

AGENDA
SPECIAL MEETING OF THE CITY COUNCIL
LAND USE / ECONOMIC DEVELOPMENT SUBCOMMITTEE
Agoura Hills City Hall - City Manager's Conference Room
30001 Ladyface Court, Agoura Hills, California 91301
Wednesday, April 29, 2026
4:00 PM

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

NOTE: *The Subcommittee and City staff will be participating in this meeting in-person in the City Manager's Conference Room. Members of the public have the opportunity to participate in-person in the conference room. For public participation on items listed on this Agenda, refer to "Public Comments" below.*

PUBLIC PARTICIPATION (PUBLIC COMMENT)

Option A: To provide public comments in-person at the meeting

Members of the public have an opportunity to attend the meeting in-person and speak or submit a written comment on any item listed on this Agenda. Public testimony is limited to three (3) minutes per speaker; a speaker's time may not be transferred to another speaker. Written public comments submitted at the meeting are not read aloud by staff.

To request to speak in-person at the meeting. *The Subcommittee will open the floor for public comment and any in-person attendee who raises their hand will have the opportunity to speak. Public testimony is limited to three (3) minutes per speaker; a speaker's time may no be transferred to another speaker.*

Option B: To submit written public comments by e-mail (prior to the meeting)

Members of the public have an opportunity to submit email correspondence on any item listed on the Agenda by sending an email to: comments@agourahillscity.gov. All public correspondence received by 3:00 p.m. on the meeting date will be provided to the Subcommittee prior to the meeting. Public comments are not read into the record. Any public comments received after 3:00 p.m. on the meeting day will not be considered as part of the Subcommittee's deliberations or entered into the official record, but will be provided to the Subcommittee the next day.

CALL TO ORDER

ROLL CALL

Mayor Pro Tem Deborah Klein Lopez
Councilmember Penny Sylvester

APPROVAL OF AGENDA

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.)

DISCUSSION ITEMS

1. Draft Zoning Ordinance and Specific Plan Amendments related to economic development efforts

SUBCOMMITTEE OR STAFF COMMENTS

ADJOURNMENT

Date Posted: April 23, 2026



REPORT TO LAND USE / ECONOMIC DEVELOPMENT SUBCOMMITTEE

DATE: APRIL 29, 2026

TO: HONORABLE MEMBERS OF THE LAND USE / ECONOMIC DEVELOPMENT SUBCOMMITTEE

FROM: NATHAN HAMBURGER, CITY MANAGER

**BY: KATRINA GARCIA, ASSOCIATE PLANNER
ROBBY NESOVIC, COMMUNITY DEVELOPMENT DIRECTOR**

SUBJECT: DRAFT ZONING ORDINANCE AND SPECIFIC PLAN AMENDMENTS RELATED TO ECONOMIC DEVELOPMENT EFFORTS

As part of the ongoing effort by the City Council and the Economic Development Team to improve the City's business activity, the City hired Kosmont Companies to conduct a Retail Market Assessment which evaluated the City's current economic landscape and identify areas for improvement. The Economic Development Team conducted additional outreach with the business community through networking events, meetings with property owners and real estate professionals, as well as with local businesses. During the June 10, 2025 LUEDC meeting, staff presented the results of their outreach and many of whom identified challenges with the permitting process. Working in conjunction with the Community Development Department, staff was tasked to identify barriers in the Zoning Ordinance (Article IX) of the Agoura Hills Municipal Code (AHMC), that typically hinders new businesses from operating successfully in the City. At the July 28, 2025 LUEDC meeting, staff presented three areas in the Zoning Ordinance that typically create barriers for businesses:

1. Outdated commercial use table with limited flexibility
2. Lengthy and costly approval process for new restaurants serving alcohol.
3. Restrictive parking requirements.

Although it was not previously mentioned at the July 28 meeting, staff is also proposing to amend the Agoura Village Specific Plan to clarify and streamline the process for minor changes to existing buildings. The proposed Zoning Ordinance Amendments and Specific Plan Amendments attached to this staff report detail the specific sections that are proposed to be changed to alleviate the barriers that restrict businesses. Furthermore, in response to the local retail trends identified by the City's consultant, staff has also modernized and expanded the Code's reach to address a dynamic retail environment. In addition to the changes associated with the barriers, minor fixes were included in the draft ordinance amendment which include some grammar and spelling corrections, removal of sections that conflict with state law, relocation and renumbering of sections, and adjusted language for inclusivity.

This report aims to summarize and explain the purpose of the proposed changes. The specific language changes are provided in legislative format in the attachments.

Commercial Uses

As previously mentioned the City's Commercial Use Table (§ 9312.2) is outdated and doesn't address certain modern businesses which then creates an unintended barrier. The preceding section, § 9312.1 (Similar and like use), states that if a use is, 1) not listed in the table, 2) not permitted explicitly in the respective zoning code section, or 3) if the Planning Commission has not made an interpretation identifying a similar use, then the use is prohibited. Although going to the Planning Commission for an interpretation is an option, the business owner would be subject to fees and a process of at least a couple months for an item to be presented to the Commission—in most instances the business owner decides to backout and locate outside of the City. To expedite and modernize the City's approach and prevent the loss of quality businesses, this section is being amended to grant the Director the authority to make "similar use" interpretations based on specific findings. If the Director makes a determination to allow an unlisted use, the amended code gives the Director the ability to impose conditions related to hours of operation, noise, traffic, and other impact-mitigation efforts.

Kosmont's Retail Market Assessment found that there is a demand for experience-based business types which includes art galleries, restaurants, breweries, interactive uses, etc. Although art galleries, restaurants, and breweries are already allowed in the City, there is a recent trend that evolved to incorporate an interactive component. In that regard, "Experiential Retail" is proposed to be added to the commercial use table and will be allowed in all commercial districts, subject to special conditions outlined in a new section 9398 et seq.

The new § 9398, under Part 13 (Standards for Specific Uses) of Chapter 3 (Commercial Districts) expands on how to regulate "Experiential Retail." Experiential Retail offers a broad range of use types including, but not limited to escape rooms, pop-up art installations, virtual reality experiences, and interactive ways to immerse patrons in the brand such as workshops, and creative ways to test and use products in-store. Given that the use is so broad, this gives the Director more flexibility to allow certain uncategorized uses to be interpreted as being similar to Experiential Retail. In that regard, staff also recognizes that there is potential for more sound amplification within the space, whether it's music or intermittent sound effects. To ensure impacts on sensitive uses and adjacent businesses are minimal, the City's noise regulations would be strictly enforced with a provision on when they should cease (i.e. between 10:00 PM and 7:00 AM, which are the typical quiet hours in the City).

Uses classified as "Experiential Retail" may also include a variation of live entertainment, including, but not limited to live bands, DJs, ambient music, product demonstrations, karaoke, etc. As such staff evaluated the "Live Entertainment" use in the Code. As currently written, the code (§ 91312.2 and § 9312.3) only allows live entertainment in bars and restaurants that serve alcohol within all commercial zones (Special Condition "T"), except for the Commercial Recreation (CR) zone, which does allow live entertainment as a stand-alone use, subject to a Conditional Use Permit (CUP) (Special Condition "K"). Below is the current language for Special Condition "T":

T. Permitted in bars and restaurants which are licensed to serve alcoholic beverages subject to the issuance of a conditional use permit by the planning commission.

The Code is very restrictive and doesn't account for non-alcoholic establishments such as cafes wanting to have a live guitarist or an open-mic night—as a few examples. Historically, staff has had to direct applicants to either apply for a CUP or deny the use. This doesn't go to say that cafes in the City don't already conduct these activities, but if the City receives a complaint, staff would be compelled by the code to disallow the activity from continuing. From the perspective of many business owners, having incidental entertainment could mean the difference between success and failure. With the ongoing effort to become more business-friendly, staff suggests amending special condition "T" under § 9312.3 to the following, and would apply to all commercial zones, including the CR zone:

T. May be permitted as an incidental by-right use pursuant to section 9399 et seq. Those uses or operations that exceed the incidental by-right standards enumerated in Section 9399 are subject to a conditional use permit by the planning commission. ~~Permitted in bars and restaurants which are licensed to serve alcoholic beverages subject to the issuance of a conditional use permit by the planning commission.~~

In order to regulate incidental live-entertainment uses without a CUP, staff suggests creating a new section, § 9399, under Part 13 (Standards for Specific Uses) of Chapter 3 (Commercial Districts). This section would ensure that the live entertainment area is confined to a certain percentage of the space so as not to interfere with the primary use. Staff also proposes to restrict the use to indoors only, with a provision that any outdoor amplification is subject to a Conditional Use Permit. Similar to the proposed section for “Experiential Retail,” §9398, the City’s noise regulations would be strictly enforced and with the same limiting factors ensuring other uses are not negatively impacted.

Alcohol Establishments

The California Department of Alcoholic Beverage Control (ABC) issues licenses to various establishments depending on the business type, which include retail (e.g. restaurants and liquor stores), wholesale (e.g. distributors selling to retailers), and manufacturing (e.g. distilleries, breweries, and wineries). Most of the alcohol establishments that operate in the City currently hold a retail license which allows for on- and off-sale of alcohol. Typical ABC licenses for retail include, but are not limited to the following:

Type 20 – Off-Sale Beer & Wine: Issued to retail stores to sell beer and wine for off-site consumption.

Type 21 – Off-Sale General: Issued to retail stores to sell beer, wine, and distilled spirits for off-site consumption.

Type 41 – On-Sale Beer & Wine – Eating Place: Issued to restaurants for the sale and consumption of beer and wine only in bona fide eating establishments where minors are allowed.

Type 42 – On-Sale Beer & Wine – Public Premises: Issued to bars and taverns for the sale and consumption of beer and wine only, and restricts minors from entering the premises. Food service is not required.

Type 47 – On-Sale General – Eating: Issued to restaurants for the sale and consumption of beer, wine, and distilled spirits within a bona fide eating establishment where minors are allowed.

Type 48 – On-Sale General – Public Premises: Issued to bars and nightclubs for the sale and consumption of beer, wine, and distilled spirits, and restricts minors from entering the premises. Food service is not required.

As currently written, any on-sale and off-sale alcohol establishment is subject to a CUP, regardless of the type of license. For example, if a fast casual restaurant, desires to sell beer (i.e. Blue Agave Tacos & Beer and Two Doughs Pizzeria), it would require a CUP. A CUP for a use with no exterior modifications typically takes 3-6 months from application intake to a public hearing. This time frame accounts for corrections and back-and-forth with the applicant, public noticing, drafting the staff report and resolution, and internal reviews. Typically, staff informs the applicant that they have the option to operate the restaurant without alcohol and after the CUP is approved, they would then be able to serve alcohol. However, other than having to pay application fees for the CUP, not being able to serve alcohol during that 3-6 month period, may hinder the success of the restaurant as it can be a major revenue source that the businessowners rely on, both for general patronage and guest spending.

As a remedy to this situation, staff suggests allowing restaurants, both with or without bars, to go through a Director-level approval process. The purpose of this is to expedite requests to serve alcohol in new or existing restaurants that plan to operate exclusively under a Type 41 or 47. In general, a full-fledged family restaurant generates inconsequential impacts, in comparison to a bar or night club with a Type 48, or a liquor store with a Type 21. While the review process is streamlined, all establishments approved under the administrative process would still be subject to ABC requirements, including, but not limited to maintaining employee training for Responsible Beverage Service, and maintaining a “Bona Fide Public Eating Place” as defined under § 23038 of the California Business and Professions Code, which states:

“Bona fide public eating place” means a place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation and which has suitable kitchen facilities connected therewith, containing conveniences for cooking an assortment of foods which may be required for ordinary meals, the kitchen of which must be kept in a sanitary condition with the proper amount of refrigeration for keeping of food on said premises and must comply with all the regulations of the local department of health. “Meals” means the usual assortment of foods commonly ordered at various hours of the day; the service of such food and victuals only as sandwiches or salads shall not be deemed a compliance with this requirement. “Guests” shall mean persons who, during the hours when meals are regularly served therein, come to a bona fide public eating place for the purpose of obtaining, and actually order and obtain at such time, in good faith, a meal therein. Nothing in this section, however, shall be construed to require that any food be sold or purchased with any beverage.

Furthermore, under the new proposed section, § 9397.1 (Director approval of alcoholic beverage sales establishments), staff proposes to regulate the hours of alcohol service to no earlier than 7:00 AM and no later than 10:00 PM. This also means that if restaurants close before 10:00 PM, then alcohol service is expected to cease before the restaurant and the kitchen closes, otherwise, the use would be in violation of ABC and City regulations. If necessary, the Director would be able to impose conditions that mitigate impacts related to noise, odors, lighting, etc. to ensure the use is compatible with the surrounding environment. If violations occur, the Director may also suspend or revoke the permit, within the parameters allowed by the AHMC. Streamlining these types of establishments help to ensure that vacant tenant spaces are occupied as expeditiously as possible with minimal cost and internal procedural barriers.

Parking Requirements

One of the more common barriers that businesses encounter when choosing to operate in the City is the parking requirements for their particular use. The City currently has a parking allocation table (§ 9654.6) which dictates the required parking for each type of use including, but not limited to, general retail stores, research facilities and game arcades. Each use-type is assigned a parking ratio based on the gross floor area of the use. For example, a clothing store moving into a 1,500 square-foot tenant space is required to provide 1 space per 250 square feet (sq. ft.) of gross floor area of the space; therefore, the new clothing store would have to provide or be allocated six (6) parking spaces on the lot. In some instances, the shopping center may be under-parked, meaning the parking requirement exceeds the supply of the existing parking spaces provided. If a tenant does not have a means to either add parking or reduce the parking requirements, the business owner may opt to relocate out of the City or into another shopping center.

When businesses inquire about tenancy within a specific shopping center or business complex, staff conducts a preliminary review to determine if the use is permitted and if parking appears sufficient. This initial evaluation utilizes historical City records; however, these calculations depend heavily on property owners providing current tenant rolls, as parking requirements vary based on specific land uses.

Because factors such as tenant turnover and internal suite reconfigurations can occur frequently, relying solely on potentially outdated City data for a final determination is not ideal for staff or the business owner. In some cases, these preliminary reviews suggest a deficiency of 1 to 4 parking spaces. Before solidifying that the use cannot be accommodated due to parking deficiency, staff directs the business owner to coordinate with the property owner to provide an updated parking analysis, ensuring the evaluation is based on current site conditions. While some businesses return with updated data to demonstrate parking compliance, others decide not to move forward once they realize that additional coordination with the property owner is necessary.

The AHMC currently offers several methods to reduce parking requirements. Below is a discussion of some of the methods and how it can still be a barrier for some businesses:

1. Modification (§ 9676.2) - This allows for a parking reduction of up to 10% via Director-level approval. A common issue is that this process is frequently overlooked because it is located outside the standard off-

street parking regulations (§ 9654 et seq.) and small businesses may not be willing to cover application fees for a minor parking deficiency.

2. Variance (§ 9676.2) – For reductions greater than 10%, a discretionary review by the Planning Commission is required. Most business owners are reluctant to pay the application fees for a process with an uncertain outcome.
3. Preferred carpool/vanpool (§ 9654.2.E) – A property owner can reduce parking by up to 2% by providing shaded or prime parking spaces for carpools. This is rarely feasible for minor tenant changes, as it requires the property owner to physically restripe or modify the parking lot.
4. Special Parking Review (§ 9654.2.E) – This process allows a property owner to justify a reduction by demonstrating that site uses have different peak demand times, or special parking programs are in place to alleviate congestion. To utilize this, an applicant must submit a site plan and a parking study prepared by a licensed traffic engineer for review at a public hearing with the Planning Commission. While this option is available, the cost of engineering and the public hearing process is generally not financially feasible for a single tenant addressing a minor deficiency.
5. Shared Parking (§ 9654.2.K.5) – The intent of this provision is to standardize parking reductions based on general information that is known of certain uses such as office, retail, and restaurants. Rather than hiring a professional to conduct a parking study of all uses on the site, this code section sets percentages that allow certain combinations of uses prevalent in the shopping center to reduce their parking by a certain percentage. Applying the shared parking provision requires updated data from the property owner, in order for this section to be utilized effectively.

The goal in amending the current parking regulations is to expeditiously process business licenses and tenant improvements for minor use changes, and improve the readability and functionality of the current parking reduction system. As such staff proposes to enhance § 9654.2.E (Parking Reductions) to allow parking reduction requests to be reviewed at the Director-level and include the following methods:

1. Simple Change of Use – This process will allow use changes of tenant spaces under 5,000 sq. ft. to transition between different use categories without extensive parking investigation, provided the uses fall within the tiered table shown in the attachment. This allows for an expedited review during the business licensing or tenant improvement process. Since the parking requirements for these categories range from 1 space per 200 sq. ft. (high) to 1 space per 300 sq. ft. (low), the maximum possible parking difference for a 5,000 square foot space is 8 spaces:
 - Requirement at 1/200 rate: $5,000 / 200 = 25$ spaces
 - Requirement at 1/300 rate: $5,000 / 300 = 17$ spaces (rounded)
 - Maximum Deficiency: 8 spaces

By establishing this 5,000 square-foot threshold, staff can quickly approve minor tenancy changes where the potential impact on the overall parking supply is minimal. Staff is also open to adjusting the floor area threshold to a smaller number to decrease the maximum anticipated deficiency to less than 8 spaces.

2. Modifications – As previously mentioned, this process already exists in the code, but is being reiterated in the Parking Reductions section for visibility. This process can be used to reduce parking if the business owner doesn't qualify for the Simple Change of Use.
3. Preferred Carpool/Vanpool – The concept remains the same, with minor grammatical fixes. The purpose is to allow reduction of no more than 2% of the required parking if preferred spaces are created for carpool/vanpool participants.
4. Staggered Peak Demands – Most shopping centers contain a variety of businesses with different operating hours. For example, a dental office that closes at 5:00 PM leaves its parking spaces available for evening uses, such as restaurants. While this "shared parking" concept is already allowed by the Code, the proposed amendment makes the provision easier to find and simpler for applicants to understand.

5. Unusual Circumstances – As the business landscape evolves, the City must remain flexible to accommodate new types of uses on properties that are already fully built-out. Many of these existing sites are "legally nonconforming," meaning they were built under older codes and cannot easily be modified to meet modern parking standards. This provision allows staff to address unique situations where the strict application of current code would otherwise prevent a viable business from occupying an existing space. This ensures that property constraints don't become an unintended barrier to economic growth. This provision already exists in the Code, but is proposed to be expanded and made visible.
6. Smart Parking Systems – With the ongoing advancement in technology, many parking lots and structures in California have adopted systems that include sensors or cameras which produce real-time data that is then relayed to drivers searching for parking through a digital parking count board, or overhead lights indicating whether a space is available. This ensures guests are not circling endlessly in a parking lot consuming fuel and causing congestion. However, the proposed code amendment doesn't limit it to these methods, but leaves it open for any future technology or other smart systems that a developer is willing to install. Providing a smart system will allow developers to reduce the parking by no more than 10% of the cumulative total of the center.
7. Parking Lot Beautification – Many of the City's shopping centers are aging and would benefit from better maintenance. This provision offers an incentive for property owners to reduce parking by up to 5% of the cumulative requirement, if they increase the tree canopy coverage of the parking lot by at least 10% of the parking lot's area. This would be a benefit to the City as planting trees near buildings is becoming more limited due to fire regulations. This incentive will help increase the City's overall canopy coverage and further enhance the urban canopy.
8. Shared Parking – This provision exists in the current code but was restricted by shopping center size. Staff has removed those size thresholds—which were outdated and didn't align with modern parking trends—to make the existing shared parking table available to all centers, including those below 25,000 square feet. This allows more owners to use an objective method for parking reductions without the expense of a professional parking study.

The intent of the amended code is to allow businesses and/or property owners to combine different parking reduction methodologies, as applicable, and as allowed by the Director. If the parking reduction request poses a hazard and potential parking shortage issues, they would have the ability to deny the request, which can then be appealed to the Planning Commission.

Agoura Village Specific Plan (AVSP)

To ensure a business-friendly environment citywide, staff also proposes to amend the AVSP--specifically regarding which project types require an Agoura Village Development Permit (AVDP). As currently written, all new development, redevelopment, or renovation of existing property within the AVSP is subject to an AVDP which triggers a \$4,000 deposit for the concept review and an additional \$8,000 deposit for the formal review. However, many routine maintenance projects, such as small additions, refacing, landscaping, adjusting window/door openings, adding patio covers, or any type of minor work that would evidently not result in a substantial physical change that contradicts the intent of the AVSP, would be subject to an AVDP. As such the AVSP is being amended to identify projects that would be exempt from an extensive and costly review. In addition to some clarifying language, a section on "Exempt Projects" is being added to the *Administration* section of the AVSP (page 103-104):

Exempt Projects

Alterations and repairs to existing buildings, structures, or other improvements that do not exceed 10% of the existing approved floor area and do not substantially modify the existing architectural character of the buildings and structures on the property shall not require an Agoura Village Development Permit. Exempt projects shall be reviewed and approved administratively if the project complies with the vision and regulations provided by the Plan, including the established land uses and standards that address each site, as well as those that are applicable areawide.

In summary, staff believes these updates will improve administrative efficiency and modernize the Code to better reflect today's business landscape. By simplifying procedures and removing outdated barriers, these changes will encourage businesses to invest in the City which will help reduce vacancies, thereby ensuring the City's commercial centers are occupied and thriving.

NEXT STEPS

Staff will update the draft amendments based on any comments received from the LUEDC. The amendments will then be presented to the Planning Commission and subsequently to the full City Council.

FISCAL IMPACT

The City's Fiscal Year 2025-26 Budget will not be impacted by the proposed Zoning Ordinance Amendment or the Specific Plan Amendment as it is being implemented by staff.

RECOMMENDATION

Staff recommends the LUEDC review the draft Zoning Ordinance Amendments and the Specific Plan Amendments, and provide comments and direction to staff.

Attachments

[Attachment 1 - Zoning Ordinance Amendment.pdf](#)

[Attachment 2 - AVSP Specific Plan Amendment.pdf](#)

ZONING ORDINANCE AMENDMENTS

9120.17. R.

M. Retail, Experiential. "Experiential Retail" incorporates an engaging and interactive aspect to typical retail stores that can include pop-ups, workshops, in-store events, live demonstrations, and other similar customer engagement strategies.

N.M. *Retail store.* "Retail store" means any store, shop, business, or establishment engaged in the selling of goods, wares or merchandise directly to the ultimate consumer, including but not limited to appliance stores, bookstores, clothing and apparel stores, drugstores, furniture stores, hardware stores, jewelry stores, liquor stores, music stores, paint and wallpaper stores, pet stores, record stores, and toy stores.

9120.18.S.

N. Shopping center. "Shopping center" means a group of architecturally unified commercial and retail establishments built on a site which is planned, developed, and managed as an operating unit. ~~means an integrated development of retail and/or service commercial activities on one (1) lot of land sharing common parking facilities and serving a wide spectrum of community shopping needs.~~

9312.1. - ~~Similar and like use~~ Uses not listed.

A. If a use is (1) not listed in ~~table~~ the commercial use table (Table I), (2) not shown as a permitted use in any other zone, or (3) the planning commission has not made an interpretation that said use is similar to another use pursuant to the provisions of ~~change in section~~ 98007, said use ~~shall be prohibited~~ may be permitted if the Community Development Director (or their designee) can make all of the following findings:

- a. The use is similar in function and comparable in impacts to an existing use already permitted in the commercial use table (Table I).
- b. The use is consistent with the intent of the zoning district and General Plan.
- c. The use will not create adverse impacts greater than those associated with similar permitted uses.
- d. The use is not detrimental or hazardous to the health and well-being of the occupants and the general public.

B. The Director may impose reasonable conditions to mitigate impacts, including, but not limited to: hours of operation, noise, and traffic.

C. All Director Determinations shall be documented in writing.

D. The Director’s decision may be appealed to the Planning Commission within fifteen (15) days of the written determination. The appellant shall pay the filing fee as adopted in the fee schedule.

9312.2 – Commercial use table I.

	USE, SERVICE, OR FACILITY	COMMERCIAL						BUSINESS PARK	
		CS	CRS	CR	CN	CS-MU	POM	BP-OR	BP-M
L.									
13.	Live Entertainment	T	T	K T	T	T	T	T, U	T
R.									
10.	Retail, Experiential	N	N	N	N	N	N	N	N
1140.	Retail store			
1244.	Residential care facility of the elderly		K					K	

9312.3 – Special Conditions.

- N. ~~Reserved.~~ Permitted subject to the provisions of section 9398 et seq.
- T. May be permitted as an incidental by-right use pursuant to section 9399 et seq. Those uses or operations that exceed the incidental by-right standards enumerated in Section 9399 are subject to a conditional use permit by the planning commission. Permitted in bars and restaurants which are licensed to serve alcoholic beverages subject to the issuance of a conditional use permit by the planning commission.
- W. Such use is permitted by a conditional use permit subject to the required findings as stated in sections ~~9396.3~~ 9397.3 and 9673.2.E being made. Off-sale alcoholic beverage establishments are prohibited in the FC overlay district, except as provided in section 9542.1. Restaurants operating exclusively with a Type 41 or 47 ABC license only, may be subject to an administrative approval, pursuant to section 9397.1.

9392.2. Periodic Commercial Outdoor Display – Purpose

The purpose of the following standards for commercial outdoor display and operational standards shall be to provide the display of merchandise required by residents of the city and its surrounding market area. For the purpose of these standards, commercial outdoor display shall be permitted where retail goods are sold. A weekend shall be defined as the first consecutive Friday, Saturday and Sunday.

9392.3. Periodic Commercial Outdoor Display – Operational Standards

No property in the commercial or business park land use districts which allows for retail sales, as defined in section 9397, shall be used for commercial outdoor display unless such display complies with the following standards:

- A. Outdoor display of merchandise shall be allowed on the first weekend of every month. Outdoor display shall be allowed on the first two (2) weekends in December. A temporary use permit for other holidays and special events may be considered by the city.
- B. All outdoor display must maintain clearance requirements that meet handicapped accessibility standards. An obstruction-free, clear sidewalk area for pedestrian passing through the outdoor display shall be required. Outdoor display shall not be permitted in areas where less than a four-foot obstruction-free pedestrian area exists between the outdoor display and the edge of a curb or sidewalk. Outdoor display shall not be permitted in areas where less than a five-foot obstruction-free pedestrian area exists between the display entry door.
- C. Outdoor display shall be limited to the area directly in front of the tenant space and the items for sale must be the same as those sold inside the store or must be items that would typically be sold at the business.
- D. Outdoor display cannot exceed a height of five (5) feet. Any display over five (5) feet requires approval from the director of planning and community development.
- E. For those businesses which do not offer products for sale, additional window signage is allowed, subject to approval by the director of planning and community development. The only signage permitted outside is appropriate signage that is in keeping with the intent of this article, as determined by the director of planning and community development, which is placed on the display.
- F. The use of mechanically reproduced sound, amplified sound, or live music shall not be permitted as part of the outdoor display.

PART 14. STANDARDS FOR PERIODIC OUTDOOR DISPLAY.

~~9397. Commercial outdoor display—Purpose. Reserved.~~

~~The purpose of the following standards for commercial outdoor display and operational standards shall be to provide the display of merchandise required by residents of the city and its surrounding market area. For the purpose of these standards, commercial outdoor display shall be permitted where retail goods are sold. A weekend shall be defined as the first consecutive Friday, Saturday and Sunday.~~

~~9397.1. Same—Operational standards.~~

~~No property in the commercial or business park land use districts which allows for retail sales, as defined in section 9397, shall be used for commercial outdoor display unless such display complies with the following standards:~~

- A. ~~Outdoor display of merchandise shall be allowed on the first weekend of every month. Outdoor display shall be allowed on the first two (2) weekends in~~

~~December. A temporary use permit for other holidays and special events may be considered by the city.~~

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- ~~C. Outdoor display shall be limited to the area directly in front of the tenant space and the items for sale must be the same as those sold inside the store or must be items that would typically be sold at the business.~~
- ~~D. Outdoor display cannot exceed a height of five (5) feet. Any display over five (5) feet requires approval from the director of planning and community development.~~
- ~~E. For those businesses which do not offer products for sale, additional window signage is allowed, subject to approval by the director of planning and community development. The only signage permitted outside is appropriate signage that is in keeping with the intent of this article, as determined by the director of planning and community development, which is placed on the display.~~
- ~~F. The use of mechanically reproduced sound, amplified sound, or live music shall not be permitted as part of the outdoor display.~~

9396.1 9397. Alcoholic Beverage Sales.

In order to protect adjacent neighborhoods from the harmful effects attributable to the sale of alcoholic beverages, to ensure that businesses selling alcoholic beverages are not the source of undue public nuisances in the community, and to minimize the adverse impacts of incompatible uses, the planning commission or Director, where applicable, shall review and approve an application for ~~a conditional use permit for an~~ alcoholic beverage sales establishment.

9397.1 Director approval of Alcoholic Beverage Sales Establishments.

The Director or their designee may administratively approve an Alcoholic Beverage Sales Establishment Permit for restaurants seeking to serve beer, wine, or distilled spirits provided all the following are met:

- A. Applicability. The establishment shall maintain a valid California Alcoholic Beverage Control (ABC) license Type 41 and/or Type 47, operate as a “Bona Fide Public Eating Place” as defined under the California Business and Professions Code, and remain in good standing with ABC.
 - 1. Administrative approval of permanent Alcoholic Beverage Sales Establishment Permits is limited to ABC license Types 41 or 47.

2. Each new restaurant or operator shall submit a new application to serve alcohol under these provisions.
- B. Area of Operations. A site plan shall be submitted that clearly delineates the areas where alcohol will be served.
1. Any new structures or proposed modifications to existing structures shall be permitted in accordance with Section 9677 et. Seq.
 2. Proposed outdoor dining areas shall be subject to an Outdoor Dining Permit (Section 9395 et. Seq.), and Alcoholic Beverage Sales Establishment Permits shall be issued concurrently and in the same manner as the Outdoor Dining Permit. Administrative Alcoholic Beverage Sales Establishment Permits may be issued for existing outdoor dining areas.
- C. Alcohol Service Hours. Alcohol Service Hours shall be no earlier than 7:00 AM and no later than 10:00 PM.
- D. Public Convenience and Necessity (PCN). If required by ABC, the Director shall make determinations on PCN.
- E. Training. All employees serving alcohol shall maintain the proper certifications as required by ABC.
- F. Conditions of Approval. All new alcohol establishments created under this section shall observe and operate in a manner compatible with the surrounding environment and sensitive adjacent land uses (e.g. schools, parks, playgrounds, residences). To ensure public health and safety, the Director or their designee may impose such conditions as they deem necessary to ensure that the requirements of Article IX are met, including but not limited to conditions intended to regulate nuisance factors such as noise, lighting, smoke, dust, vibrations, odors, and garbage.
- G. Determinations. The Director's decision shall be documented in writing.
- H. Enforcement/Revocation. The Director may suspend or revoke an Alcoholic Beverage Sales Establishment Permit if the establishment fails to comply with any conditions of approval or any provisions of local, state, or federal law.

9396.2-9397.2. Conditional uses approval of Alcoholic Beverage Establishments.

Unless otherwise permitted by this section, Off-off-site and on-site alcoholic beverage establishments shall be subject to the issuance of a conditional use permit pursuant to sections 9396.13 and 9673.

9396.3-9397.3. Findings for conditional approval of Alcoholic Beverage Establishments.

This section does not involve any policy changes. Only the section header has been revised.

9398. Experiential Retail – Purpose.

The purpose of the following section is to set operational standards and regulations for experiential retail uses that are interactive and immersive. These regulations aim to foster innovative business models and activate commercial spaces while mitigating impacts on public safety, noise, and neighborhood character.

9398.1 Experiential Retail – Operational Standards.

- A. Unless otherwise approved by the Director, all experiential retail uses shall occur within an enclosed building.
- B. Indoor recorded music or amplified sound is permitted and subject to the City's noise regulations, section 9656 et seq. and the following:
 - 1. Sound or vibrations shall not be plainly audible or felt on residential properties between 10:00 PM and 7:00 AM. At all other times, sound and vibrations shall not be plainly audible within any noise-sensitive uses, including, but not limited to religious facilities, healthcare offices, massage establishments, schools, and child daycare, during their regular operating hours.

9399 Incidental Live Entertainment – Purpose.

The purpose of the following section is to set operational standards and regulations that allow certain businesses to operate with an incidental live entertainment component. These regulations aim to balance the vibrant social and economic benefits of live entertainment with the need to protect the health, safety, and quiet enjoyment of surrounding properties, ensuring that such activities do not create adverse secondary impacts, including noise, traffic, or other nuisances. Any proposed live entertainment that exceeds the thresholds in the following section shall be subject to a conditional use permit.

9399.1 Incidental Live Entertainment – Operational Standards.

Live entertainment is permissible as an incidental use to a primary permitted use in any commercial district, provided the following:

- A. Live entertainment space is limited to 10% of the customer area.
- B. The primary use shall remain fully operational while entertainment occurs.
- C. The primary use and the incidental entertainment use must conduct all business indoors. Any outdoor music or amplification is subject to a Conditional Use Permit.
- D. Noise generated by the business shall be minimal. To ensure neighboring businesses and properties are not negatively impacted all live entertainment is subject to the following:
 - 1. Sound or vibrations shall not be plainly audible or felt on residential properties between 10:00 PM and 7:00 AM. At all other times, sound and

vibrations shall not be plainly audible within any noise-sensitive uses, including, but not limited to religious facilities, healthcare offices, massage establishments, schools, and child daycare, during their regular operating hours.

9525.6 Off-street parking requirements.

All requirements of section 9654 et seq. shall apply, except as follows:

- D. Parking allocation for nonresidential uses in a mixed-use development. The minimum number of off-street parking spaces for nonresidential uses in a mixed-use development shall be as indicated in section 9654.6. Mixed-use developments may utilize shared parking, provided they comply with the requirements set forth in Section 9654.2.J.5. ~~Shared parking shall be allowed only as expressly stated for mixed-use developments in sections 9526.1.F and 9526.2.H.~~

9526.1 AH Properties with an underlying zoning district of CS-MU.

Subject to the provisions of chapter 6, the following development standards shall apply to a project on a site zoned as CS-MU that is seeking approval under the AH overlay district.

- ~~F.~~ Shared Parking. ~~Table 1 shared parking of section 9654.2.K.5 shall apply to all mixed-use developments where shared parking is proposed.~~ Mixed-use developments may utilize shared parking, provided they comply with the requirements set forth in Section 9654.2.J.5. Shared parking may apply to unassigned residential parking spaces and all non-residential parking spaces, but shall not apply to assigned residential parking spaces.

9526.2 AH properties within an underlying zoning district of PD in the Agoura Village Specific Plan.

- H. Shared parking. Mixed-use developments may utilize shared parking, provided they comply with the requirements set forth in Section 9654.2.J.5. Table 1 shared parking of section 9654.2.K.5 shall apply to all mixed-use developments where shared parking is proposed. Shared parking may apply to unassigned residential parking spaces and all non-residential parking spaces, but shall not apply to assigned residential parking spaces.

9542.1 Prohibited Uses.

- B. Off-sale alcoholic beverage establishments. This section shall not apply to the wholesale sale of alcoholic beverages or to the sale of alcoholic beverages which are wrapped or otherwise enclosed in a sealed container and sold as part of a gift package or other goods, only where there is no public display of

alcoholic beverages where the sale of such items is incidental for o the primary business on the premises, and where the sales of such items do not exceed fifteen (15) percent of the gross sales of the business at said location. This section shall also not apply to supermarket/food stores with a floor area greater than ten thousand (10,000) square feet and restaurants operating exclusively with a Type 41 or 47 ABC license.

9654.1 Definitions.

H. *Parking Capacity or Supply* means the total number of physically available designated off-street parking spaces

I. *Parking Demand* means the number of parking spaces needed to accommodate vehicles in an area typically based on land use, peak hours, and duration of stay.

J. *Parking, Required.* "Required parking" means the total number of off-street parking spaces required for a particular use pursuant to the ratio as listed under the parking allocation table (section 9654.6).

K. *Parking Study* means a professionally prepared analysis using current industry standards, including, but not limited to ITE Parking Generation, ULI Shared Parking, observed demand studies, or comparable data, demonstrating actual or projected parking demand.

~~H.~~ L. *Preferential parking* means parking spaces designated or assigned, through use of a sign or painted space markings for carpool and vanpool vehicles carrying commute passengers on a regular basis that are provided in a location more convenient to a place of employment than parking spaces provided for single occupant vehicles.

~~I.~~ M. *Property owner* means the legal owner of a development who serves as the lessor to a tenant. The property owner shall be responsible for complying with the provisions of this section either directly or indirectly or by delegating such responsibility as appropriate to a tenant and/or ~~his (her)~~ their agent.

~~J.~~ N. *Tenant* means the lease of facility space at an applicable development project.

~~K.~~ O. *Total area* means the area of all floors or levels included within exterior walls of a building or structure. If a building or structure does not have exterior walls, the "total area" of the building or structure shall be the useable floor area of the building or structure, or the usable area under the horizontal projection of the roof.

~~L.~~ P. *Transportation demand management (TDM)* means the alteration of travel behavior, usually on the part of the commuters, through programs of incentives, services, and policies. TDM addresses alternatives to single occupant vehicles such as carpooling and vanpooling, and changes in work schedules that move trips out of the peak period or eliminate them altogether (as is the case in telecommuting or compressed workweeks).

~~M.~~ Q. *Trip reduction* means reduction in the number of work-related trips made by single occupant vehicles.

N. R. Vanpool means a vehicle carrying seven (7) or more persons commuting together to and from work on a regular basis, usually in a vehicle with a seating arrangement designed to carry seven (7) to fifteen (15) adult passengers, and may or may not be on a prepaid subscription basis.

O. S. Vehicle means any motorized form of transportation, including but not limited to automobiles, vans, buses and motorcycles.

9654.2. General Standards

- C. *Building permit.* Plans submitted for a building permit to construct a building which has public parking areas shall include the design of the required parking area drawn to scale. Such plans shall include all parking spaces and maneuvering areas, curb cuts, landscaping and other improvements. The building permit shall not be issued until such parking plans have been approved by the ~~director of planning and community development~~ Director or his or her designee and no final completion inspection shall be approved until the parking spaces and required landscaping are installed.
- D. *Change of occupancy use.* ~~Whenever the parking demand is increased due to a change of occupancy which does not involve any new construction requiring a building permit, the director of planning and community development or his or her designee shall review the parking requirements of the proposed use if new business license is required for the change of use. In such case no new business license shall be issued until the department of planning and community development has approved the parking plan. Two (2) copies of such plan drawn to scale shall be submitted to the director of planning and community development or his or her designee for approval. The plan shall show the entire subject property and shall show the means of ingress and egress, location of the building, parking spaces, landscaping, barrier curbs, irrigation system, lights and any other proposed facilities. The plan shall be approved if it conforms to the intent and provisions of this part. Except as otherwise allowed by this Division, all proposed changes of use requiring more parking than the previous use shall comply with the parking requirements outlined in the parking allocation table (Section 9654.6).~~
- E. *Parking reductions.* ~~A proponent of a business or industrial project may provide alternative facilities or programs which serve to reduce parking demand or return for a reduction in vehicle parking requirements, subject to the provisions below. Vehicle parking requirements shall be reduced in accordance with the following provisions: Notwithstanding 9654.2.D, a request for a parking reduction may be filed with the City, and the City may require upon submittal any documentation, evidence, or studies that may be required to determine compliance with this Division. To ensure programs are implemented for the life of the use, requests may be conditioned to record agreements or covenants, with the Los Angeles Recorder's Office, prior to the issuance of any permits. The Director or their designee may approve a reduction in required parking only in the following circumstances:~~

1. ~~Preferred carpool/vanpool parking spaces. The parking requirements for developments which guarantee preferred parking spaces (e.g., covered, shaded, or near building entrance) to employees who participate regularly in a carpool or vanpool shall be reduced by one (1) vehicle space for every one (1) space which is marked and reserved for carpools/vanpools at a preferred location provided that the maximum reduction shall not exceed two (2) percent of the required parking.~~ Simple Change of Use. A change of use within an existing commercial building is permitted without providing additional parking, provided:
 - a. The use is permitted by-right or with a Conditional Use Permit in the zone.
 - b. The new tenant occupies the same leasehold as the previous tenant.
 - c. The space is 5,000 sq. ft. or less and involves no new floor area.
 - d. No outdoor dining is proposed.
 - e. The change of use is between any of the categories listed in the table below and applies to changes within the same tier, moving to a lower-intensity tier, or moving to a higher-intensity tier, provided all other conditions in this subsection are met.

<u>Tier</u>	<u>Required Ratio per 9654.6</u>	<u>Uses</u>
<u>Tier 1</u>	<u>1 space per 200 sq. ft.</u>	<u>Medical, Dental, and Veterinary Offices; Salons and Spas (hair, nails, massage, and acupressure).</u>
<u>Tier 2</u>	<u>1 space per 225 sq. ft.</u>	<u>Libraries, Galleries, and Museums.</u>
<u>Tier 3</u>	<u>1 space per 250 sq. ft.</u>	<u>General Retail; Game Arcades; Snack Shops/Take-out (no outdoor dining); Fitness Clubs and studios; and any other use requiring 1:250 as determined by the Director.</u>
<u>Tier 4</u>	<u>1 space per 300 sq. ft.</u>	<u>Business and Professional Offices; Banks and Financial Institutions; Experiential Retail; Psychologists, Psychiatrists, and specialized patient programs.</u>

2. ~~Request for special review of parking. Parking reductions exceeding the maximums specified in subparagraph (1) above, or modifications of parking improvement requirements, may be granted by the planning commission, whenever such reduction or modification is considered in connection with a review of site plans by the commission, or is heard in connection with a rezoning, use permit, or variance. Such reduction or~~

~~modifications shall only be permitted in unusual circumstances. The project proponent shall submit with the request whatever evidence and documentation is necessary to demonstrate that unusual conditions warrant a parking reduction, such as the multiple use of a parking area by uses having peak parking demands which occur at different times; floor plans which indicate that the floor area devoted to customer or employee use is less typical for the building proposed; or that other programs will be implemented by the developer or tenant(s) which will result in a demand for parking at the site which is less than would otherwise occur, such as the provision of monetary incentives to employees who regularly utilize public transit or participate in a carpool or vanpool. Modification.~~

Whenever a proposed change of use results in a parking requirement that exceeds the existing parking supply by no more than 10%, the applicant may submit an application for a Modification (Section 9676 et seq.) to be reviewed and considered by the Director.

3. *Preferred Carpool/Vanpool.* Preferred carpool/vanpool parking spaces that are either covered, shaded, and/or near the building entrance is offered to employees who participate regularly in a carpool or vanpool. Required parking shall be reduced by one (1) vehicle space for every one (1) space which is marked and reserved for carpools/vanpools at a preferred location provided that the maximum reduction shall not exceed 2% of the required parking.
4. *Staggered Peak Demands.* For commercial or residential mixed-use developments, a reduction may be granted where uses or tenants have staggered peak parking demands. The applicant must submit a professional analysis demonstrating that the combined peak demand of all uses will not exceed the provided parking capacity at any time. If a projected deficit is identified, the analysis shall detail mitigation measures that sufficiently offset the deficit to the satisfaction of the City.
5. *Unusual Circumstances.* Where unusual circumstances exist, a reduction in parking may be allowed so long as evidence and documentation are provided by the applicant to demonstrate that the unusual circumstances warrant a parking reduction, at the discretion of the City.
6. *Smart Parking Systems.* The property owner or business owner implements smart parking systems that may include sensors or cameras, and uses real-time data that helps drivers locate parking and effectively reduces congestion and fuel consumption. No more than 10% of the cumulative parking required for the center may be reduced through the implementation of smart parking systems.

7. Parking Lot Beautification. Parking lot beautification projects within existing commercial centers that increase parking lot canopy coverage by at least 10% of the floor area of the parking lot, shall be eligible for a 5% cumulative parking reduction.
8. Shared Parking. A shared parking reduction shall be allowed for shopping centers based on the following:

TABLE I: SHARED PARKING

Combination of Land Uses	Shared Parking Reduction Allowed*
Office + Retail or Office + Restaurant	15% of combined parking requirement or 20% of highest individual tenant use parking requirement, whichever results in the highest number of parking spaces required
Retail + Restaurant	18% of combined parking requirement or 24% of highest individual tenant use parking requirement, whichever results in the highest number of parking spaces required
Office + Retail + Restaurant	20% of combined parking requirement or 25% of highest individual tenant use parking requirement, whichever results in the highest number of parking spaces required
<p>Note: Shared parking reduction values for other uses not identified above may be allowed based on city-accepted methodology for shared parking analysis completed by the applicant using a qualified traffic or parking consultant, and ultimately approved by the director.</p>	
<p>Note: For residential mixed-use development, residential parking shall be provided per section 9654.6 in addition to the parking requirement for other proposed nonresidential uses. To be considered for shared parking reduction for nonresidential parking spaces, a shared parking analysis shall be completed by the applicant based upon a city accepted methodology, using a qualified traffic or parking consultant, and ultimately approved by the director.</p>	
<p>Source: Based upon ULI Shared Parking 2nd Edition, ITE Parking 3rd Edition</p>	

~~The recordation of agreements or covenants, prior to issuance of a building permit, which ensures that appropriate programs are implemented for the life of the use shall be required as a condition of approval of the parking reduction.~~ Director Decision. The Director shall deny any parking reduction request if the proposed use, due to site-specific conditions or documented history, is likely to result in traffic congestion, unsafe

circulation, or a chronic parking shortage that cannot be remedied through proposed mitigation. The Director's decision to deny a parking reduction request may be appealed to the Planning Commission in accordance with Section 9804.5.

F. Existing facilities. Any building or use for which parking facilities become substandard by the adoption of this part shall be considered a nonconforming use. Such nonconforming use may continue, but no enlargement or expansion shall be made in such use or building, unless the required ~~number of parking spaces or parking areas imposed by this part are provided~~ parking is provided or a reduction is granted in compliance with this Division. ~~Any change of occupancy or use in an existing building or lot which requires more parking space shall provide the additional parking areas required by this section.~~

I. Tandem parking. Except where specifically permitted by this section, parking spaces shall not be in tandem. All parking spaces shall be free of obstructions, and parking shall be accomplished in a continuous forward movement. ~~Tandem parking shall mean one (1) parking space located behind another parking space which has no direct access to the driveway or street.~~

J. *Provisions for residential uses.*

5. Residential Mixed-Use Development. Residential parking shall be provided per Section 9654.6, in addition to the parking requirement for other proposed nonresidential uses. Unless explicitly specified, only nonresidential parking spaces may qualify for a parking reduction, pursuant to Section 9654.2.E (Parking Reduction Programs).

K. Provisions for commercial uses.

2. Spaces not for repair, servicing or storage. Required parking spaces shall not be used, or be permitted to be used, for the repair, servicing, staging for sale, or storage of vehicles or for the storage of materials.

4. Uses not specified. Commercial parking requirements for uses not specified in this part shall be based upon a standard of one (1) space per two hundred fifty (250) square feet of gross floor area, unless the director ~~of planning and community development~~ or planning commission approve a different parking requirement, based on the most comparable uses specified in this part.

~~5. Shared parking. For the purposes of this section, "shopping center" shall mean a group of architecturally unified commercial and retail~~

~~establishments built on a site which is planned, developed, and managed as an operating unit.~~

~~For shopping centers containing at least 25,000 and up to 50,000 square feet of total building area, where office spaces exceed ten (10) percent of the total gross floor area, that portion in excess of ten (10) percent of the gross floor area shall be calculated at one (1) parking space per three hundred (300) square feet.~~

~~Where cinema spaces exceed ten (10) percent of the total gross floor area, that portion in excess of ten (10) percent of the gross floor area shall be calculated at one (1) parking space per one hundred (100) square feet.~~

~~Where restaurant, café, or other food and beverage service uses exceed ten (10) percent of the total gross floor area, that portion in excess of ten (10) percent of the total gross floor area shall be calculated at one (1) parking space per one hundred (100) square feet.~~

~~For shopping centers containing 50,000 square feet or more of total building area, a shared parking reduction shall be allowed for the shopping centers based on the following:~~

TABLE I: SHARED PARKING

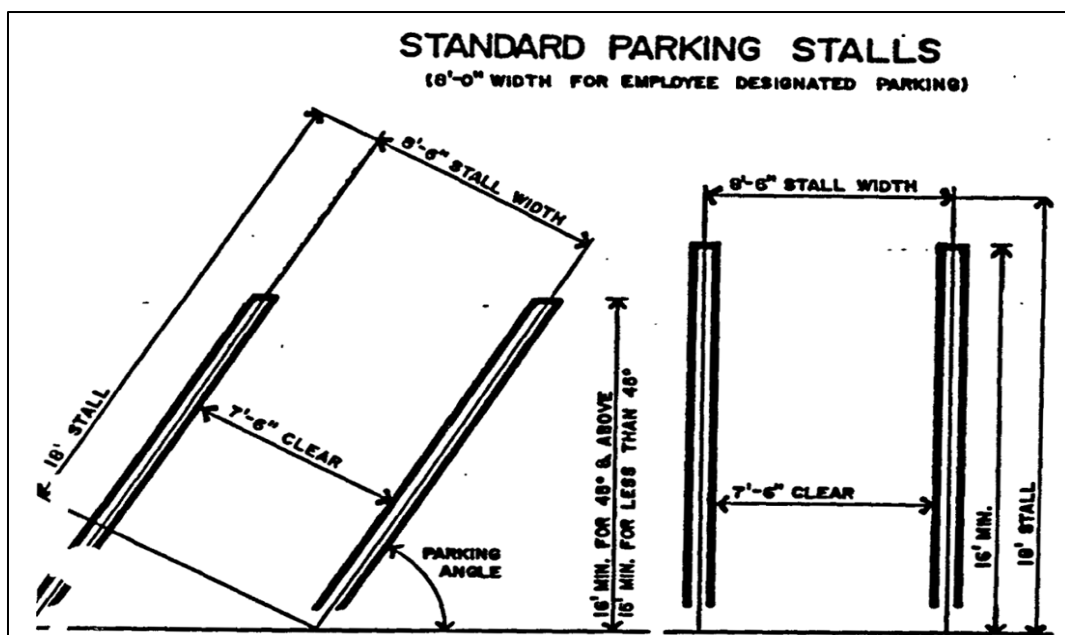
Combination of Land Uses	Shared Parking Reduction Allowed*
Office + Retail or Office + Restaurant	15% of combined parking requirement or 20% of highest individual use parking requirement, whichever results in the highest number of parking spaces required
Retail + Restaurant	18% of combined parking requirement or 24% of highest individual use parking requirement, whichever results in the highest number of parking spaces required

Combination of Land Uses	Shared Parking Reduction Allowed*
Office + Retail + Restaurant	20% of combined parking requirement or 25% of highest individual use parking requirement, whichever results in the highest number of parking spaces required
<p>Note: Shared parking reduction values for other uses not identified above may be allowed based on city accepted methodology for shared parking analysis completed by the applicant using a qualified traffic or parking consultant, and ultimately approved by the director.</p>	
<p>Note: For residential mixed-use development, residential parking shall be provided per section 9654.6 in addition to the parking requirement for other proposed nonresidential uses. To be considered for shared parking reduction for nonresidential parking spaces, a shared parking analysis shall be completed by the applicant based upon a city accepted methodology, using a qualified traffic or parking consultant, and ultimately approved by the director.</p>	
<p>Source: Based upon ULI Shared Parking 2nd Edition, ITE Parking 3rd Edition</p>	

9654.3. Design standards.

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

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



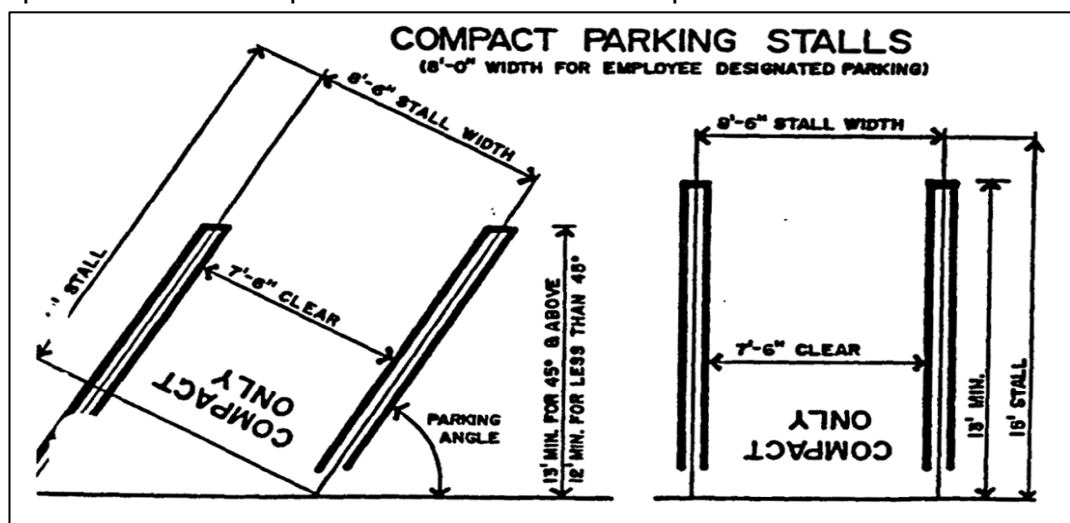
(This diagram has been modified from the original and split according to the related code section—i.e. Standard Parking Stalls)

B. Compact parking stalls. Unless approved by the planning commission, compact off-street parking spaces are not permitted. If allowed, all compact off-street parking spaces shall be subject to the following minimum sizes and only under the following circumstances:

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

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

1. No more than thirty (30) percent of the required number of parking spaces to be sized for compact vehicles, in instances where on-site design constraints, such as irregular topography, lot configurations, or parcel size necessitate the use of compact parking spaces, or
2. If additional landscaping is to be provided, beyond the provisions of Section 9654.5 et seq., no more than thirty (30) percent of the required number of parking spaces may be sized for compact vehicles. The additional landscaping shall be at least fifty (50) percent of the total surface area saved by using compact spaces instead of standard spaces. Additional landscaping approved under this section is exclusive from any other landscape requirements.
3. All compact off-street parking spaces approved by the planning commission shall be clearly marked "Compact Cars Only." Compact spaces shall not be permitted for automotive repair facilities.



(This diagram has been modified from the original and split according to the related code section—i.e. Compact Parking Stalls)

~~C. B. Handicapped requirements. Off-street parking spaces shall be provided for handicapped persons. The number of parking spaces to be provided therefor shall be as follows:~~*Accessible Parking.* Off-street parking spaces for persons with disabilities shall be provided in accordance with the requirements of the American with Disabilities Act (ADA) and the California Building Code (Title 24).

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

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

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

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

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

ED. *Access and circulation.* Each entrance and exit to a parking area shall be constructed and maintained so that any vehicle entering or leaving the parking area shall be clearly visible at a distance of not less than ten (10) feet to a person

approaching such entrance or exit on any pedestrian walk or footpath shall be visible to each other. Speed bumps shall be considered for parking areas over one hundred (100) parking spaces.

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

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

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

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

Angle (in degrees)	Aisle Width
30*	14' 0"
45*	14' 0"
60*	20' 0"
90	26' 0"
*Denotes one-way aisles only.	

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

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

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

IH. *Parking structure standards.* Parking structures, underground parking, subterranean parking, and similar parking facilities shall be permitted only upon

planning commission approval. Underground and subterranean parking is encouraged to increase landscaping and minimize hillside grading.

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

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

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

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

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

L. *Wheel stop standards.* Wheel stops shall be installed two (2) feet from the edges of the required sidewalks, planters, and landscaped areas for all parking spaces in order to protect the required sidewalks, planters and landscaped areas from vehicular overhang and to protect any structure from vehicular damage. The regular planter curb may function as the wheel stop but the planter shall be a minimum of six (6) feet in width. All wheel stops shall be maintained in good condition.

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

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

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

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

Square feet	Spaces required
-------------	-----------------

Under 5,000	0
5,000 to 30,000	1
Excess of 30,000	2

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

9654.4 Transportation demand management.

A. *Transportation demand and trip reduction measures.*

1. Applicability of requirements. Prior to approval of any development project, the applicant shall make provision for, as a minimum, all of the following applicable transportation demand management and trip reduction measures. All facilities and improvements constructed or otherwise required shall be maintained in a state of good repair.
2. Development standards.
 - a. Nonresidential development of twenty-five thousand (25,000) square feet or more shall provide, to the satisfaction of the city, a bulletin board, display case, or kiosk displaying transportation information located where the greatest number of employees are likely to see it. Information in the area shall include, but is not limited to, the following:
 1. Current maps, routes and schedules for public transit serving the site;
 2. Telephone numbers for referrals on transportation information including numbers for the regional ridesharing agency and local transit operators;
 3. Ridesharing promotional material supplied by commuter-oriented organizations;
 4. Bicycle route and facility information, including regional/local bicycle maps and bicycle safety information;
 5. A listing of facilities available for carpoolers, vanpoolers, bicyclists, transit riders and pedestrians at the site.
 - b. Nonresidential development of fifty thousand (50,000) square feet or more shall comply with general parking design standards under Section 9654.3 9654.3.A.2.a, above and shall provide all of the following measures to the satisfaction of the city:
 1. Not less than fifteen (15) percent of employee parking area, shall be located as close as is practical to the employee entrance(s), and shall be reserved for use by potential carpool/vanpool vehicles, without displacing

~~handicapped~~ accessible parking spaces and customer parking needs.

This preferential carpool/vanpool parking area shall be identified on the site plan upon application for a building permit, to the satisfaction of the city. A statement that preferential carpool/vanpool spaces for employees are available and a description of the method for obtaining such spaces must be included on the required transportation information board. Spaces will be signed/marked as demand warrants.

2. Preferential parking spaces reserved for vanpools must be accessible to vanpool vehicles. When located within a parking structure, a minimum vertical interior clearance of seven (7) feet, two (2) inches shall be provided for those spaces and accessways to be used by such vehicles. Adequate turning radii and parking space dimensions shall also be included in vanpool parking areas.
- c. Nonresidential development of one hundred thousand (100,000) square feet or more shall comply with general parking design standards under Section sections 9654.3 9654.3.A.2.a and 9654.3.A.2.b, above, and shall provide all of the following measures to the satisfaction of the city:
1. A safe and convenient zone in which vanpool and carpool vehicles may deliver or board their passengers.
 2. Sidewalk or other designated pathways following direct and safe routes from the external pedestrian circulation system to each building in development.
 3. If determined necessary by the city to mitigate the project impact, bus stop improvements must be provided. The city will consult with any public agency which provides or is authorized by law to provide transit services to the general public in the project area for the purpose of determining whether or not such plans or permits shall include provisions for transit waiting shelter(s). The building inspector shall not issue any building permits or approve any improvement plans for any applicable project unless (s)he has received one of the following from the transit agency;
 - (a) Written certification that adequate provisions have been made for the construction and/or placement of a transit waiting shelter at the public right-of-way adjacent to the project, including the granting of any easement necessary to accommodate the shelter, or
 - (b) Written notification that no transit waiting shelter is needed adjacent to the project.

This section shall not be interpreted to require the construction or placement of transit waiting shelters at a distance of more than one

hundred (100) feet from the perimeter of the project site. When locating bus stops and/or planning building entrances, entrances must be designed to provide safe and efficient access to nearby transit stations/stops.

4. Safe and convenient access from the external circulation system to bicycle parking facilities onsite.
- B. *Monitoring.* All facilities and improvements required to be constructed pursuant to Ordinance No. 226U shall be shown on building plans for the development. The building owner shall submit annual reports to the ~~director of planning and community development~~ Director which indicate the participation rate of the tenant(s) and the implementation procedures used in the transportation demand management program. The first report shall be submitted one (1) year after a certificate of occupancy has been issued by the department of building and safety, and annually thereafter.
- C. *Enforcement.* A violation of the provisions of this chapter shall be punishable as provided in chapter 2, article I of this Code, and/or any other remedy provided by the law.

9654.5. Parking lot landscaping.

- B. *Area requirements.* Fifteen (15) percent of the total parking area, including the driveway areas, shall be landscaped. Such landscaped areas shall be distributed throughout the entire parking area, as evenly as possible, in a manner approved by the ~~director of planning and community development~~ Director.
- C. *Special landscape design standards.*
1. Parking lot landscaping shall include shade trees, from an approved list, placed so as to cover fifty (50) percent of the total parking area with tree canopies within fifteen (15) years after the issuance of the building permit for the related building, structure or other improvement. This provision applies to all new commercial and mixed-use developments, and any existing developments that include parking lot modifications, unless explicitly stated in this Article.
 2. Canopy reduction option for ~~retail~~ commercial developments—~~Planning Commission Review.~~
 - A. ~~For any new retail developments, any exterior remodel of existing retail developments that includes changes to the parking lot, or any other parking lot remodel at existing retail developments, the~~ The fifty (50) percent tree canopy coverage requirement of ~~subsection 9654.5.C.1-1, above,~~ subsection 9654.5.C.1-1, above, may be reduced by up to twenty (20) percent provided that the parking area, including driveways, are enhanced with pedestrian amenities with an equivalent square footage to the reduction as listed below. ~~foot coverage area to offset the reduction of tree canopy coverage. The request for reduction in the fifty (50) percent tree canopy coverage~~

~~requirement in subsection 9654.5.C.1 shall be reviewed by the planning commission. This request shall be reviewed concurrently and in the same manner as the required development permit.~~

~~(a) The pedestrian amenities shall include:~~

- ~~i. Shade structures such as carports, trellises, and arbors;~~
- ~~ii. Other amenities such as decorative paving and walkways in the parking lot, raised landscape planter seats, benches, fountains, art pieces, and other pedestrian amenities of similar intent approved by the city.~~

~~(b) Calculation of the coverage:~~

- ~~i. Shade structures defined in subsection 9654.C.2.A.(a).i.: The total square footage of shade structures shall apply toward equivalent tree canopy coverage.~~
- ~~ii. Other amenities defined in subsection 9654.5.C.2.A.(a).ii: One half (1/2) of the square footage of coverage of other amenities shall apply toward equivalent tree canopy coverage.~~

(a) *Amenity Credits.* The tree canopy requirement may be offset by the following pedestrian amenities:

- i. Full Credit (100%): The total square footage of shade structures such as carports, trellises, and arbors;
- ii. Partial Credit (50%): Half of the square footage of decorative paving and walkways in the parking lot, raised landscape planter seats, benches, fountains, art pieces, or other similar improvements allowed by the City.

(b) *Parking lot plan review:* An application for a site plan review application shall be filed with the ~~department of planning and community development~~ Community Development Department along with a parking lot plan. The parking lot plan shall show the existing and proposed landscaping with the proposed pedestrian amenities and any other pertinent information deemed applicable ~~for the planning commission~~ to render a decision.

3. In the event that an applicant's development cannot meet the requirements of subsections ~~9654.5.C.1, and 9654.5.C.2~~ 1 and 2, above, such applicant may request the option of paying an in-lieu fee, in the amount established by resolution of the city council. Only those properties that cannot meet the requirements of subsections ~~9654.5.C.1, and 9654.5.C.2~~ 1 and 2, are eligible for the option of the payment of said in-lieu fee only if all of the following findings can be made by the planning commission.

(a) Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of subsections 9654.5.C.1 and 9654.5.C.2 deprives such

property of privileges enjoyed by other property in the vicinity and other retail developments.

- (b) The granting of the in-lieu fee payment request will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and other retail developments.
- (c) The strict interpretation and enforcement of subsections 9654.5.C.1 and 9656.5.C.2 of the zoning ordinance would result in practical difficulty or unnecessary hardship inconsistent with the objectives of this article; and
- (d) The granting of the in-lieu fee payment request will not be detrimental to the public health, safety or welfare, or materially injurious to the subject property or adjacent properties.

9654.6 Parking Allocation

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

The allocation of off-street parking is intended to provide a sufficient number of off-street parking spaces that are in proportion to the need created by the particular land use. In the event a permitted use does not fall under any specific parking requirement, the Director shall make a determination by applying the ratio of the most functionally similar use listed in the following table.

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

Psychologists, psychiatrists, counselors, chiropractors, acupuncturists, <u>physical therapy</u> , and other similar uses with individualized patient programs.	1 for each 300 square feet of gross floor area.
*Restaurants, including drinking establishments, sit down and fast food	9.6 for each 1,000 square feet of <u>existing</u> gross floor area.
Elementary and junior/ <u>middle</u> high school	1 for each classroom, and 1 for each 5 seats or for each 35 square feet of area in the auditorium

9807. Rules of interpretation established.

A. The planning commission shall decide any questions involving the interpretation or application of any provision of this article, pursuant to the rules, standards and requirements of these sections.

B. The Community Development Director (or designee) may make administrative determinations regarding whether a proposed use is permitted when a use is not expressly listed, provided that the Director's decision is consistent with the intent of this article and may be appealed to the Planning Commission, pursuant to section 9312.1.

9807.1. Minimum requirements.

Only the uses, buildings, or structures expressly listed in this article are permitted. All others are excluded unless a specific district states otherwise, the Community Development Director or their designee, where permitted by the code, provides written authorization, or the planning commission has provided an interpretation. Unless clearly shown to the contrary in a particular district, the listing of uses, buildings, or structures which are expressly permitted implies the exclusion of all other uses, buildings, or structures. The regulations and development standards set forth in this article are the minimum requirements for the promotion of the public safety, health, convenience, comfort, and general welfare,~~and the~~. The planning commission and the Community Development Director shall be bound by any such standards in interpreting and applying the provisions of this article. It is not intended by this article to interfere with or abrogate or annual any easements, covenants, or other agreement between parties; provided, however, that where this article imposes a greater restriction or higher standards than required by other ordinances, rules or regulations, or by easements, covenants or agreements, the regulations of this article shall govern. In the event of a difference or conflict between the text of this article and the zoning districts shown on the zoning map, the designation on such map shall prevail.

E. Agoura Village Specific Plan Administration

The Agoura Hills Community Development Department is responsible for the administration, implementation, and enforcement of this Plan.

All projects involving new construction requiring an Agoura Village Development Permit must follow a three-step process. The steps are as follows:

1. Concept Review
2. Preapplication Review
3. Submittal of a Formal Application

As part of the review process of the Agoura Village Specific Plan, Concept and Preapplication Reviews are mandatory. A submittal of the formal application will not be accepted until the project submitted by the applicant has undergone Concept Review and Preapplication Review.

The Concept Review should be undertaken very early in the process while the project site layout is still in its preliminary stage. The primary objective of the Concept Review is to ensure that new projects are designed and consistent with the Agoura Village Specific Plan vision while the project is in their early stages, which allows applicants to have clear expectations of the review and approval process.

The Concept Review will focus on evaluating projects for consistency with the vision and regulations provided by the Plan, including the established land uses, standards, and guidelines that address each site, as well as those that are applicable area-wide. Upon completion of the Concept Review and Preapplication Review process, a formal application for an Agoura Village Development Permit may be submitted to the City.

Agoura Village Development Permit

Any new development, redevelopment, or substantial renovation of existing property within the Plan boundaries shall require an Agoura Village Development Permit (AVDP), in addition to other applicable permits and approvals (e.g., Parcel Map or Tentative Tract Map). With the exception of the affordable housing opportunity sites, where the Plan conflicts with the requirements of the Agoura Hills Municipal Code, the Plan provisions will take precedence.

The Agoura Village Development Permit is designed and intended to provide for the orderly development of land in conformance with the vision contemplated by the Agoura Village Specific Plan. Through the Agoura Village Development Permit review process City staff will ensure that projects are consistent with the development standards and design guidelines contained in the Plan.

Finding

Approval of an Agoura Village Development Permit shall require that Planning and Community Development Department make the following finding:

1. The proposed project complies with the vision and regulations provided by the Plan, including the established land uses and standards, that address each site, as well as those that are applicable areawide.

Exempt Projects

Alterations and repairs to existing buildings, structures, or other improvements that do not exceed 10% of the existing approved floor area and do not substantially modify the existing architectural character of the buildings and structures on the property shall not require an Agoura Village Development Permit. Exempt projects shall be reviewed and approved administratively if the project complies with the vision and regulations provided by the Plan, including the established land uses and standards that address each site, as well as those that are applicable areawide.

F. Allowable Land Uses

Land uses that is not listed in the Table 2.2 in Chapter 2 are not allowed except as follows:

1. Required Findings: The Director may determine in writing that a proposed use is similar and compatible to a listed use and may be allowed upon making one or more of the following findings:
 - a. The characteristics of and activities associated with candidate uses are similar to one or more of the allowed uses and will not involve substantially greater intensity than the uses listed for that village area;
 - b. The candidate uses will be consistent with the purpose and vision of the applicable village area;
 - c. The candidate uses will be otherwise consistent with the intent of the Specific Plan;
 - d. The candidate uses will be compatible with the other uses listed for the applicable village area.
2. The Director may refer the question of whether a proposed use is allowable directly to the Planning Commission or City Council for a determination at a public hearing.
3. A determination of the Director or Planning Commission may be appealed in compliance with the appeals procedure set forth in the City of Agoura Hills Municipal Code.

G. Nonconforming Uses

Existing uses that are not permitted or not listed in Table 2.2 in Chapter 2 (Land Use and Development Standards) are declared nonconforming uses. Please refer to the City of Agoura Hills Municipal Code for definitions and policies managing the following nonconforming uses:

- Continuances (continuing operation of nonconforming uses)
- Changing uses
- Terminations of nonconforming uses

Standards contained in Chapter 2 (Land Use and Development Standards) are mandatory requirements that must be satisfied for all new projects and building renovations ~~for any increase in square footage over 200 square feet or any major modification, as defined by Article IX of the Agoura Hills Municipal Code, of the exterior, which includes new construction of any non-habitable accessory structure that exceeds 100 square feet in gross floor area.~~

H. Open Space Designations

The open space areas (Village Area F) shown on Figure 2-1 in Chapter 2 (Land Use and Development Standards) shall remain as open space per the requirements of City Ordinance No. 99-300. City Ordinance No. 99-300 requires voter approval to change these areas to non-open space uses.