the cost of such alternative would be prohibitive.
7. If a project involves the removal of or encroachment greater than twenty (20) percent into the root zone or canopy zone of a protected oak tree that is 48 inches in diameter or less per the city's oak tree ordinance and guidelines (oak trees of the genus Quercus), one (1) 36-inch-box oak tree, two (2) 24-inch-box oak trees, and one (1) 15-gallon oak tree of the same species shall be planted on the site as mitigation for each oak tree removed or impacted. For scrub oak species protected per the city's oak tree ordinance and guidelines, on-site replacement for removal shall be equal to four (4) times the square footage of the area removed, with scrub oaks of the same species planted to a five-foot on center spacing within the replacement area.
8. The removal of or encroachment greater than twenty (20) percent into the root zone or canopy zone of a protected "landmark" oak tree (trees whose diameter exceeds forty-eight (48) inches) is prohibited.
9. For established oak trees, no planting, soil disturbance, or irrigation shall occur within a distance of six (6) feet or twenty-five (25) percent of the total canopy width from the trunk in any direction, whichever is greater. For newly

~~planted oak trees, no planting shall occur within four (4) feet of the tree trunk.~~

K. *Protected Trees.* Any project seeking approval under this Part 11 (Senate Bill 9 Housing Development Standards) and proposing activity within the tree protection zone of a protected tree shall require the review and approval of a Development Tree Permit, subject to the applicable standards located in section 9657.7.

L. ~~M.~~ *Lighting.* All outdoor lighting shall be shielded and downward facing to avoid direct illumination of neighboring properties.

M. ~~N.~~ *Rental term.* A rental of any unit created pursuant to this part shall be for a term longer than thirty (30) days.

N. ~~O.~~ *Connected structures.* Adjacent or connected dwelling units shall be allowed provided that the structures meet building code safety standards and are sufficient to allow separate conveyance."

Section 6. Zoning Code Amendment. Appendix A (Oak Tree Preservation Guidelines) of Article IX (Zoning) of the Agoura Hills Municipal Code is hereby deleted in its entirety.

Section 7. Zoning Code Amendment. Paragraph 6 of Subsection C of Section 9555 (General Design Standards, Commercial/Residential) of Part 6 (OA Old Agoura Design Overlay District) of Chapter 5 (Overlay Districts) of Article IX (Zoning) of the Agoura Hills Municipal Code is hereby amended to read as follows, with deleted language shown in ~~strikeout~~ and new language shown in underline:

"6. To the greatest extent possible, the architectural design and location of the building shall discourage grading on a hillside. If grading is required, building shall be integrated into existing terrain such that grading is minimized, taking care to preserve the viewshed, natural ridgelines, and ~~oak trees~~ protected trees."

Section 8. Zoning Code Amendment. Subsection 4 of Section 9545.1 (Findings) of Part 5 (FC Freeway Corridor Overlay District) of Chapter 5 (Overlay Districts) of Article IX (Zoning) of the Agoura Hills Municipal Code is hereby amended to read as follows, with deleted language shown in ~~strikeout~~ and new language shown in underline:

"4. The site design works with the characteristics of the existing terrain and maximizes preservation of open space to the maximum extent feasible, taking into consideration more than just economic feasibility. The existing terrain and

natural contours have been incorporated into the site plan design to maximum extent feasible, taking into consideration more than just economic feasibility. Where features of special interest such as hillsides, streams, or ~~oak trees~~ protected trees exist on the project site, they have been integrated into the design. The planning commission has the discretion to impose conditions as it may deem to be necessary to minimize and mitigate grading, the use of retaining walls, and the use of large flat pads."

Section 9. Zoning Code Amendment. Subsection B of Section 9654.2 (General Standards) of Division 4 (Off-Street Parking, Loading, and Landscaping) of Part 2 (Special Regulations) of Chapter 6 (Regulatory Provisions) of Article IX (Zoning) of the Agoura Hills Municipal Code is hereby amended to read as follows, with deleted language shown in ~~strikeout~~ and new language shown in underline:

"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~~ protected tree drip lines shall be discouraged ~~and regulated by the provisions of section 9657 et seq.~~."

Section 10. Agoura Hills Municipal Code Amendment. Subsection (a) (Delegation of authority and responsibility) of Section 7803 (Authority and Power) of Chapter 8 (Community Tree Management) of Article VII (Streets) of the Agoura Hills Municipal Code is hereby amended to read as follows, with deleted language shown in ~~strikeout~~ and new language shown in underline:

(a) *Delegation of authority and responsibility.* The director shall have full authority and responsibility to regulate and conduct the planting, pruning, maintenance and removal of trees and woody plants growing in or upon all municipal streets, rights-of-ways, city parks, and other public property. With the exception of any protected tree, as defined in Section 9657. ~~oak tree (as defined in Appendix A (Oak Tree Preservation Guidelines) of article IX of this code)~~, this shall include the emergency removal of trees that may threaten electrical, telephone, gas, or any municipal water or sewer line, or any tree that is affected by fungus, insect, or other pest disease, on publicly owned properties."

Section 11. Agoura Hills Municipal Code Amendment. Section 7804 (Duties of Authorized Department) of Chapter 8 (Community Tree Management) of Article VII (Streets) of the Agoura Hills Municipal Code is hereby amended to read as follows, with deleted language shown in ~~strikeout~~ and new language shown in underline:

"**7804. – Duties of authorized department.**

The city council hereby delegates tree care decisions, with the exception of decisions related to any protected tree, as defined in Section 9657.~~oak tree (as defined in Appendix A (Oak Tree Preservation Guidelines) of article IX of this code)~~, to the public works department, hereinafter referred to as the "PW department." The director shall continue to make ~~oak~~ protected tree determinations consistent with section 9657 of this Code."

Section 12. Zoning Code Amendment. Section 9120.4 of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (Zoning) of the Agoura Hills Municipal Code is hereby amended to read as follows, with deleted language shown in ~~strikeout~~ and new language shown in underline:

"A. *Damage,* ~~oak tree~~ *protected tree*. "Damage" shall have the same meaning as defined in Section 9657. ~~means any action undertaken which causes injury, death or disfigurement to an oak tree. This includes, but is not limited to, cutting, poisoning, overwatering, relocating or transplanting a protected tree, or trenching, excavating or paving within the protected zone of a tree.~~

B. *Day care for adults.* "Day care for adults" means any state-licensed facility providing care or supervision on a less than twenty-four-hour per day basis for adults over eighteen (18) years of age.

C. *Day care for children, small family day care home.* A "small family day care home" means a single-family residence which regularly provides care, protection and supervision of a maximum of eight (8) children in the provider's own residence, including children under the age of ten (10) years who reside at the single-family residence, for periods of less than twenty-four (24) hours a day, consistent with regulations issued by the State of California.

D. *Day care for children, large family day care home.* A "large family day care home" means a single-family residence which regularly provides care, protection and supervision for seven (7) to fourteen (14) children, inclusive, in the provider's own residence including children under the age of ten (10) years who reside at the single-family residence, for periods of less than twenty-four (24) hours a day, consistent with regulations issued by the State of California.

E. *Day nursery, children.* "Day nursery, children" means any facility, institutional in character, providing nonresident day care and supervision for more than twelve (12) children under sixteen (16) years of age, as defined and licensed by the department of social welfare of the State of California. "Day nursery, children" includes all types of group day care programs including, but not limited to, day nurseries, nursery schools for children under the minimum age for admission to public schools, parent-cooperative nursery schools, play groups for preschool children, and programs giving afterschool care to school age children.

F. *Deadwood.* "Deadwood" shall have the same meaning as defined in Section 9657. ~~means limbs, branches or a portion of a tree that contains no green leaves during a period of the year when they should be present.~~

G. *Density bonus.* "Density bonus" means a density increase of not less than ten (10) percent nor more than fifty (50) percent over the otherwise allowable residential density as provided in this article.

H. *Density, gross.* "Gross density" means the total number of dwelling units permitted on an acre of land exclusive of all existing public streets and rights-of-way, but including all streets or rights-of-way to be developed.

I. *Density, net.* "Net density" means the same as gross density except proposed streets and rights-of-way shall be excluded.

J. *Development.* "Development" shall mean the activity of preparing land and constructing buildings or other facilities and improvements in order to establish a land use. Development also shall mean a lot or parcel of land with the completed buildings, facilities, and other improvements thereon.

K. *Director.* "Director" means the director of planning and community development of the city or his duly authorized representative. "Director" also means the zoning administrator.

L. *Drainage course, natural.* "Natural drainage course" means an area bounded peripherally by a water parting and draining ultimately to a particular watercourse or body of water.

M. *Drip line.* "Drip line" shall have the same meaning as defined in Section 9657. ~~means the imaginary line upon the ground traced by vertical lines extended to the ground from the furthest extensions of the canopy or leaf crown of a tree, so that the traced line continues around the circumference of the canopy.~~

N. *Driveway.* "Driveway" means a vehicular passageway for the exclusive use of the occupants of a property and their guests.

O. *Duplex.* "Duplex" means an attached permanent building containing two (2) dwelling units.

P. *Dwelling group.* "Dwelling group" means one (1) or more buildings, not more than two (2) stories in height, containing dwelling units and arranged around two (2) or three (3) sides of a court which opens onto a street, including single-family, duplex, and multiple-family dwellings.

Q. *Dwelling, multiple-family.* "Dwelling, multiple-family" means a permanent building containing three (3) or more dwelling units. For the purposes of the accessory dwelling unit regulations in section 9283, "dwelling, multifamily" means a permanent building with two (2) or more dwelling units, including a duplex, but not including a single-family home with an ADU or JADU.

R. *Dwelling, single-family.* "Single-family dwelling" means a permanent building containing one (1) dwelling unit.

S. *Dwelling unit.* "Dwelling unit" means one (1) or more rooms and a single kitchen, designed for occupancy by one (1) family for living and sleeping purposes."

Section 13. Zoning Code Amendment. Subsection F of Section 9120.5 of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (Zoning) of the Agoura Hills Municipal Code is hereby amended to revise the definition for "encroachment" to read as follows, with deleted language shown in ~~strikeout~~ and new language shown in underline:

"F. *Encroachment.* "Encroachment" shall have the same meaning as defined in Section 9657.~~means any intrusion or human activity into the protected zone of an oak tree, including but not limited to pruning, grading, excavating, trenching, parking of vehicles, storage of materials or equipment, or the construction of structures or other improvements.~~ Encroachment also means an intrusion into any required yard or right-of-way."

Section 14. Zoning Code Amendment. Subsection 9120.15 ("O") of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (Zoning) of the Agoura Hills Municipal Code is hereby amended to read as follows, to delete the definition for "oak tree preservation guidelines" with deleted language shown in ~~strikeout~~ and new language shown in underline:

A. *Oak tree.* "Oak tree" means valley oak (*quercus lobata*), coast live oak (*Quercus agrifolia*) or any other tree of the oak genus.

~~B. Oak tree preservation guidelines. "Oak tree preservation guidelines" means the policy established by the city council and the administrative procedures and~~

~~rules established by the director of planning and community development for implementing this article.~~

B. ~~C.~~ *Occupancy.* "Occupancy" shall mean the purpose for which land or a structure is used or intended to be used. A change of occupancy does not include a mere change of owners, tenants or proprietors.

C. ~~D.~~ *Office.* The following types of uses are typical office functions: Agricultural, business and personal credit services; security and commodity brokers, dealers, exchanges, and services; employment services; insurance carriers, agents, brokers and services; real estate and related services; holding and investment companies; advertising services; consumer and mercantile credit reporting services; adjustment and collection services; direct mail advertising services; stenographic services and other duplicating and mailing services; news syndicate services; business and management consulting services; detective and protective services; motion picture distribution and services; physician and dental services; and office activities only of business organizations involved in manufacturing, wholesale and retail trade, transportation, communications and utilities.

D. ~~E.~~ *Open space, developed.* "Developed open space" means open space substantially free of structures but possibly containing improvements which are part of a development plan or are appropriate for the residents of any residential development.

E. ~~F.~~ *Open space, natural.* "Natural open space" means any parcel of land or water which is essentially unimproved and devoted to an open space use.

F. ~~G.~~*Outside display.* "Outside display" means the placement of goods, equipment, merchandise or exhibits at a location visible to the public view, other than within a building.

G. ~~H.~~ *Outside storage.* "Outside storage" means the storage of goods, equipment or materials ~~out side~~ outside of a building for any purpose other than outside display."

Section 15. Zoning Code Amendment. Subsection 9120.16.Q ("P") of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (Zoning) of the Agoura Hills Municipal Code is hereby amended to add a new definition for "protected tree" and deleting the definition of "protected zone" with deleted language shown in ~~strikeout~~ and new language shown in underline:

"Q. *Protected tree.* Protected tree shall have the same meaning as defined in Section 9657.

~~*Protected zone.* "Protected zone" means that area at the base of an oak tree formed by tracing an imaginary line five (5) feet outward from and around the circumference of the drip line, the protected zone being the area extending inward toward the trunk of the tree from the tracing line. The protected zone shall be a radius of at least fifteen (15) feet from the trunk of the tree.~~"

Section 16. Zoning Code Amendment. Subsection 9120.17.R ("J") of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (Zoning) of the Agoura Hills Municipal Code is hereby amended to modify the definition for "routine maintenance" with deleted language shown in ~~strikeout~~ and new language shown in underline:

"J. *Routine maintenance~~, oak tree~~.* "Routine maintenance" ~~means actions needed for the continued good health of an oak tree, including but is not limited to removal of deadwood, insect control, spraying and watering~~ shall have the same meaning as defined in Section 9657."

Section 17. Zoning Code Amendment. Subsection 9120.19. ("T") of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (Zoning) of the Agoura Hills Municipal Code is hereby amended to add a new subsection "I" to add a definition for "tree protection zone" to read as follows:

"I. Tree protection zone (TPZ). Tree protection zone shall have the same meaning as defined in Section 9657."

Section 18. Agoura Hills Municipal Code Amendment. Subsection (s) of Section 10407 (Tentative Map Contents) of Chapter 4 (Tentative Map) of Article X (Subdivisions) of the Agoura Hills Municipal Code is hereby amended to read as follows, with deleted language shown in ~~strikeout~~ and new language shown in underline:

"(s) Number, location and size of all existing ~~oak~~ protected trees."

Section 19. California Environmental Quality Act (CEQA). This Ordinance is exempt pursuant to CEQA Guidelines Section 15308 (Actions by Regulatory Agencies for Protection of Natural Resources) because it is an action taken by a regulatory agency to assure the maintenance, restoration, enhancement, and protection of the environment. While the Ordinance allows for a relaxation of processing procedures for General Tree Permits, it will not result in a relaxation of mitigation requirements, and it will not result in a relaxation of standards leading to environmental degradation. This Ordinance protects two additional native tree species, and mitigation requirements for the removal of

protected trees are generally increasing, particularly for removals of large trees and heritage trees that provide the most value to the environment. New incentives are also being provided to promote the enhancement and restoration of the City's native trees.

Section 20. Severability Clause. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or its application to any person or circumstances, is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause, phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 21. Effective Date. This Ordinance shall take effect thirty (30) days after passage.

Section 22. Certification. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same or a summary thereof to be published and posted in the manner required by law.

PASSED, APPROVED, AND ADOPTED this __ day of _____, 2025, by the following vote to wit.

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

_____
Penny Sylvester, Mayor

ATTEST:

_____
Kimberly M. Rodrigues, MMC, City Clerk

APPROVED AS TO FORM:

_____
Candice K. Lee, City Attorney

ORDINANCE NO. 25-482

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING THE AGOURA HILLS MUNICIPAL CODE TO CONSOLIDATE ALL PROTECTED TREE REGULATIONS INTO SECTION 9657 AND UPDATING THE CITY'S PROTECTED TREE REGULATIONS TO STREAMLINE PERMIT PROCESSING, PRIORITIZE THE RETENTION OF INDIVIDUAL TREES, INCENTIVIZE THE PLANTING OF NEW PROTECTED TREES, INCLUDE THE CALIFORNIA SYCAMORE AND SOUTHERN CALIFORNIA BLACK WALNUT AS PROTECTED TREES, AND MAKE OTHER AMENDMENTS; AND MAKING A DETERMINATION OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, the City of Agoura Hills lies in the County of Los Angeles in the Conejo Valley, the beauty of which is greatly enhanced by the presence of large numbers of native trees, including oak trees, California sycamores, and Southern California black walnut;

WHEREAS, the further, uncontrolled and indiscriminate destruction of these trees would detrimentally affect the safety and welfare of the citizens of Agoura Hills;

WHEREAS, it is currently the policy of the City to require the preservation of all healthy oak trees unless compelling reasons justify the removal, cutting, pruning and/or encroachment into the protected zone of an oak tree;

WHEREAS, the protection and preservation of the California sycamore and Southern California black walnut, in addition to oak trees, would provide environmental and healthful value to the citizens of Agoura Hills;

WHEREAS, this Ordinance would provide environmental and healthful value to the City by: 1) increasing long-term canopy coverage; 2) reducing the urban heat island effect; 3) improving air quality by absorbing pollutants; 4) supporting biodiversity and habitat for wildlife; 5) combatting climate change by storing carbon dioxide and producing oxygen; 6) reducing noise pollution by serving as a noise buffer; 7) protecting people from ultra-violet rays; 8) conserving energy and reducing energy demand; 9) saving water by slowing water evaporation from other thirsty landscaping by providing shade; and 10) enhancing mental and physical health.

NOW, THEREFORE, the City Council of the City of Agoura Hills, California, hereby ordains as follows:

Section 1. The facts set forth in the recitals of this Ordinance are true and correct.

Section 2. Consistency with the General Plan. This Ordinance is consistent with the General Plan, specifically the Natural Resources Element and Goal NR-4, which calls for the protection and enhancement of open space resources, other natural areas, and significant wildlife and vegetation in the City as an integral component of a sustainable environment. The City currently protects oak trees, and the Ordinance will provide protections for two additional species of native trees, thereby protecting and enhancing vegetation in the City. The Ordinance provides specific incentives for the planting of new native trees, furthering General Plan Policies NR-4.10 and S-19.1, which aim to plant new oak trees while maintaining and preserving existing trees. Streamlining permit applications aims to reduce regulatory pressures to further the ultimate goal of incentivizing tree planting and producing more native tree canopy area throughout the City.

Section 3. Zoning Code Amendment. Division 7 (Oak Tree Preservation Guidelines) of Part 2 (Special Regulations) of Chapter 6 (Regulatory Provisions) of Article IX (Zoning) of the Agoura Hills Municipal Code is hereby amended in its entirety to read as follows:

"DIVISION 7. – PROTECTED TREE PRESERVATION REGULATIONS

9657 – Definitions.

For purposes of this Division, the following words, phrases, and terms shall be defined as set forth in this Section.

A. *Certification Letter.* A letter certifying that work was performed under the direct supervision of a Tree Consultant and that said work fully complies with the conditions of approval of the Protected Tree Permit and this Division.

B. *Crown.* The total collection of a tree's branches, leaves, and reproductive structures.

C. *Damage.* Any actions that cause physical harm to a tree, whether willful or accidental, including but not limited to breaking or extreme pruning of branches, and injury to bark, trunk, or roots.

D. *Dead Tree.* A tree that does not contain any live tissue (i.e., green leaves or live limbs). Because valley oak (*Quercus lobata*) and California sycamore (*Platanus racemosa*) are deciduous trees and are dormant in the winter, their

status must be confirmed by the City's Tree Consultant before being declared dead.

E. *Deadwood.* Limbs or branches that contain no green leaves or live tissue.

F. *Deadwooding.* The process of pruning a tree of its deadwood.

G. *Diameter at Standard Height (DSH).* The measurement of a tree's trunk diameter taken at a standard height of 4.5 feet (54 inches) above ground level. For trees with multiple stems, DSH shall be calculated using the sum of the squares method as defined by the American Society of Consulting Arborists (obtained by measuring each stem's diameter, squaring them, summing the squares, and taking the square root of that total).

H. *Director.* The Community Development Director or their designee.

I. *Dripline.* An imaginary line drawn upon the ground measured at the furthest extension of the crown around the circumference of the tree.

J. *Effective Removal.* Any action that results in the tree's permanent disfigurement, destruction, or removal.

K. *Encroachment.* Any intrusion into the tree protection zone (TPZ) of a tree; including pruning, grading, excavating, trenching, installment of structures, driving vehicles, etc.

L. *Hazardous.* A hazardous tree shall mean any tree that poses an imminent risk or danger to person or property. The Director may determine that a tree is a hazard if the entirety of the tree, or any part of it: (1) appears dead, dangerous, or likely to fall, even after proper maintenance activities are performed to eliminate dead or dangerous parts; (2) obstructs or damages a street, sidewalk, or other existing structure; (3) harbors a serious disease or infestation threatening the health of other trees; (4) interferes with vehicular or pedestrian traffic; or (5) poses any other significant hazard or potential hazard, as determined by the Director; provided, however, that no feasible measures could be implemented to abate any such hazard.

M. *Ground Plane Improvements.* Improvements that do not significantly disturb the soil within the TPZ of a tree.

N. *Landmark Tree.* Any protected tree with a DSH that measures 48 inches or greater.

O. *Lion Tailing.* The improper pruning of excessive amounts of inner and lower branches, leaving foliage primarily at the ends of branches and susceptible to breakage.

P. *Protected Tree.* All scrub oak species regardless of size and all of the following species of trees with a DSH that measures 6 inches or greater are considered protected trees: California sycamore (*Platanus racemosa)*, Southern California black walnut (*Juglans californica)*, or any oak (*Quercus)* species.

Q. *Tree Consultant.* An individual or firm with a degree or experience in arboriculture, including experience in monitoring and maintaining the health of trees. The Tree Consultant must be an International Society of Arboriculture Certified Arborist, a Registered Consulting Arborist from the American Society of Consulting Arborists, or contain other equivalent certifications which would qualify them as a Tree Consultant at the discretion of the City.

R. *Protected Tree Permit.* An entitlement from the City authorizing specific work to be performed on or near a protected tree.

S. *Protected Tree Report.* A report prepared by a Tree Consultant containing specific information on the location, condition, potential impacts of development, recommended actions and mitigation measures regarding one (1) or more Protected trees on an individual lot or project site.

T. *Pruning.* Any and all cutting performed upon the roots or the limbs of a tree.

U. *Removal.* The physical removal of a tree or causing of the death of a tree through damaging, poisoning or other direct or indirect action. Trees approved for retention or relocation which subsequently die shall be considered as removals.

V. *Routine Maintenance.* Actions taken for the continued health of a tree, including but not limited to: pruning dead wood, insect spraying, and watering. Pruning branches smaller than three (3) inches in diameter that does not lead to crown loss over 20 percent (%) is considered routine maintenance. Topping, lion tailing, and any other practice that does not adhere to American National Standards Institute (ANSI) A300 standards and International Society of Arboriculture (ISA) best management practices do not constitute routine maintenance and are prohibited under any circumstances.

W. *Topping.* The drastic and indiscriminate removal or cutting back of branches in a tree to reduce its size and shape.

X. *Tree Protection Zone (TPZ).* Using the dripline as a point of reference, the TPZ shall commence at a point five (5) feet outside of the dripline and extend inwards to the trunk of the tree. In no case shall the TPZ be less than fifteen (15) feet from the trunk of a tree.

9657.1. – Protected Tree Permit required.

Except as otherwise provided in Section 9657.2, no person shall remove or damage any protected tree unless a valid Protected Tree Permit has been issued by the Director or the Planning Commission pursuant to the provisions of this Division.

9657.2. – Exemptions.

The provisions of this Division shall not apply to the following:

A. *Small Trees*: On private property, trees with a DSH smaller than 6 inches for the following species of trees: California sycamore (*Platanus racemosa)*, Southern California black walnut (*Juglans californica)*, or any oak (*Quercus)* species. Trees planted for the purpose of City-required mitigation and scrub oak species are not exempt and must comply with the permit requirements of this chapter.

B. *Emergencies*: If upon a visual inspection, a protected tree is determined to be in a hazardous or dangerous condition by the City, any member of a law enforcement or public safety agency, or the Los Angeles County Fire Department, that agency may order or allow the removal of a protected tree. Prior notice to the Community Development Department shall be provided, if possible. Subsequent to the emergency action, written notification shall be provided to the Community Development Department describing the action taken and the nature of the emergency. For the purposes of this provision, the City may consider a protected tree to be in a hazardous or dangerous condition if the continued existence of the tree in its present location would eventually lead to a hazardous or dangerous condition, even with reasonable mitigation efforts.

C. *Routine Maintenance of trees* as defined in Section 9657.

D. *Nurseries Trees*: Protected trees that are planted, grown and/or held for sale by licensed nurseries or the removal or transplanting of same pursuant to, and as a part of, the operation of a licensed nursery business. This exemption is limited to trees with main trunks smaller than ten (10) inches DSH.

E. *Active Fires*: When removal is determined necessary by fire department personnel actively engaged in fighting a fire.

F. *Registered Plantings*: Any protected tree species that have been registered with the City pursuant to Section 9657.8.

9657.3. – Protected Tree Permit types.

Three different types of Protected Tree Permits exist to regulate work that may remove or damage a protected tree. The type of Protected Tree Permit shall determine application material requirements and the permitting process.

A. *General Tree Permit:* General Tree Permits shall be required for work within the TPZ of a protected tree that is not routine maintenance and will not jeopardize the long-term health of the tree, and tree removals that are not associated with new development or Hazardous Tree Permits. Most tree pruning work falls under a General Tree Permit.

B. *Hazardous Tree Permit:* Hazardous Tree Permits shall be required in those situations in which a protected tree is hazardous and must be removed for safety purposes.

C. *Development Tree Permit:* Development Tree Permits shall be required for new construction projects that directly impact protected trees or propose ground disturbance activities within 25 feet of a protected tree, as measured from the edge of the TPZ.

9657.4. – General Tree Permits.

Required materials, processing procedures, and other requirements for General Tree Permits are set forth below.

A. *Application materials*. An application package for a General Tree Permit shall include the following for the application to be considered complete and processed:

1. *Application form*. A completed Protected Tree Permit application form available on the City's website or online permit platform.
2. *Justification statement*. A written statement by the applicant or their Tree Consultant stating the justification for planned actions involving protected trees.
3. *Photos*. Photos of the tree(s) proposed to be pruned or removed showing the state of the tree and its general location relative to the property listed in the application form. For trees proposed to be pruned, the Photos shall provide a general depiction of proposed cuts to be made to the tree.

4. *Fees*. Fee amounts for General Tree Permits shall be established by City Council resolution and are required to be paid upon the submittal of a General Tree Permit application.
5. *Site plan map*. A site plan map is required for General Tree Permits impacting five (5) or more protected trees. Requirements for site plan maps are set forth in Section 9657.6.A.4.
6. *Protected Tree Report*. A Protected Tree Report is required for General Tree Permits involving five (5) or more protected trees. Requirements for Protected Tree Reports are set forth in Section 9657.6.A.5.

B. *Application process*. After the applicant has submitted all required materials listed above, the City will review the application materials for accuracy and completion, and inspect the project site, if necessary, within 30 days of submittal of a complete application.
   1. For activities involving pruning only, a site inspection may not be required if the pruning is conducted by an individual or company on the City-endorsed tree care company list. Photos of the completed work shall be provided to the City within five days of completion.
   2. For activities involving pruning only, a site inspection shall be conducted by the City's Tree Consultant prior to permit issuance if the pruning activity is conducted by an individual or company that is not on the City-endorsed tree care company list. Photos of the completed work shall be provided to the City within five days of completion.
   3. For all other activities completed under a General Tree Permit, a site inspection may be required to confirm the site conditions stated in the application, or if the activity proposed has the potential to damage a protected tree, as determined the City.

C. *Required findings*. After receiving all of the required information, a General Tree Permit application shall be approved when at least one of the following findings can be made:
   1. The proposed work will not significantly affect the long-term condition of the protected tree(s), as determined by the City's Tree Consultant;
   2. The protected tree(s) is dead or declining and cannot be controlled or mitigated through reasonable preservation measures; or
   3. The protected tree(s) conflicts with existing infrastructure and no reasonable mitigation efforts can be taken to repair or prevent the damage and preserve the tree.

D. *Mitigation*. One 24-inch box of the same species shall be planted for protected trees removed pursuant to Section 9657.4.C.3. above. Mitigation shall not be required for all other General Tree Permits unless it is found that the death, removal, or damage of a protected tree was a result of actions that were taken in violation of this Division. In those instances, the responsible party shall mitigate for the death, removal, or damage of the protected tree(s) as specified in Tables 1 and 2 of Section 9657.6.D.

E. *Approval body*. The Director shall review and approve or deny General Tree Permit applications.

F. *Decision*. Depending on whether the required criteria has been met, an application may be approved, conditionally approved, or denied. For General Tree Permits, the decision of the Director shall be final, and a decision shall be rendered within 30 days of determining the application is complete and accurate. Conditions of approval may include, but are not limited to, the following:

1. The planting of replacement trees on-site or off-site;
2. Payment of a mitigation fee as established by City Council resolution;
3. A mitigation monitoring program to ensure the health and longevity of the protected tree(s).
4. Compliance with applicable local, state, or federal regulations.

G. *Expiration.* A general tree permit shall be valid for 180 days after the date of approval.

9657.5. – Hazardous Tree Permits.

Required materials, processing procedures, and other requirements for Hazardous Tree Permits are set forth below.

A. *Application materials*. An application package for a Hazardous Tree Permit shall include the following in order for the application to be considered complete and processed:

1. *Application form.* A completed Protected Tree Permit application form available on the City's website or online permit platform;
2. *Justification statement.* A written statement by the applicant or their Tree Consultant stating the justification for planned actions involving protected trees;

3. *Photos.* Photos of the tree(s) proposed to be removed showing the state of the tree and its general location relative to the property listed in the application form;
4. *Fees.* Fee amounts for Hazardous Tree Permits shall be established by City Council resolution and are required to be paid upon submittal of a Hazardous Tree Permit application. If the City confirms that the tree is dead or hazardous, application fees for the Hazardous Tree Permit shall be waived and refunded;

B. *Application process*. After the applicant has submitted all required materials, the City will review the application materials for accuracy and completeness and inspect the project site as necessary within 30 days of submittal. If the protected tree(s) are determined not to be in a hazardous or dangerous condition, the application may be elevated to a General Tree Permit or withdrawn.

C. *Approval body*. The Director shall review and approve or deny Hazardous Tree Permit applications.

D. *Required findings*. After receiving all required information, a Hazardous Tree Permit application shall be approved if the following finding can be made:
1. The condition of the protected tree(s) is in a hazardous or dangerous condition or will be in a hazardous or dangerous condition and cannot be controlled or mitigated through reasonable preservation measures, as determined by the City.

E. *Mitigation*. Mitigation shall not be required for Hazardous Tree Permits unless it is found that the death, removal, or damage of a protected tree was a result of actions that were taken in violation of this Division. In those instances, the responsible party shall mitigate for the death, removal, or damage of the protected tree(s) as specified in Tables 1 and 2 of Section 9657.6.D.

F. *Decision*. Depending on if the required criteria has been met, an application may be approved, conditionally approved, or denied. For Hazardous Tree Permits, the decision of the Director shall be final, and a decision shall be rendered within 30 days of determining that the application is complete and accurate. Conditions on approval may include, but are not limited to, the following:
1. The planting of replacement trees on-site or off-site;
2. Payment of a mitigation fee as established by City Council resolution;
3. A mitigation monitoring program to ensure the health and longevity of the protected tree(s).

9657.6. - Development Tree Permits.

Required materials, processing procedures, and other requirements for development tree permits are set forth below.

A. *Application materials*: An application package for a Development Tree Permit shall include the following in order for the application to be considered complete and processed;

1. *Application form.* A completed Protected Tree Permit application form available on the City's website or online permit platform.
2. *Justification statement.* A written statement by the applicant or their Tree Consultant stating the justification for planned actions involving protected trees.
3. *Fees.* Fee amounts for Development Tree Permits are established by City Council resolution and are required to be paid prior to the acceptance of a Development Tree Permit application.
4. *Site Plan Map.* Site plan maps prepared by the applicant's Tree Consultant are required for Development Tree Permits. The site plan map must depict the protected tree(s)' trunk locations, crown spreads (as measured from trunk to edge of dripline to the compass directions of north, south, east, and west), and TPZs of all protected trees on the project site (including trees that are partially on the project site). Site plan maps must additionally depict all existing features and structures, as well as all proposed development activities including but not limited to demolition, grading, trenching, and construction. Site plan maps are valid for two (2) years after date of preparation, so long as the proposed development activity has not changed. The date of protected tree data collection must be within one year of the date of preparation.
5. *Protected Tree Report.* Protected Tree Reports prepared by the applicant's Tree Consultant are required for Development Tree Permits. Protected Tree Reports are valid for two (2) years after date of preparation. The date of protected tree data collection must be within one (1) year of the date of preparation. Protected Tree Reports must include the following information:
    a. Description of the proposed project.
    b. Total number of protected trees on the lot.
    c. Any off-site protected trees within 25 feet of proposed ground disturbance activities, as measured from the edge of the TPZ.

d. Total number of protected trees proposed for removal, encroachment into the TPZ, and preservation without TPZ encroachment. The cumulative percentage of DSH removal for the site shall be provided.

e. Discussion of proposed tree protection measures during site development, including but not limited to protective fencing, arborist monitoring, and construction techniques within the TPZ (digging by hand).

f. Tree Replacement Plan if applicable, including number of replacement trees, species, container sizes, and planting locations (see Section 9657.6.D for tree replacement requirements).

g. The following data for each protected tree:

(1) Species (botanical and common name).

(2) DSH.

(3) Tree height.

(4) Tree crown extent from the trunk to the edge of the dripline to the compass directions of north, south, east, and west.

(5) Health rating on a scale of A to F, including disclosure of any significant health conditions such as poor vigor, evidence of disease, or evidence of pests.

(6) Appearance rating on a scale of A to F, including disclosure of any significant physical structure conditions, such as overextended branches, unbalanced crown, broken branches, etc.

(7) Pictures of the tree in its entirety. Pictures of multiple trees are permissible when it is not feasible to take individual pictures of trees.

(8) Discussion of anticipated impacts on the tree, including the following data:

i. Discussion of all proposed work within the TPZ, including pruning, paving, trenching, grading, filling, etc.

ii. Percent TPZ encroachment.

iii. Percent crown removal, if applicable.

iv. Evaluation of anticipated impacts to the health of the tree.

v. Square footage of removals for scrub oak species.

6. *Tagging*. Trees shall be affixed a tag and unique ID number on the north side of the tree at standard height.

B. *Application process.* After the applicant has submitted all required materials, the City will review the application materials for accuracy and completeness

concurrently and in the same manner as the development application and inspect the project site as necessary.

C. *Removal limits*. Development Tree Permits shall comply with the removal limits set forth below.

1. All scrub oak removals shall not exceed 10 percent of the total square footage of scrub oaks on the lot unless a variance is approved pursuant to Section 9676.2.C. In addition, increased mitigation shall be required if more than 10 percent of the total square footage of scrub oaks are removed, as shown in Section 9657.6.D, Table 1.
2. All other protected tree removals shall not exceed 10 percent of the total DSH of the protected trees on the lot unless a variance is approved.
3. If a project proposes to remove more than 10 percent of the total DSH of protected trees on a lot, a variance and increased mitigation shall be required based on the total proposed removal percentage as shown in Tables 1 and 2 of Section 9657.6.D.
4. For proposed TPZ encroachment that exceeds 10 percent, a monitoring program shall be required to evaluate the health of the tree for up to 5 years following the completion of work. Ground plane improvements shall not count towards the 10 percent TPZ encroachment threshold.
5. Landmark trees shall not be removed unless a variance is approved pursuant to Section 9676.2.C.

D. *Mitigation requirements*: For protected tree removals associated with development tree permits, the applicant shall provide replacement trees at the ratios outlined in Tables 1 and 2 below. In some cases, where it is not possible to obtain nursery grown trees in the sizes required, an equivalent number of smaller container trees shall be planted in an amount equal to the cost of the larger but unavailable trees. Unless approved by the City on the basis of maximizing total urban canopy, prioritizing on-site plantings, and reducing conflicts with required infrastructure, the applicant shall provide replacement trees of the same species for any protected tree approved by the City for removal. In cases where site conditions or fire safety requirements physically preclude a developer from planting all of the required replacement trees on-site, the developer may propose off-site tree plantings in the same ratio as described below, or payment of in-lieu fees established by City Council resolution for each tree that is not able to be planted on-site.

Table 1: Scrub Oak Mitigation Requirements

Scrub Oak Species	
Square Footage to be Removed	Required Replacement Square Footage*
Less than 10% of total scrub oak	Equal to square footage removed
10% - 20% of total scrub oak	One and one half (1.5) times the square footage removed
Greater than 20% of total scrub oak	Two times the square footage removed

**Scrub oaks of the same species shall be planted to a five-foot on center spacing within the replacement area.*

Table 2: Protected Tree Mitigation Requirements

All Other Protected Trees	
DSH of Each Protected Tree to be Removed	Required Quantity and Size of Replacement Trees
Up to 10% Total DSH Removed	
6 inches to 12 inches	Two 24-inch box trees
12 inches to 24 inches	Three 24-inch box trees
24 inches to 36 inches	Four 24-inch box trees;
36 inches to 48 inches	Five 24-inch box trees;
Above 48 inches	Four 24-inch box trees; Two 60-inch box trees
10-20% Total DSH Removed	
6 inches to 12 inches	Two 36-inch box trees
12 inches to 24 inches	Three 36-inch box trees
24 inches to 36 inches	Four 36-inch box trees;
36 inches to 48 inches	Five 36-inch box trees;
Above 48 inches	Four 36-inch box trees; Two 60-inch box trees
Greater than 20% Total DSH Removed	
6 inches to 12 inches	Three 36-inch box trees
12 inches to 24 inches	Four 36-inch box trees
24 inches to 36 inches	Five 36-inch box trees;
36 inches to 48 inches	Six 36-inch box trees;
Above 48 inches	Five 36-inch box trees; Two 60-inch box trees

E. *Monitoring requirements.* On-site replacements and protected trees where TPZ encroachment exceeds 10 percent shall be monitored annually by the applicant's Tree Consultant for (5) years following the completion of construction activities.

1. Any replacement trees that die during the monitoring period shall be replaced at a 1:1 ratio.
2. Any protected tree that has died or significantly declined in health at the end of the monitoring period shall be replaced at the same ratio as required by Section 9657.6.D, Tables 1 and 2.
3. Monitoring reports shall be completed annually by the applicant's Tree Consultant and submitted to the Community Development Department. The monitoring report shall contain the following information for each tree that requires monitoring:
    a. Photographs. A clear photograph of the tree shall be provided for each tree in the monitoring program. Pictures of multiple trees are permissible when it is not feasible to take individual pictures of trees.
    b. A brief summary describing the overall success of replacement plantings and/or the health of existing trees. A detailed explanation shall be provided for trees that have declined in health or appearance, and a recommendation shall be provided on whether or not those trees will need to be replaced. The City shall ultimately determine whether replacements are required.
4. Monitoring reports shall be required for at least five (5) years unless the City determines that they are no longer required based on the health of the trees and the extent of disturbance during or after construction.

F. *Standards for performance of required work.* Following the approval of a Development Tree Permit, all work shall comply with the applicable standards set forth below
    1. *Protective fencing.* A minimum five-foot high chain link fence with dark green mesh will be required to be installed at the outermost edge of the TPZ of each protected tree or group of protected trees. A fencing plan showing that the location, materials, and height of all proposed fencing comply with the requirements of this section shall be submitted by the developer and approved by the City prior to the issuance of a building permit. All required fencing shall be installed consistent with the approved fencing plan prior to the commencement of work. Prior to the removal of the protective fencing, the developer shall contact the City to perform a final inspection. Fencing requirements for individual protected trees may be waived by the City if no construction-related activities or disturbances are proposed within 25 feet of the TPZ.
    2. *Work within the TPZ.* All work conducted within the TPZ shall be performed in the presence of the applicant's Tree Consultant. The applicant's Tree

Consultant shall submit certification letters for all work completed within the TPZ of a protected tree within five working days of the completion of said work. The letter(s) shall describe all work performed, methods utilized, monitoring performed, whether such work was completed in accordance with all conditions of approval.

3. *Hand tools.* All work within the TPZ of a protected tree shall be accomplished using only hand tools.
4. *Root pruning.* All equipment used to prune protected tree roots shall be cleaned prior commencement of work. All root pruning shall consist of clean cuts at a forty-five degree angle with the cut surface facing downward.
5. *Activity within the TPZ.* No vehicles, equipment, materials, litter, or other items shall be used or placed within the TPZ of a protected tree at any time except as specifically required to complete approved work.
6. *Herbicide.* No herbicide shall be used within 100 feet of the TPZ of a protected tree.
7. *On-site documentation.* The following information shall be located and retained on the site for the duration of construction activities.
    a. Approved Protected Tree Report, Site Plan Map, Fencing Plan, and Protected Tree Permit.
    b. Approved development plans.
    c. Approved grading plans, if applicable.
    d. Approved landscape plans, if applicable.
    e. Protected tree regulations.

G. *Approval body*. A development tree permit shall have the same approval body as the associated development entitlements.

H. *Required findings*. After receiving all required information, a Development Tree Permit application shall be approved when all of the following findings can be made:

1. That the removal or damage of any protected tree(s) proposed, if applicable, is necessary because the continued existence at present location(s) either; (1) prevents the planned improvement or proposed use of the subject property to such an extent that alternative development plans cannot achieve the same permitted density or that the cost of such alternative would be prohibitive, or (2) interferes with utility services or streets and highways, either within or outside of the subject property, and no reasonable alternative to such interference exists other than removal or damage of the tree(s);

2. That any proposed removal or damage of the protected tree(s) will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated; and
3. That the proposed development, as conditioned, meets all applicable removal limits and mitigation requirements.

I. *Approval.* An application shall be approved or conditionally approved if all the required findings can be made and shall be denied if any of the required findings cannot be made. Conditions of approval may include, but are not limited to, the following:
1. The planting of replacement trees on-site or off-site;
2. Payment of an in-lieu fee as established by City Council resolution;
3. A mitigation monitoring program to ensure the health and longevity of protected tree(s)

J. *Appeals.* The decision of the Director of Planning and Community Development may be appealed to the Planning Commission upon filing of the proper form and payment of appropriate fees. The decision of the Planning Commission may be appealed to the City Council and any decision by the City Council shall be final. All appeals must be filed within fifteen (15) calendar days of the decision to approve, deny, or conditionally approve the project.

9657.7. – Special Development Tree Permits.

This Section contains special Protected Tree Permit requirements for Affordable Housing Overlay (AHO) and Senate Bill 9 (SB 9) development applications. A Development Tree Permit shall be required for these projects if they involve activity within the TPZ of a protected tree, and the application shall be processed and approved concurrently and in the same manner as the development application. The Special Development Tree Permit required by this Section shall not be subject to the requirements of Section 9657.6, unless identified herein.

A. *AHO projects.*
1. *Application materials.* All application materials required for Development Tree Permits shall be provided as listed in Section 9657.6.A.
2. *Mitigation requirements.* If a project involves the removal of a protected tree, other than a landmark tree, one (1) 24-inch box replacement tree of the same species shall be planted on the site for each protected tree removed. For scrub oak species, on-site replacement shall be equal to the square footage of the area removed, with scrub oaks of the same species planted to a five-foot on center spacing within the replacement area.

a. If proposed TPZ encroachment for an individual protected tree exceeds 20 percent, a monitoring program shall be required to evaluate the health of the tree for up to 5 years following the completion of work. Any protected tree that dies or significantly declines in health during the reporting period shall be replaced with one (1) 24-inch box replacement tree of the same species. Ground plane improvements shall not count towards the 20 percent TPZ encroachment threshold.

3. *Removal limits.* If a project involves the removal of up to ten (10) protected trees within the project site, not more than twenty-five (25) percent of the total DSH of all protected trees on that project site shall be removed. If the project involves the removal of eleven (11) or more protected trees within the project site, not more than thirty-five (35) percent of the total DSH of all protected trees on the project site shall be removed. Total scrub oak removals shall not exceed thirty-five percent of the total square footage of scrub oaks on the project site. Off-site trees that must be removed as a result of the project shall be considered on-site trees for the purpose of calculating total tree removals.
4. *Hillside stabilization.* For the purpose of providing natural stabilization of hillsides and preservation of native landscaping, a minimum of seventy-five (75) percent of all native trees on a slope steeper than fifty (50) percent shall be retained.
5. *Landmark trees.* The removal of a landmark tree is prohibited. If the City is compelled to allow the removal of a landmark tree due to any provisions of state law, no less than six (6) 24-inch box replacement trees shall be planted on the site.
6. *Alternative mitigation options.* In cases where site conditions or fire safety requirements physically preclude a developer from planting all of the required replacement trees on-site, the developer may propose off-site tree plantings in the same ratio as described below, or payment of in-lieu fees established by City Council resolution for each tree that is not able to be planted on-site.
7. *Monitoring requirements.* On-site replacements and existing protected trees where TPZ encroachment exceeds 10 percent shall be monitored annually by the applicant's Tree Consultant for up to (5) years following the completion of construction activities.
    a. Any replacement trees that die within the 5-year monitoring period shall be replaced with a 24-inch box tree of the same species.

b. Any existing protected trees that have died or significantly declined in health at the end of the monitoring period as a result of development activities shall be replaced with a 24-inch box of the same species. Landmark trees that die or significantly decline in health as a result of development activities shall be replaced with six (6) 24-inch box trees of the same species.

c. Monitoring reports shall be completed annually by the applicant's Protected Tree Consultant and submitted to the Community Development Department for at least five years following the start of construction activities as described in Section 9657.6.E.3.

8. *Standards for performance of required work.* All AHO projects shall comply with the standards for performance of required work for Development Tree Permits set forth in Section 9657.6.F.

B. *SB 9 Projects.*

1. *Application materials*. All application materials required for Development Tree Permits shall be provided as listed in Section 9657.6.A.

2. *Mitigation requirements*. If a project involves the removal of one or more protected tree(s), other than a landmark tree, the mitigation requirements for Development Tree Permits shall be required as specified in Section 9657.6.D, Tables 1 & 2.

3. *Removal Limits*. No SB 9 project shall remove more than 10 percent of the total DSH of protected trees or more than 10 percent of the total square footage of scrub oaks on a project site.

   a. If proposed TPZ encroachment for an individual protected tree exceeds 10 percent, a monitoring program shall be required to evaluate the health of the tree for up to 5 years following the completion of work. Any protected tree that dies or significantly declines in health during the reporting period shall be replaced at the ratios specified in Tables 1 & 2 of Section 9657.6.D. Ground plane improvements shall not count towards the 10 percent TPZ encroachment threshold.

4. *Landmark trees*. An SB 9 project shall not result in the removal of a landmark tree.

5. *Alternative mitigation options*. If providing all required replacements on-site is not possible or feasible due to site constraints, the developer may propose to plant off-site replacements or pay an in-lieu fee as established by City Council resolution.

6. *Monitoring requirements*. All monitoring requirements for Development Tree Permits as described in Section 9657.6.E shall apply to SB 9 projects.

7. *Standards for performance of required work.* All SB 9 projects shall comply with the standards for performance of required work for Development Tree Permits set forth in Section 9657.6.F.

9657.8. – Planting incentives.

In order to encourage the planting of as many native trees as possible within the City, incentives should be provided to property owners or businesses that plant new native trees.

A. *Registered plantings*. Any property owner that willingly plants new protected tree species on their property may register those trees with the City. Registered plantings on file with the City shall not be subject to the regulations of this Division. Applicants of Protected Tree Permits may not register required plantings or replacement plantings.
B. *Modifications and variances*. The Director shall have the discretion to waive variance and modification fees for development projects that avoid impacts to protected trees, and as a result, do not meet established zoning criteria.

9657.9. – Company registration.

The City may establish a registration system by which individuals or companies that treat, prune, remove, or otherwise engage in tree care may be trained by the City to become City-endorsed individuals or companies. The purpose of this policy is to endorse tree care companies or individuals that abide by ANSI A300 standards and ISA best management practices, ensure the health and longevity of the City's protected trees, and to streamline general tree permit and development tree permit applications. Training may be held annually and companies that attend may afterwards register with the City to be placed on the City-endorsed tree care company list, which is retained and distributed at City Hall and on the City's website.

9657.10. – Protected tree mitigation fund.

The City may establish a protected tree mitigation fund to be used for the continued wellbeing of protected trees within the City. Funding may be sourced from in-lieu fees and restitution paid to the City for protected tree mitigation. In-lieu fee and restitution amounts shall be established by City Council resolution. Uses of the fund may include, but are not limited to, protected tree planting, maintenance and monitoring, and purchasing land for planting new native trees.

9657.11. – Penalties and enforcement for violation.

The City shall vigorously enforce the provisions of this Division. Violations of this Division shall be subject to the following procedures, notices and remedies:

A. *Penalties*.

1. Any violation(s) of any of the provisions of this Division and/or any failure to comply with any of its requirements shall be punishable as set forth in Chapter 2 (Penalties) and Chapter 5 (Administrative Citations) of Article 1 (General Provisions) of this Code.
2. In addition to the penalties and remedies contained herein, any violation of this Division caused or permitted to exist shall be and is deemed a public nuisance and may be summarily abated as such by the City in accordance with the nuisance abatement provisions set forth in Sections 5608 through 5622 of Chapter 6 (Nuisance Abatement) of Article V (Sanitation and Health) of this Code.
3. Each and every day during any portion of which any violation of any provision of this Division is committed, continued or permitted shall constitute a separate offense and shall be punishable accordingly.

B. *Additional remedies*. In addition to all available remedies permitted by federal, state, and local law, violations of this Division shall be subject to the following remedies:

1. Required mitigation. Mitigation trees in the size and amount specified by Section 9657.6.D, Tables 1 and 2 shall be planted on-site for protected trees that have been removed or effectively removed, at the determination of the City.
    a. If the City determines that it is not possible or feasible to plant all required replacement trees on-site, those trees may be planted off-site in a location approved by the City or an in-lieu fee may be paid as established by City Council resolution.
2. Restitution. It has been determined that the protected trees within the City are valuable assets to the citizens of this community and to the citizens of the County of Los Angeles. Particularly egregious or willful destruction of protected trees or repeat violators of this Division shall be subject to additional restitution in an amount established by City Council resolution to compensate the public for lost assets and environmental degradation. Restitution funds shall be placed in a protected tree mitigation fund.

3. Violations by City-endorsed tree care companies. Any City-endorsed tree care company that commits a violation of this Division may be put on notice that their City-endorsed status will be revoked upon any repeat violation, or if the City finds that the City-endorsed tree care company willfully violated the provisions of this Division.

9657.12 – Nonliability of City.

Nothing in these Sections shall be deemed to impose any liability upon the City of Agoura Hills or upon any of its officers or employees, or agents, nor to relieve the owner and occupant of any private property from the duty to keep trees upon such property or under their control, in a safe condition.

Section 4. Zoning Code Amendment. Section 9525.9 (Oak Trees) of Part 3 (AH Affordable Housing Overlay District) of Chapter 5 (Overlay Districts) of Article IX (Zoning) of the Agoura Hills Municipal Code is hereby amended in its entirety to read as follows:

"9525.9. – Protected Trees.

Any project seeking approval under the AH overlay district and proposing activity within the tree protection zone of a protected tree shall require the review and approval of a Development Tree Permit, subject to the applicable standards located in section 9657.7."

Section 5. Zoning Code Amendment. Section 9293.4 (Development standards for all projects) of Part 11 (Senate Bill 9 Housing Development Standards) of Chapter 2 (Residential Land Use Districts) of Article IX (Zoning) of the Agoura Hills Municipal Code is hereby amended to read as follows, with deleted language shown in ~~strikeout~~ and new language shown in underline:

"**9293.4. – Development standards for all projects.**

All housing development applications submitted pursuant to this part shall comply with the following development standards:

A. *Parking.* Off-street parking of one (1) space per dwelling unit is required, except that no off-street parking spaces are required in either of the following instances:

1. The parcel is located within one-half (½) mile walking distance of either a high-quality transit corridor, as defined in Section 21155(b) of the Public

Resources Code, or a major transit stop, as defined in Section 21064.3 of the Public Resources Code.

2. There is a car share vehicle located within one (1) block of the parcel.

B. *Septic.* For residential units connected to an onsite wastewater treatment system, a percolation test must have been completed within the last five (5) years, or, if the percolation test has been recertified, within the last ten (10) years.

C. *Setbacks.* Side and rear setbacks shall be a minimum of four (4) feet, except that no setback shall be required for an existing structure, or a structure constructed in the same location and to the same dimensions as an existing structure.

D. *Fencing.* All fencing shall meet the requirements listed in section 9606.2. No fencing or other barriers shall be established that prevent public access to trails or trailheads.

E. *Private streets.* Developments may be served by private streets, provided that:

1. Unless prohibited by Government Code Section 66411.7(b)(3) as amended, an irrevocable offer to dedicate shall be made as a part of all development;
2. Evidence is provided that easements required for the provision of public services and facilities exist to provide adequate access to all development served from said private street;
3. Evidence is provided that adequate agreements exist to guarantee the ongoing maintenance of said private streets; and
4. The width of said private streets comply with the city's standards for public streets.

F. *Accessory dwelling units.* Accessory dwelling units shall not be permitted on parcels that have been created through an urban lot split or are proposed to be created through an urban lot split, and proposed housing developments containing no more than two (2) residential units pursuant to this part.

G. *Utilities.* All utilities shall be provided as required by chapter 6.

H. *Right-of-way improvements.* Unless prohibited by Government Code Section 66411.7(b)(3), all projects adjacent to a public street shall be designed and constructed to full public right-of-way improvements along the project frontages in accordance with the Committee of Public Works Standards, Inc.'s standard plans for public works construction and any applicable specific plans.

I. *Drainage courses.* No structures or parts of structures shall overhang, project, or protrude into any known drainage course.

1. Fences and other structures, culverts and bridges, and any other improvements which must be constructed within drainage courses, shall be designed to the requirements of the city to prevent an obstruction or division of drainage flows and to minimize adverse effects to natural riparian vegetation and ecosystems.

J. *Landscaping.* All projects shall meet the following landscape standards:

1. Landscaping shall be provided in all front yard areas visible to the public from any adjacent rights-of-way that are not specifically used for parking, driveways, walkways, patios, gardens, or other recreational purposes. Existing native vegetation or landscaping in front yard areas may be used to satisfy this standard.
2. All manufactured slopes or the face of cut-and-fill slopes shall be planted or otherwise protected from the effects of storm runoff and erosion, and such planting or protection must occur within thirty (30) days after completion of grading.
3. All new landscaping shall use at least fifty (50) percent native, drought-tolerant species selected from those listed by the California Native Plant Society in the Calscape website specific to Agoura Hills.
4. No plants on the California Invasive Plant Council's list of invasive species may be used in the project landscaping.
5. Artificial turf is discouraged in landscape areas to reduce the urban heat island effect, fire danger, and environmental impacts including waste materials and microplastic pollution.
6. New required landscape areas shall provide at least five (5) different shrubs and groundcovers to provide foliage, texture, and color.
7. Palm trees are prohibited in new landscape areas.
8. Planted berms and slopes shall be no steeper than 2:1, and 3:1 is preferred to provide greater planting opportunities.
9. Landscape design shall conform to stormwater design and low impact development (LID) requirements.
10. Landscape plans shall meet the requirements of the Los Angeles Fire Department, Fuel Modification Unit for fire safety.
11. Landscape and irrigation plans subject to the California State Model Water Efficient Landscape Ordinance (MWELO) shall conform to the requirements therein to achieve water efficient landscaping.

K. *Oak tree report.* The city's oak tree ordinance (section 9657 et seq.) shall not apply to a project seeking approval under this part, except for the following sections:

1. Section II. (Definitions) of appendix A of article IX.
2. Items D, E, F.2, and F.3 of section IV (oak tree permit) of appendix A of article IX.
3. Items A.3 and A.4 of section V (standards for performance of required work) of appendix A of article IX.
4. Item E (oak tree report) of section 9657.5 of the Agoura Hills Municipal Code.

L. *Oak tree standards.* A project seeking approval under this part shall comply with the following standards:

5. No more than ten (10) percent of the total estimated tree canopy or root structure of all protected oak trees on a property shall be removed.
6. Protected oak trees may only be removed, relocated, or altered if the removal, relocation, or alteration is necessary because the continued existence at their present location(s) prevents the proposed use of the subject property to such an extent that alternative development plans cannot achieve the same permitted density or that the cost of such alternative would be prohibitive.
7. If a project involves the removal of or encroachment greater than twenty (20) percent into the root zone or canopy zone of a protected oak tree that is 48 inches in diameter or less per the city's oak tree ordinance and guidelines (oak trees of the genus Quercus), one (1) 36-inch-box oak tree, two (2) 24-inch-box oak trees, and one (1) 15-gallon oak tree of the same species shall be planted on the site as mitigation for each oak tree removed or impacted. For scrub oak species protected per the city's oak tree ordinance and guidelines, on-site replacement for removal shall be equal to four (4) times the square footage of the area removed, with scrub oaks of the same species planted to a five-foot on center spacing within the replacement area.
8. The removal of or encroachment greater than twenty (20) percent into the root zone or canopy zone of a protected "landmark" oak tree (trees whose diameter exceeds forty-eight (48) inches) is prohibited.
9. For established oak trees, no planting, soil disturbance, or irrigation shall occur within a distance of six (6) feet or twenty-five (25) percent of the total canopy width from the trunk in any direction, whichever is greater. For newly

~~planted oak trees, no planting shall occur within four (4) feet of the tree trunk.~~

K. *Protected Trees.* Any project seeking approval under this Part 11 (Senate Bill 9 Housing Development Standards) and proposing activity within the tree protection zone of a protected tree shall require the review and approval of a Development Tree Permit, subject to the applicable standards located in section 9657.7.

L. ~~M.~~ *Lighting.* All outdoor lighting shall be shielded and downward facing to avoid direct illumination of neighboring properties.

M. ~~N.~~ *Rental term.* A rental of any unit created pursuant to this part shall be for a term longer than thirty (30) days.

N. ~~O.~~ *Connected structures.* Adjacent or connected dwelling units shall be allowed provided that the structures meet building code safety standards and are sufficient to allow separate conveyance."

Section 6. Zoning Code Amendment. Appendix A (Oak Tree Preservation Guidelines) of Article IX (Zoning) of the Agoura Hills Municipal Code is hereby deleted in its entirety.

Section 7. Zoning Code Amendment. Paragraph 6 of Subsection C of Section 9555 (General Design Standards, Commercial/Residential) of Part 6 (OA Old Agoura Design Overlay District) of Chapter 5 (Overlay Districts) of Article IX (Zoning) of the Agoura Hills Municipal Code is hereby amended to read as follows, with deleted language shown in ~~strikeout~~ and new language shown in underline:

"6. To the greatest extent possible, the architectural design and location of the building shall discourage grading on a hillside. If grading is required, building shall be integrated into existing terrain such that grading is minimized, taking care to preserve the viewshed, natural ridgelines, and ~~oak trees~~ protected trees."

Section 8. Zoning Code Amendment. Subsection 4 of Section 9545.1 (Findings) of Part 5 (FC Freeway Corridor Overlay District) of Chapter 5 (Overlay Districts) of Article IX (Zoning) of the Agoura Hills Municipal Code is hereby amended to read as follows, with deleted language shown in ~~strikeout~~ and new language shown in underline:

"4. The site design works with the characteristics of the existing terrain and maximizes preservation of open space to the maximum extent feasible, taking into consideration more than just economic feasibility. The existing terrain and

natural contours have been incorporated into the site plan design to maximum extent feasible, taking into consideration more than just economic feasibility. Where features of special interest such as hillsides, streams, or ~~oak trees~~ protected trees exist on the project site, they have been integrated into the design. The planning commission has the discretion to impose conditions as it may deem to be necessary to minimize and mitigate grading, the use of retaining walls, and the use of large flat pads."

Section 9. Zoning Code Amendment. Subsection B of Section 9654.2 (General Standards) of Division 4 (Off-Street Parking, Loading, and Landscaping) of Part 2 (Special Regulations) of Chapter 6 (Regulatory Provisions) of Article IX (Zoning) of the Agoura Hills Municipal Code is hereby amended to read as follows, with deleted language shown in ~~strikeout~~ and new language shown in underline:

"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~~ protected tree drip lines shall be discouraged ~~and regulated by the provisions of section 9657 et seq.~~."

Section 10. Agoura Hills Municipal Code Amendment. Subsection (a) (Delegation of authority and responsibility) of Section 7803 (Authority and Power) of Chapter 8 (Community Tree Management) of Article VII (Streets) of the Agoura Hills Municipal Code is hereby amended to read as follows, with deleted language shown in ~~strikeout~~ and new language shown in underline:

(a) Delegation of authority and responsibility. The director shall have full authority and responsibility to regulate and conduct the planting, pruning, maintenance and removal of trees and woody plants growing in or upon all municipal streets, rights-of-ways, city parks, and other public property. With the exception of any protected tree, as defined in Section 9657. ~~oak tree (as defined in Appendix A (Oak Tree Preservation Guidelines) of article IX of this code)~~,this shall include the emergency removal of trees that may threaten electrical, telephone, gas, or any municipal water or sewer line, or any tree that is affected by fungus, insect, or other pest disease, on publicly owned properties."

Section 11. Agoura Hills Municipal Code Amendment. Section 7804 (Duties of Authorized Department) of Chapter 8 (Community Tree Management) of Article VII (Streets) of the Agoura Hills Municipal Code is hereby amended to read as follows, with deleted language shown in ~~strikeout~~ and new language shown in underline:

"**7804. – Duties of authorized department.**

The city council hereby delegates tree care decisions, with the exception of decisions related to any protected tree, as defined in Section 9657.~~oak tree (as defined in Appendix A (Oak Tree Preservation Guidelines) of article IX of this code)~~, to the public works department, hereinafter referred to as the "PW department." The director shall continue to make ~~oak~~ protected tree determinations consistent with section 9657 of this Code."

Section 12. Zoning Code Amendment. Section 9120.4 of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (Zoning) of the Agoura Hills Municipal Code is hereby amended to read as follows, with deleted language shown in ~~strikeout~~ and new language shown in underline:

"A. *Damage, ~~oak tree~~ protected tree.* "Damage" shall have the same meaning as defined in Section 9657. ~~means any action undertaken which causes injury, death or disfigurement to an oak tree. This includes, but is not limited to, cutting, poisoning, overwatering, relocating or transplanting a protected tree, or trenching, excavating or paving within the protected zone of a tree.~~

B. *Day care for adults.* "Day care for adults" means any state-licensed facility providing care or supervision on a less than twenty-four-hour per day basis for adults over eighteen (18) years of age.

C. *Day care for children, small family day care home*. A "small family day care home" means a single-family residence which regularly provides care, protection and supervision of a maximum of eight (8) children in the provider's own residence, including children under the age of ten (10) years who reside at the single-family residence, for periods of less than twenty-four (24) hours a day, consistent with regulations issued by the State of California.

D. *Day care for children, large family day care home*. A "large family day care home" means a single-family residence which regularly provides care, protection and supervision for seven (7) to fourteen (14) children, inclusive, in the provider's own residence including children under the age of ten (10) years who reside at the single-family residence, for periods of less than twenty-four (24) hours a day, consistent with regulations issued by the State of California.

E. *Day nursery, children.* "Day nursery, children" means any facility, institutional in character, providing nonresident day care and supervision for more than twelve (12) children under sixteen (16) years of age, as defined and licensed by the department of social welfare of the State of California. "Day nursery, children" includes all types of group day care programs including, but not limited to, day nurseries, nursery schools for children under the minimum age for admission to public schools, parent-cooperative nursery schools, play groups for preschool children, and programs giving afterschool care to school age children.

F. *Deadwood.* "Deadwood" shall have the same meaning as defined in Section 9657. ~~means limbs, branches or a portion of a tree that contains no green leaves during a period of the year when they should be present.~~

G. *Density bonus.* "Density bonus" means a density increase of not less than ten (10) percent nor more than fifty (50) percent over the otherwise allowable residential density as provided in this article.

H. *Density, gross.* "Gross density" means the total number of dwelling units permitted on an acre of land exclusive of all existing public streets and rights-of-way, but including all streets or rights-of-way to be developed.

I. *Density, net.* "Net density" means the same as gross density except proposed streets and rights-of-way shall be excluded.

J. *Development.* "Development" shall mean the activity of preparing land and constructing buildings or other facilities and improvements in order to establish a land use. Development also shall mean a lot or parcel of land with the completed buildings, facilities, and other improvements thereon.

K. *Director.* "Director" means the director of planning and community development of the city or his duly authorized representative. "Director" also means the zoning administrator.

L. *Drainage course, natural.* "Natural drainage course" means an area bounded peripherally by a water parting and draining ultimately to a particular watercourse or body of water.

M. *Drip line.* "Drip line" shall have the same meaning as defined in Section 9657. ~~means the imaginary line upon the ground traced by vertical lines extended to the ground from the furthest extensions of the canopy or leaf crown of a tree, so that the traced line continues around the circumference of the canopy.~~

N. *Driveway.* "Driveway" means a vehicular passageway for the exclusive use of the occupants of a property and their guests.

O. *Duplex.* "Duplex" means an attached permanent building containing two (2) dwelling units.

P. *Dwelling group.* "Dwelling group" means one (1) or more buildings, not more than two (2) stories in height, containing dwelling units and arranged around two (2) or three (3) sides of a court which opens onto a street, including single-family, duplex, and multiple-family dwellings.

Q. *Dwelling, multiple-family.* "Dwelling, multiple-family" means a permanent building containing three (3) or more dwelling units. For the purposes of the accessory dwelling unit regulations in section 9283, "dwelling, multifamily" means a permanent building with two (2) or more dwelling units, including a duplex, but not including a single-family home with an ADU or JADU.

R. *Dwelling, single-family.* "Single-family dwelling" means a permanent building containing one (1) dwelling unit.

S. *Dwelling unit.* "Dwelling unit" means one (1) or more rooms and a single kitchen, designed for occupancy by one (1) family for living and sleeping purposes."

Section 13. Zoning Code Amendment. Subsection F of Section 9120.5 of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (Zoning) of the Agoura Hills Municipal Code is hereby amended to revise the definition for "encroachment" to read as follows, with deleted language shown in ~~strikeout~~ and new language shown in underline:

"F. Encroachment. "Encroachment" shall have the same meaning as defined in Section 9657.~~means any intrusion or human activity into the protected zone of an oak tree, including but not limited to pruning, grading, excavating, trenching, parking of vehicles, storage of materials or equipment, or the construction of structures or other improvements.~~ Encroachment also means an intrusion into any required yard or right-of-way."

Section 14. Zoning Code Amendment. Subsection 9120.15 ("O") of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (Zoning) of the Agoura Hills Municipal Code is hereby amended to read as follows, to delete the definition for "oak tree preservation guidelines" with deleted language shown in ~~strikeout~~ and new language shown in underline:

A. Oak tree. "Oak tree" means valley oak (*quercus lobata*), coast live oak (*Quercus agrifolia*) or any other tree of the oak genus.

~~B. Oak tree preservation guidelines. "Oak tree preservation guidelines" means the policy established by the city council and the administrative procedures and~~

~~rules established by the director of planning and community development for implementing this article.~~

B. ~~C.~~ *Occupancy.* "Occupancy" shall mean the purpose for which land or a structure is used or intended to be used. A change of occupancy does not include a mere change of owners, tenants or proprietors.

C. ~~D.~~ *Office.* The following types of uses are typical office functions: Agricultural, business and personal credit services; security and commodity brokers, dealers, exchanges, and services; employment services; insurance carriers, agents, brokers and services; real estate and related services; holding and investment companies; advertising services; consumer and mercantile credit reporting services; adjustment and collection services; direct mail advertising services; stenographic services and other duplicating and mailing services; news syndicate services; business and management consulting services; detective and protective services; motion picture distribution and services; physician and dental services; and office activities only of business organizations involved in manufacturing, wholesale and retail trade, transportation, communications and utilities.

D. ~~E.~~ *Open space, developed.* "Developed open space" means open space substantially free of structures but possibly containing improvements which are part of a development plan or are appropriate for the residents of any residential development.

E. ~~F.~~ *Open space, natural.* "Natural open space" means any parcel of land or water which is essentially unimproved and devoted to an open space use.

F. ~~G.~~*Outside display.* "Outside display" means the placement of goods, equipment, merchandise or exhibits at a location visible to the public view, other than within a building.

G. ~~H.~~ *Outside storage.* "Outside storage" means the storage of goods, equipment or materials ~~out side~~ outside of a building for any purpose other than outside display."

Section 15. Zoning Code Amendment. Subsection 9120.16.Q ("P") of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (Zoning) of the Agoura Hills Municipal Code is hereby amended to add a new definition for "protected tree" and deleting the definition of "protected zone" with deleted language shown in ~~strikeout~~ and new language shown in underline:

"Q. *Protected tree*. Protected tree shall have the same meaning as defined in Section 9657.

~~*Protected zone.* "Protected zone" means that area at the base of an oak tree formed by tracing an imaginary line five (5) feet outward from and around the circumference of the drip line, the protected zone being the area extending inward toward the trunk of the tree from the tracing line. The protected zone shall be a radius of at least fifteen (15) feet from the trunk of the tree.~~"

Section 16. Zoning Code Amendment. Subsection 9120.17.R ("J") of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (Zoning) of the Agoura Hills Municipal Code is hereby amended to modify the definition for "routine maintenance" with deleted language shown in ~~strikeout~~ and new language shown in underline:

"J. *Routine maintenance~~, oak tree~~.* "Routine maintenance" ~~means actions needed for the continued good health of an oak tree, including but is not limited to removal of deadwood, insect control, spraying and watering~~ shall have the same meaning as defined in Section 9657."

Section 17. Zoning Code Amendment. Subsection 9120.19. ("T") of Part 3 (Definitions) of Chapter 1 (Introduction) of Article IX (Zoning) of the Agoura Hills Municipal Code is hereby amended to add a new subsection "I" to add a definition for "tree protection zone" to read as follows:

"I. Tree protection zone (TPZ). Tree protection zone shall have the same meaning as defined in Section 9657."

Section 18. Agoura Hills Municipal Code Amendment. Subsection (s) of Section 10407 (Tentative Map Contents) of Chapter 4 (Tentative Map) of Article X (Subdivisions) of the Agoura Hills Municipal Code is hereby amended to read as follows, with deleted language shown in ~~strikeout~~ and new language shown in underline:

"(s) Number, location and size of all existing ~~oak~~ protected trees."

Section 19. California Environmental Quality Act (CEQA). This Ordinance is exempt pursuant to CEQA Guidelines Section 15308 (Actions by Regulatory Agencies for Protection of Natural Resources) because it is an action taken by a regulatory agency to assure the maintenance, restoration, enhancement, and protection of the environment. While the Ordinance allows for a relaxation of processing procedures for General Tree Permits, it will not result in a relaxation of mitigation requirements, and it will not result in a relaxation of standards leading to environmental degradation. This Ordinance protects two additional native tree species, and mitigation requirements for the removal of

protected trees are generally increasing, particularly for removals of large trees and heritage trees that provide the most value to the environment. New incentives are also being provided to promote the enhancement and restoration of the City's native trees.

Section 20. Severability Clause. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or its application to any person or circumstances, is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause, phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 21. Effective Date. This Ordinance shall take effect thirty (30) days after passage.

Section 22. Certification. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same or a summary thereof to be published and posted in the manner required by law.

PASSED, APPROVED, AND ADOPTED this __th day of _____, 2025, by the following vote to wit.

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

_____
Penny Sylvester, Mayor

ATTEST:

_____
Kimberly M. Rodrigues, MMC, City Clerk

APPROVED AS TO FORM:

_____
Candice K. Lee, City Attorney

CITY OF AGOURA HILLS

REPORT TO CITY COUNCIL

DATE:	**NOVEMBER 12, 2025**
TO:	**HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**
FROM:	**NATHAN HAMBURGER, CITY MANAGER**
BY:	**NATHAN HAMBURGER, CITY MANAGER**
SUBJECT:	**DISCUSSION TO CONSIDER AMENDING THE AGOURA HILLS MUNICIPAL CODE TO INCREASE CITY COUNCIL SALARIES**

In August 1983, the City adopted Ordinance No. 35, establishing the City Council salary at $150 per month. In 1986, Ordinance No. 113 was adopted, amending Ordinance No. 35, and consistent with state law, the City Council of the City of Agoura Hills (City) set the salaries for the City Councilmembers (Collectively "Council Members") as follows: Article II, Chapter 9, Section 2900 of the Agoura Hills Municipal Code:

"Each member of the city council shall receive as salary the sum of three hundred dollars ($300.00) per month as set forth in Section 36516 of the
Government Code of the State of California for cities up to thirty-five thousand (35,000) in population. Such salaries shall be payable at the same time and
in the same manner as salaries are paid to other officers and employees of the city."

The Council salary amount was statutorily based on the law at the time and was directly connected to the City's population that remains under 35,000 residents. There have been no increases in the monthly salary amount since 1986. The time commitment of the Council Members has drastically changed over the years with the numerous requests for attendance at more events and meetings. Beyond the regular business duties of the City (such as Council meetings, special Council meetings, various City subcommittees and various regional organization meetings), the Council Members attend a variety of community events and meetings (Home Owners' Associations, local organizations, school events, etc.), support and mentor local youth, participate in non-profit organization events in the evenings and on weekends beyond their daytime professional responsibilities.

In June 2023, the Governor signed Senate Bill (SB) 329, which amended Government Code Section 36516, increasing the maximum amount of monthly salary payable to Council Members of general law cities, such as the City of Agoura Hills. In enacting SB 329, the Legislature found that "[t]he compensation schedule for general law cities has not been adjusted since 1986, meaning that city council compensation has not kept pace with inflation," and further found that "[a]llowing cities to adjust their compensation for inflation since 1986 may help city councils become more diverse because increased compensation can help individuals from across different income levels receive sufficient income from their service to help ensure that they can continue to serve the public and support their families." (SB 329, Section 1.) Under SB 329, maximum Council Member salary amounts remain tied to City population, as determined by the last federal census or estimated by the California Department of Finance.

The chart below identifies salary amount maximums by City population established by the new law. (Gov. Code Section 36516(a)(2),(3).)

City Population	Maximum Council Member Monthly Salary
Up too 35,000	$950
35,001 to 50,000	$1,275
50,001 to 75,000	$1,600
75,001 to 150,000	$1,900
150,001 to 250,000	$2,550
Over 250,000	$3,200

The 2020 census shows the City's population as 19,904, (see https://data.census.gov/profile/Agoura_Hills_city,_California?g=160XX00US0 622020). The California Department of Finance also confirmed that the City of Agoura Hills' population as of January 1, 2024, is 19,904 (https://dof.ca.gov/forecasting/demographics/estimates-e1/). Under either population measure, the population of the City of Agoura Hills is below 35,000; therefore, the City Council may increase the monthly Council Member salary from $300 per month up to $950 per month.

Following the establishment of the population-based salary by a City Council, as set forth above, SB 329 authorizes the City Council to increase Council Member salaries beyond those amounts set forth above by an amendment to the ordinance. The amount of the increase shall not exceed the greater of either: (1) an amount not-to-exceed five percent for each calendar year from the operative date of the last adjustment of the salary; or (2) the inflation amount since January 1, 2024, not to exceed 10 percent for each calendar year. (Gov. Code Section 36516(a)(4).)

The maximum monthly City Council compensation for general law cities must be approved by ordinance, pursuant to the Government Code. Automatic future increases in Council Member salary, such as automatic cost of living increases, are not permitted. (Gov. Code Section 36516(a)(5).) Any change in salary adopted by ordinance would not take effect until the start of a new term of any one Council Member, including Council Members who may be re-elected. (Gov. Code Section 36516.5.) The start of a new term for the City of Agoura Hills City Council would occur in December 2026, following certification of the results of the general election concluding on November 3, 2026. Under SB 329, an increase to the Council Member salary amount must be enacted by ordinance considered during at least two regular meetings of the City Council at least seven days apart. The ordinance increasing salaries must be supported by findings demonstrating the need for the increased compensation. (Gov. Code Section 36516(g).) A proposed ordinance amending Agoura Hills Municipal Code Section 2900 would need to be brought back to the City Council at a future meeting for the City Council's consideration.

Although this is a rare occurrence, any amounts paid by the City to reimburse a council member for actual and necessary expenses pursuant to Government Code Section 36514.5 are not included for purposes of determining salary. In addition, any other benefits that Council Members are eligible to receive are not impacted by SB 329.

During the City Council's discussion of this item, there are several alternatives that could be considered. The City Council could choose to adopt a monthly salary at an amount less than $950 or take no action.

FISCAL IMPACT

If the City Council decided to increase Council Member salaries from $300 to $950 per month, the City would need to budget an additional amount when completing the mid-cycle review for six months of the Fiscal Year 2026-27 Budget totaling $19,500 ($650 x5 members x6 months).

RECOMMENDATION

Staff respectfully recommends the City Council discuss the item and provide feedback and direction to staff.