

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** Honorable City Council

**FROM:** Barry K. Hogan, Community Development Director 

**DATE:** August 11, 2006 (CC Meeting of 9/20/06)

**SUBJECT:** Consider Zoning Ordinance Amendment No. 2005-03 – Amendments to Chapter 17.24: Lot Area and Coverage, Setbacks, Height and Related Provisions; Chapter 17.32: Parking, Access and Landscaping Requirements; and Chapter 17.72: Downtown Specific Plan Overlay Zone (SP-D), and Repealing Ordinance No. 331, a Temporary Moratorium in the Downtown Specific Plan Overlay Zone

**BACKGROUND**

In October of 2005, the City Council adopted an interim moratorium on development in non-residential zones of the Downtown Specific Plan Overlay Zone and on the use of decreased parking requirements in the Downtown area. In December, the Council extended the moratorium until December 7, 2006, at which time the moratorium will expire. The moratorium could be lifted earlier by the Council upon adoption of new parking requirements and development regulations. To address Council concerns, the following items are recommended to be amended:

- Chapter 17.24 - Lot Area and Coverage, Setbacks, Heights and Related Provisions
- Chapter 17.32 - Parking, Access and Landscaping Requirements
- Chapter 17.72 – Downtown Specific Plan Overlay Zone (SP-D)
- The Downtown Specific Plan text and exhibits

Proposed amendments to the Zoning Code are analyzed in this report. Proposed amendments to the Downtown Specific Plan text and exhibits are discussed in a separate report on this same agenda.

The Planning Commission heard this item on June 27, 2006 and July 25, 2006 and recommended adoption of the amendments without the changes to the recreation vehicle parking restrictions initially proposed by staff. The reason for the Commission's change was that it felt that there should be notification to the public of this specific

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change to the RV parking standards prior to considering such a change. RV parking standards would be reviewed as part of the Parking Ordinance update."

## **DISCUSSION**

Chapter 17.24: Lot Area and Coverage, Setbacks, Heights and Related Provisions – This chapter of the Zoning Ordinance contains the development requirements for all of the zones except for the C-OT zone. It also includes parking restrictions for recreation vehicles. The intent of the proposed changes is to add in development requirements for the C-OT zone, relocate the parking restrictions from this chapter to Chapter 17.32 (unchanged as recommended by the Planning Commission), clarify the wall and fencing requirements and amend the entire chapter to improve clarity and ease of use. This would address the examination of setbacks in the commercial, industrial and special purpose zones as directed by City Council by Resolution No. 96-1209 adopted on July 2, 1996. It should be noted that the maximum height in the OS, A-E and R zones is recommended to be thirty-five feet (35') rather than the existing twenty-five feet (25'). The reason for this recommendation is to give great flexibility in design. In all cases development would require discretionary approval by the Community Development Director, Planning Commission or City Council.

Chapter 17.32: Parking, Access and Landscaping Requirements – Proposed parking requirements for High Street are addressed in this chapter of the Zoning Ordinance. Additionally, recreation vehicle parking restrictions would be relocated to this chapter (unchanged as recommended by the Planning Commission). Amendments to the parking restrictions for recreation vehicles as directed by City Council by Resolution No. 96-1237, adopted on October 16, 1996, and Resolution No. 2001-1810, adopted on January 17, 2001, would be considered later this year as part of a comprehensive re-examination of the City's parking requirements.

Chapter 17.72: Downtown Specific Plan Overlay Zone (SP-D) – Presently this zoning text is repetitive of the Downtown Specific Plan text and is therefore unnecessarily long. Proposed amendments to this chapter would reduce the text to only what is necessary to establish the zone, referring to the Specific Plan document for development and design requirements and parameters.

The analysis of the proposed amendments is contained in the attached Planning Commission agenda reports. It should be noted that upon the effective date of the attached ordinance amending the Zoning Ordinance, the moratorium will be lifted.

## **PROCESSING TIME LIMITS**

Time limits have been established for the processing of these amendments through the adoption of the extension of the downtown moratorium which will expire on December 7, 2006. The following timelines have been established for action on this project:

**Planning Commission Action Deadline: September 26, 2006**  
**City Council Action Deadline First Reading: October 18, 2006**  
**City Council Action Deadline Second Reading: November 1, 2006**

If the Council approves first reading on September 20, 2006 and second reading on October 4, 2006 the ordinance would be effective on November 4, 2006 and the moratorium would be lifted on that same date. Should the City Council wish more time for the review of this Amendment it should open the public hearing, take testimony and continue the public hearing open to a special Council meeting or regular Council meeting in October. Second reading of the ordinance must occur by no later than its November 1 Council meeting in order to have the amendments effective prior to the expiration of the moratorium.

Due to the expected length of the September 20, 2006 City Council meeting staff would present the report and then ask the Council to open the public hearing, accept public testimony and continue the public hearing to a time and date certain.

#### **ENVIRONMENTAL DETERMINATION**

In accordance with the City's environmental review procedures adopted by resolution, the Community Development Director determines the level of review necessary for a project to comply with the California Environmental Quality Act (CEQA). Some projects may be exempt from review based upon a specific category listed in CEQA. Other projects may be exempt under a general rule that environmental review is not necessary where it can be determined that there would be no possibility of significant effect upon the environment. A project which does not qualify for an exemption requires the preparation of an Initial Study to assess the level of potential environmental impacts.

The Director has reviewed this project and found it to qualify for a General Rule Exemption in accordance with Section 15061 of California Code of Regulations (CEQA Guidelines). No further environmental documentation is required.

#### **STAFF RECOMMENDATION**

Open the public hearing, take testimony and continue the public hearing open to a time and date certain.

#### **ATTACHMENTS:**

1. Planning Commission Agenda Reports for June 27, 2006 and July 25, 2006 (without Resolution).
2. Ordinance No. \_\_\_\_.

**MOORPARK PLANNING COMMISSION  
AGENDA REPORT**

**TO:** Honorable Planning Commission

**FROM:** Barry K. Hogan, Community Development Director 

**DATE:** May 1, 2006 (PC Meeting of 6/27/06)

**SUBJECT:** Consider Zoning Ordinance Amendment No. 2005-03 – Amendments to Chapter 17.24: Lot Area and Coverage, Setbacks, Height and Related Provisions; Chapter 17.32: Parking, Access and Landscaping Requirements; and Chapter 17.72: Downtown Specific Plan Overlay Zone (SP-D)

**BACKGROUND**

In October of 2005, the City Council adopted an interim moratorium on development in non-residential zones of the Downtown Specific Plan Overlay Zone and on the use of decreased parking requirements in the Downtown area. In December, the Council extended the moratorium until December 8, 2007, at which time the moratorium will expire. The moratorium could be lifted earlier by the Council upon adoption of new parking requirements and development regulations. To address Council concerns, the following items are recommended to be amended:

- Chapter 17.24 - Lot Area and Coverage, Setbacks, Heights and Related Provisions
- Chapter 17.32 - Parking, Access and Landscaping Requirements
- Chapter 17.72 – Downtown Specific Plan Overlay Zone (SP-D)
- The Downtown Specific Plan text and exhibits

Proposed amendments to the Zoning Code are analyzed in this report. Proposed amendments to the Downtown Specific Plan text and exhibits are discussed in a separate report on this same agenda.

**DISCUSSION**

Lot Area and Coverage, Setbacks, Heights and Related Provisions – This chapter of the Zoning Ordinance contains the development requirements for all of the zones except for the C-OT zone. It also includes parking restrictions for recreation vehicles. The intent of the proposed changes is to add in development requirements for the C-OT zone, relocate the parking restrictions from this chapter to Chapter 17.32, clarify the wall and fencing

requirements and amend the entire chapter to improve clarity and ease of use. This would address the examination of setbacks in the commercial, industrial and special purpose zones as directed by City Council by Resolution No. 96-1209 adopted on July 2, 1996.

Parking, Access and Landscaping Requirements – Proposed parking requirements for High Street are addressed in this chapter of the Zoning Ordinance. Additionally, recreation vehicle parking restrictions would be relocated to this chapter. It would be appropriate at this time to consider amendments to the parking restrictions for recreation vehicles as directed by City Council by Resolution No. 96-1237 adopted on October 16, 1996, and Resolution No. 2001-1810 adopted on January 17, 2001.

Downtown Specific Plan Overlay Zone (SP-D) – Presently this zoning text is repetitive of the Downtown Specific Plan text and is therefore unnecessarily long. Proposed amendments to this chapter would reduce the text to only what is necessary to establish the zone, referring to the Specific Plan document for development and design requirements and parameters.

## **ANALYSIS**

Lot Area and Coverage, Setbacks, Heights and Related Provisions – This chapter is proposed to be renamed "Development Requirements." Development standards for the C-OT zone have been added, the parking sections have been moved to Chapter 17.32: Parking, Access and Landscaping Requirements, walls and fencing requirements have been clarified, and the entire chapter has been reformatted for ease of use and greater clarity.

The two tables for OS, AE and R zones and for Commercial, Industrial and Special Purpose zones, indicating setbacks, height, etc. have been reformatted and expanded. The tables now include the development requirements for the C-OT zone, and have added in density consistent with the requirements of the General Plan, minimum lot area, width, and depth, maximum lot coverage, and references to the parking, signage and lighting sections of the Zoning Ordinance for those requirements. Staff is also recommending added flexibility for setbacks on irregularly or unusually shaped lots, setbacks for detached accessory structures, outdoor fireplaces, and setbacks for flagpoles. In the area of fences and walls, clarification has been made to fence and wall heights and locations in the front setback area. An allowance for fencing in the downtown residential areas is proposed different than in the other areas of the City. This is due to the existing nature of the walls and fences in downtown. Fencing materials such as fiberglass and bamboo sheeting are now specifically listed as prohibited, requirements for corner cut-offs for visibility regarding erection of walls and fences are clearly delineated, and authority has been given to the Community Development Director to approve wall extensions for vines on perimeter tract walls, i.e. those rear and side yard walls that are adjacent to collector and arterial roadways.

Parking, Access and Landscaping Requirements – In preparation for the amendment to the downtown off-street parking requirements, staff conducted a survey of all off street parking on the High Street properties between Moorpark Avenue on the west and Spring Road on the east. Since the development on the north side of High Street is the area most impacted by the lack of off-street parking, staff concentrated its efforts there, with the following results of its study:

<b>Buildings on North Side High Street (excluding Theater)</b>				
Required Parking at 1 space/300 square feet for 108,300 square feet	Total existing off-street parking spaces on North Side of High Street	Number of Off-Street Parking Spaces when High Street is re-striped, plus On Street Parking on Walnut Street	Parking on Lot Adjacent to Metro Lot	Total Existing Parking
361	143	105 + 33	31	312

Theater parking was excluded from the study since its parking demands do not normally occur at the peak parking demand times. It is also anticipated that when the Civic Center is developed that additional parking will be provided to accommodate the parking needs of the theater. It should also be noted that for this exercise, parking for restaurants was calculated at 1 space per 300 square feet of floor area rather than 1 space per 100 square feet. Since the Redevelopment Agency is in the final process of acquiring the vacant property west of the Metrolink Parking Lot on the south side of High Street, parking on this land was counted at an estimated 30 additional off street parking spaces. If the City or the Redevelopment Agency were to acquire the existing Metrolink Parking Lot with its 62 parking spaces and devote those spaces to High Street parking, there would be an overage of 12 spaces, or 3% over the requirement of 1 space for 300 square feet of floor area.

A continuation of the current parking reduction will make parking conditions on High Street worse. However, because High Street is being planned as a shopping district and because most people expect that there may be some limitation on parking, staff is comfortable with allowing a reduction in the parking standard of up to seventy-five percent (75%) of the 1 space per 300 square feet of floor area. Additionally, continuing to allow the payment of an in-lieu parking fee is appropriate, but only to buy down to fifty percent (50%) of the standard. This recommendation is with the expectation that the Redevelopment Agency land on the south side of High Street will be parked at one-hundred percent (100%) of the parking requirement and with the strong recommendation that the City or the Agency pursue acquisition of the Metrolink Parking Lot for High Street Parking.

With respect to recreation vehicle parking restrictions and other parking restrictions, this added section to the General Requirements of Parking Spaces has been moved from Chapter 17.24. The recreation vehicle parking restrictions have been amended to restrict parking of recreation vehicles in the front setback area and in particular on the driveway in

the front setback area. It now requires that the recreation vehicle be parked on a paved surface in the side or rear yard and that the vehicle must be adjacent to the dwelling or garage, not extend or protrude further than the front line of the garage or adjacent dwelling and that the view of the vehicle from the street is screened by a six (6) foot high opaque and decorative gate.

Downtown Specific Plan Overlay Zone (SP-D) – The existing text of this zone repeats all of the development requirements that are listed in Chapter 17.24 and those requirements of the adopted Downtown Specific Plan. However, it does not contain all of the development requirements, leading to confusion by applicants and City staff. It is not legally necessary or required to repeat chapters or sections of the Zoning Ordinance. Simple references to the appropriate chapters or sections of the Zoning Ordinance and to the Downtown Specific Plan are sufficient. The proposed amendment does exactly that.

### **PROCESSING TIME LIMITS**

Time limits have been established for the processing of these amendments through the adoption of the extension of the downtown moratorium which will expire on December 8, 2006. The following timelines have been established for action on this project:

<b>Planning Commission Action Deadline:</b>	<b>September 26, 2006</b>
<b>City Council Action Deadline First Reading:</b>	<b>October 18, 2006</b>
<b>City Council Action Deadline Second Reading:</b>	<b>November 1, 2006</b>

### **ENVIRONMENTAL DETERMINATION**

In accordance with the City's environmental review procedures adopted by resolution, the Community Development Director determines the level of review necessary for a project to comply with the California Environmental Quality Act (CEQA). Some projects may be exempt from review based upon a specific category listed in CEQA. Other projects may be exempt under a general rule that environmental review is not necessary where it can be determined that there would be no possibility of significant effect upon the environment. A project which does not qualify for an exemption requires the preparation of an Initial Study to assess the level of potential environmental impacts.

The Director has reviewed this project and found it to qualify for a General Rule Exemption in accordance with Section 15061 of California Code of Regulations (CEQA Guidelines). No further environmental documentation is required.

### **STAFF RECOMMENDATION**

1. Open the public hearing, accept public testimony and close the public hearing.
2. Adopt Resolution No. PC-2006-\_\_\_\_ recommending to the City Council approval of ZOA 2005-03.

**ATTACHMENTS:**

1. Exhibits
  - A. Existing Chapter 17.24
  - B. Existing Sections 17.32.025 and 17.32.060
  - C. Existing Chapter 17.72
2. Draft PC Resolution with Amended Chapter 17.24, Amended Sections 17.32.025 and 17.32.060 and Amended Chapter 17.72

**Existing Chapter 17.24**

**LOT AREA AND COVERAGE, SETBACKS, HEIGHT AND RELATED PROVISIONS**

**17.24.010 Purpose.**

The purpose of this chapter is to set forth specific development standards which are applicable to the zones specified, and to delineate certain instances where exceptions to the requirements are allowed. Section 17.24.020 lists in matrix form specific development standards applicable to specific zones. (Ord. 189 § 3 (8106-0), 1994)

**17.24.020 Schedules of specific development standards by zone.**

The following tables indicate the lot area, setback, height and building coverage standards which apply to individual lots in the zones specified.

**Table 17.24.020A**

**DEVELOPMENT STANDARDS FOR O-S, A-E AND R-ZONES**

Two (2) story residences with windows facing the adjacent property shall have a minimum ten (10) foot side-yard setback (second story only) and a twenty (20) foot rear yard setback from the adjacent property line.

Zone	Minimum Lot Area <sup>1</sup>	Required Minimum Setbacks <sup>2</sup> : Front	Required Minimum Setbacks <sup>2</sup> : Side Interior and Center Lots, Except Reverse Corner	Required Minimum Setbacks <sup>2</sup> : Side Reverse Corner Lots: Street Side	Required Minimum Setbacks <sup>2</sup> : Side Rear	Maximum Structure Height: Main Structure	Maximum Structure Height: Exceptions (Main Structure)	Maximum Structure Height: Accessory Structure
O-S	10 acres	20'	10'	10'	15'	25'	Height may be increased above 25' (to maximum 35') if each side yard is at least 15'	(O-S/A-E/R-A) same as main structure <sup>3</sup>
A-E	40 acres							
R-A	One acre		5'	10'				
R-E	10,000 sq. ft.							

R-O	20,000 sq. ft.							15 <sup>3</sup>
R-1	6,000 sq. ft.	20 <sup>6</sup>						
R-2	7,000 sq. ft. <sup>4</sup>							
R-P-D	As specified by permit <sup>5</sup>	*	*	*	*	35'	**	**

\* See Section 17.36.030(B)(3)(a) \*\* As specified by permit

**Notes for Table 17.24.020A:**

1. Zone suffix (Section 17.12.020) may require greater minimum lot area. See Section 17.24.030 (or other exceptions).
2. See Sections 17.24.060 and 17.24.070 for exceptions. See Section 17.24.050C for flag lot setbacks.
3. See Sections 17.24.060, 17.24.080 and 17.24.090 for exceptions.
4. Minimum lot area per dwelling unit: 3,500 square feet.
5. Minimum density: one dwelling unit per acre; maximum density: 30 dwelling units per acre.
6. See Section 17.24.060K for exception.

**Table 17.24.020B**

**DEVELOPMENT STANDARDS FOR COMMERCIAL,  
INDUSTRIAL AND SPECIAL PURPOSE ZONES**

Zone	Minimum Lot Area	Maximum Building Coverage From Street	Required Minimum Setbacks <sup>1</sup> Each Interior Yard		Maximum Structure Height: Main Structure	Maximum Structure Height: Exceptions (Main Structure)	Maximum Structure Height: Accessory Structure
C-0	No Requirement	50% of lot area	Front: 20'	None required, but if provided or if any side is adjacent to R-zoned property, then 10 feet on that side	25'	Height may be increased (to maximum 60') with planning commission C.U.P.	As specified by permit
			Side: 5'				
C-1		As specified by permit	5 feet on corner lots	5 feet if adjacent to an R-zone; otherwise as specified	35'		

				by permit <sup>1</sup>		
C2						
C-P-D						
T-P	See note 2.			As specified by permit	25'	
P-C	100 Acres <sup>3</sup>			As specified by permit		As specified by permit
M-1	10,000 sq. ft.	As specified by permit	20' <sup>4</sup>	5 feet if adjacent to an R-zone; otherwise as specified by permit	30'	May be increased to 60' with planning director approval
M-2			15' <sup>4</sup>			
M-3			10' <sup>4</sup>		As specified by permit	Maximum 60' when located within 100' of R-zoned property

**Notes for Table 17.24.020B:**

1. See Section 17.24.060 for exceptions. See Section 17.24.050C for flag lot setbacks.

2. See Section 17.36.030C.

3. Minimum project area.

4. A 30-foot setback, in conjunction with appropriate opaque screening, may be required (1) when the industrial site is adjacent to or across the street from an R-zone; (2) to maintain uniformity with existing adjacent development; or (3) on the basis of the configuration of the industrial site.

NOTE: For all industrial and commercial zones, buildings shall be set back from edge of right-of-way for all existing and planned (as shown in adopted circulation element) four (4) and six (6) lane arterials and four (4) lane rural connectors as follows: thirty (30) feet of building setback for all front yard and ten (10) foot building setback for all side yards with a minimum of ten (10) feet of landscaping behind the front and side yard property lines. From all existing and planned local connectors and two lane rural connectors, the building setback shall be twenty (20) feet for the front and ten (10) foot building setback for the side yard with a minimum of ten (10) feet of landscaping behind the front and side yard property lines. Said setbacks shall be landscaped, except for walkways and front-to-back driveways, and shall not be used for drive aisles or parking. The ten (10) feet is for landscaping only with the exception of a public sidewalk as long as the right-of-way is not reduced as a result of the public sidewalk being partially or totally within the required ten (10) feet of landscaping.

(Ord. 189 § 3 (8106-1), 1994)

**17.24.025 Setbacks in the downtown area.**

Front, rear and side-yard setbacks in the downtown area (as defined in Section 17.40.020 of this code), shall be as specified by permit. (Ord. 205 § 3 (8106-1.2.1), 1995)

**17.24.030 Exceptions to lot area.**

The following are exceptions to the minimum lot area regulations stated in Section 17.24.020:

A. Water Well Sites. A water well site or sites, each no more than one thousand two hundred (1,200) square feet, may be created on a lot for the sole purpose of transferring, by lease or sale, possession of the well and so much of the land around the well as may be necessary for use of water from the well for agricultural purposes only.

1. Park and Recreational Facilities. Any lot area reductions granted to subdividers before the effective date of this title under the community park and recreation facilities provisions of the previous zoning ordinance and recorded with the final map shall remain in effect.

2. Fire Stations. There shall be no minimum area for a lot in the O-S, A-E or R-A zones or any of the subzones thereof during the period of time the lot is held by a public entity for present or future use as a fire station or is dedicated to a public entity for such use. Any lot in such zones or any subzones thereof which:

a. Was created by a conveyance of a portion of a larger lot to a public entity for present or future use as a fire station, or was created by a subdivision map which dedicated the lot to a public entity for such use; and

b. Would have been nonconforming at the time of such creation if it had not been conveyed or dedicated to a public entity; and

c. Does not conform to minimum area requirements applicable to other lots in the same zone or subzone which have not been conveyed or dedicated to a public entity, may not be used for any purpose other than a fire station site by the public entity or its successors in interest. (Ord. 189 § 3 (8106-2), 1994)

#### **17.24.040 Purpose and use of setbacks.**

The setback regulations are intended to prevent the overcrowding of land, provide privacy, preclude narrow, unusable spaces between buildings and provide clear areas for fire safety purposes, both to retard the spread of fire and to enable emergency personnel to reach side and rear areas of buildings. The setback regulations are intended to apply to buildings with foundations, and other structures such as those for parking and storage, whether or not they have foundations, and to open storage. The regulations are not intended to apply to trees or other natural vegetation, nor to construction that does not extend above grade level, nor to pools designed to hold less than eighteen (18) inches of water depth, nor to such things as outdoor furniture or unenclosed play structures for children (except if designed for use with wheeled footwear or vehicles of any kind), provided that such items are placed so as not to hinder the above objectives. No required setback shall be used for parking or storage of any vehicles, nor for open storage or garages or other accessory buildings, except as specifically provided in this title. (Ord. 189 § 3 (8106-3), 1994)

#### **17.24.050 Measurement of setbacks.**

A. Measurement of Rear Setback from an Alley. In computing the depth of a rear setback for any lot abutting an alley, the setback may be measured from the midpoint of the rear alley.

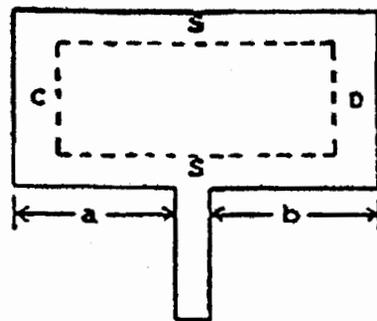
B. Setbacks from Easements. If the only means of access to one (1) or more lots is by way of an easement, the easement shall be considered as a street for purposes of determining setbacks on lots over which the easement passes.

C. Determination of Setbacks for Flag Lots. In the case of flag lots, the setbacks shall be measured from the applicable front (F), rear (R) and sides (S) of the lot as designated in the following diagram.

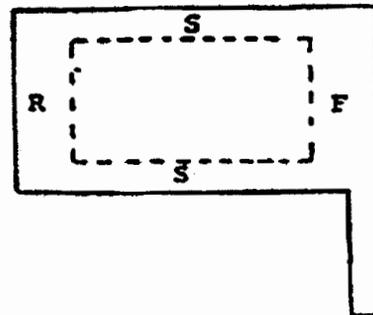
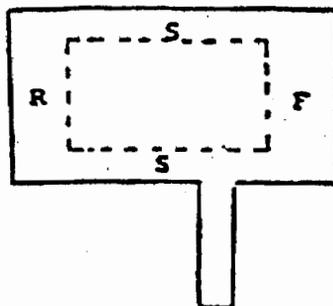
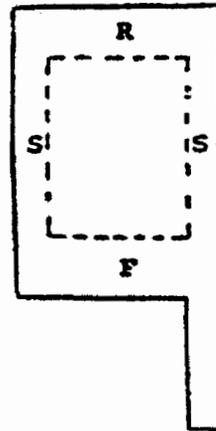
1. In cases involving flag lots of a type not represented in the diagram, the director of community development shall determine the minimum setbacks.

2. Any portion of a flag lot that is adjacent to a street is a "required setback adjacent to a street" for purposes of fence regulations.

### FLAG LOT CHART



If  $a = b$ , applicant designates C or D as front.



D. Determination of Setbacks for Through Lots.

1. If the area of a through lot is less than twice the minimum lot area for the zone, one (1) street frontage shall be designated as the front, and the other frontage shall be the rear.

2. If the lot area is two (2) or more times the minimum area for the zone, each street frontage shall be considered a front for purposes of determining setbacks. (Ord. 189 § 3 (8106-4), 1994)

**17.24.060 Intrusions into required setbacks.**

The following are exceptions to the standards given in Section 17.24.020.

A. Accessory Structures in Certain Setback Areas. Detached accessory structures not used for human habitation may be constructed to within three (3) feet of interior and rear lot lines, provided that:

1. In no case shall any such accessory structure exceed fifteen (15) feet in height;
2. In no case shall any such accessory structure(s) occupy more than forty percent (40%) of the rear setback area which is measured by multiplying the required minimum rear setback set forth in Section 17.24.020 by the particular lot width; and
3. Setbacks for the street side of the lot shall be maintained as set forth in Section 17.24.020.

4.a. A trailer, boat or other similar recreational vehicle shall not be parked in the driveway within ten (10) feet from the face of the curb. Parking of a vehicle in the side or rear yards (not in required setback areas) shall be screened from view. Parking of such vehicles shall not occur within ten (10) feet of the rear or within three (3) feet of the side yard property lines.

b. Motor vehicles shall not be parked within any front or street side setback, except that fully operative, licensed and registered vehicles may be parked in a driveway access to the required parking or on a paved area adjacent to the driveway, as an accessory use to the dwelling, and except as provided elsewhere in this chapter. At no time may more than fifty percent (50%) of the required front setback area be covered by asphalt, concrete, or other hardscape materials used for vehicle parking or as a vehicle driveway. The vehicle parking or driveway area must be connected to a public right-of-way through a city-approved curb approach.

B. Accessory Structures in Front Setbacks on Through Lots. An accessory structure not exceeding fifteen (15) feet in height may be located in one (1) of the required front setbacks on a large through lot, as described in Section 17.24.060(D)(2), provided that every portion of such accessory structure is at least ten (10) feet from the nearest front line.

C. Parking in Setbacks.

1. Motor vehicles shall not be parked within any front or street-side setback, except that fully operative, licensed and registered vehicles may be parked in the driveway access to the required parking or on a paved area adjacent to the driveway, as an accessory use to a dwelling, and except as provided elsewhere in this title. Any additional paved area for parking purposes may not exceed fifty percent (50%) of the area covered by the existing driveway and not exceed thirty (30) feet in total width.

2. No required setback may be used for the provision of required parking spaces, except as specifically provided in this title.

3. On interior lots, a minimum three (3) foot wide area adjacent to one (1) side lot line must be kept free of operative vehicles and open storage (see Section 17.28.020F).

4. Commercial Vehicles in Residential Areas. It is unlawful to park a commercial vehicle, as defined in the Vehicle Code, having a manufacturer's gross vehicle weight rating of ten thousand (10,000) pounds or more on any highway, street, alley, public property or private property in a residential zone or district, when the parking is not connected with work or service to a property which reasonably requires the presence of the commercial vehicle in the residential zone or district, or for more than the time reasonably necessary to carry out such work or services to the property.

D. Architectural Features. Eaves, cornices, canopies, belt courses, sills, buttresses and other similar architectural features that do not create additional floor area or living space may project a maximum of two and one-half (2½) feet into required front setbacks, two (2) feet into side setbacks and four (4) feet into rear setbacks, and may not be closer than two (2) feet to any side or rear property line. Such features shall not be closer than two (2) feet to a line midway between the exterior walls of buildings located on the same lot.

E. Heating and Cooling Equipment. Accessory heating and cooling equipment and necessary appurtenances may be located to within three (3) feet of any side or rear lot line.

F. Balconies, Fire Escapes and Stairways. Open, unenclosed stairways or balconies may extend into required rear setbacks not more than four (4) feet, and into required front setbacks not more than two and one-half (2½) feet.

G. Chimneys and Fireplaces. Masonry chimneys and fireplaces may project into required setbacks or required common open space not more than two (2) feet provided that such chimneys or fireplaces shall not be closer than three (3) feet to any side property line of the lot. Where more than one (1) building is located on the same lot, such chimneys or fireplaces shall not be closer than three (3) feet to a line midway between the main walls of such buildings.

H. Depressed Ramps. Open-work fences, hedges, guard railings or other landscaping or architectural devices for safety protection around depressed ramps may be located in required setbacks or required common open space, provided that such devices are not more than three and one-half (3½) feet in height.

I. Uncovered, Unenclosed Landings and Porches. Uncovered porches, platforms or landings which do not extend above the level of the first floor of the building may extend into required front setbacks not more than six (6) feet, and into required side and rear setbacks no closer than three (3) feet to the property line. An open-work railing not more than three (3) feet high may be installed or constructed on such porch, platform or landing.

J. Decks.

1. When constructed at or below the level of the first floor of the building, a deck may extend into required side or rear setbacks, but may not occupy more than forty percent (40%) of a required rear setback, nor be located closer than three (3) feet to a side or rear property line.

2. Two (2) story homes proposing a second floor deck or balcony are subject to the same setback requirements as the main residence with the exception that the required rear yard setback for the second story balcony or deck shall not be less than ten (10) feet and the side yard setback shall not be less than ten (10) feet. The color and the

materials of the second story deck shall complement those of the main structure. Maximum height shall be twelve (12) feet, not including railing height.

K. Exception to Front Setback. In the R-1 and R-2 zones, dwellings constructed with carports or garages having a curved or "swing" driveway, with the entrances to the carports or garages facing the side property line, may have a minimum front setback of fifteen (15) feet.

L. Temporary Dwellings During Construction. A mobilehome or recreational vehicle which is used as a temporary dwelling during construction shall be set back at least five (5) feet from the property lines of the lot on which it is placed.

M. Swimming Pools and Spas. Swimming pools, spas, hot tubs and similar structures may be constructed to within five (5) feet of rear and interior side lot lines and three (3) feet from structure, provided that they do not intrude into any front or street-side setback. Pools designed to hold less than eighteen (18) inches of water depth are exempt from setback requirements.

N. Patio Covers. Covered patios that are attached to the main dwelling shall maintain the same setbacks as the main residence, except that the rear yard setback may be reduced to ten (10) feet. The maximum height of a patio cover shall be twelve (12) feet. The color and the materials of the patio cover shall complement those of the main structure. (Ord. 196 § 3 (part), 1994; Ord. 189 § 3 (8106-5), 1994)

#### **17.24.070 Miscellaneous setback regulations.**

A. Distance Between Structures on the Same Lot. The minimum distance between structures on the same lot shall be six (6) feet, except that no detached dwelling shall be placed closer than ten (10) feet to any other detached dwelling. These requirements refer to minimum distances between exterior walls or other supports.

B. Garages and Carports. Except as otherwise provided in this title, garages and carports shall be set back sufficiently from streets from which they take access to provide for twenty (20) linear feet of driveway apron, as measured along the centerline of the driveway from the property line to the garage or carport.

C. Setbacks from Existing Oil/Gas Well Sites.

1. No dwelling should be constructed within eight hundred (800) feet of an existing oil/gas well site unless it is unavoidable. No dwelling shall be built within five hundred (500) feet of an existing well site unless the owner records with the title to the property a statement, acceptable to the city attorney, acknowledging the presence of the well site and the fact that operations associated therewith, including well drilling and redrilling, may disturb the occupants, even though said operations are being conducted in accordance with specific permit conditions, the best accepted practices incident to the exploration of oil and gas, and the provisions of this title.

2. If such an acknowledgement is recorded, the dwelling may be located less than five hundred (500) feet from an existing oil well site, but in no case less than one hundred (100) feet from said well site. For purposes of this section, "well site" means the area around a well, which may contain production facilities. (Ord. 189 § 3 (8106-6), 1994)

### **17.24.080 Exceptions to height limits.**

The following are exceptions to the height limits stated in Section 17.24.020:

A. **Antennas, Ground-Mounted.** Ground-mounted citizens' band and amateur radio transmitting and receiving antennas, intended for private, noncommercial use accessory to a dwelling, may be erected up to a maximum height of forty (40) feet. Ground-mounted antennas may be erected above the height limit of forty (40) feet, under the permit prescribed by this title, provided that no antenna or mast shall exceed seventy-five (75) feet in height, and the design of such antennas shall be in accordance with Section 17.28.020(A).

B. **Roof Structures.** Roof structures may be erected above the height limits prescribed in this title, provided that no additional floor space is thereby created. (Ord. 189 § 3 (8106-7), 1994)

### **17.24.090 Miscellaneous regulations.**

A. **Fences, Walls and Hedges.**

1. No fences over three (3) feet high may be placed in a required sight triangle (see subsection D of this section), in a required setback adjacent to a street, or in ten (10) foot by ten (10) foot right triangle on each side of a driveway on a side property line. A maximum six (6) foot high fence may be located in other areas of a lot. Exceptions:

a. A six (6) foot high see-through fence may be located anywhere on a lot of twenty thousand (20,000) square feet or more.

b. A six (6) foot high fence may be placed in the streetside setback of a corner lot other than a reverse corner lot.

c. A maximum eight (8) foot high fence may be located:

i. On a vacant or developed lot zoned O-S, A-E or R-A, or on any vacant or developed lot in a commercial or industrial zone, anywhere except within a required sight triangle or setback adjacent to a street; or

ii. On any vacant or developed lot zoned R-E, R-O, R-1, R-2 or R-P-D that abuts or is across the street from a lot in a commercial or industrial zone or a lot zoned O-S, A-E or R-A, provided that such fence is located at or near the boundary line separating such lots, but not in a required sight triangle or setback adjacent to a street.

d. A maximum twelve (12) foot high see-through fence may be located around a tennis court anywhere on a lot, except in a required setback adjacent to a street.

2. Except as otherwise provided herein, fences over six (6) feet in height require a zoning clearance; see also Section 17.20.040.

3. No barbed wire, razor-edge, or similar type of fencing is permitted in R-zones or commercial zones, or on properties in M-zones which abut or are across the street from R-zoned properties, if such fencing would be visible from the R-zoned property or properties.

4. If there is a difference in grade levels on the two (2) sides of a fence, the height shall be measured from the higher grade, provided that the distance from the lower grade to the top of the fence shall not exceed ten (10) feet, and further provided that in a required setback adjacent to a street, fence height shall be measured from adjacent grade on the street side of the fence.

5. The provisions of this section shall not apply to a fence required by any law or regulation of the state of California or any agency thereof.

B. Accessory Parking and Storage of Large Vehicles. No residential, agricultural or open space zoned lot shall be used for the accessory parking or storage of vehicles which are designed to carry more than a three-quarter ton load and which are used for shipping or the delivery of freight and products, except those lots where delivery to storage or market of agricultural commodities is permitted under this title and is occurring on said lot.

C. Connection of Structures. An accessory structure will be considered to be detached from the main structure unless:

1. The roof connecting the two (2) structures complies with all of the following:
  - a. It is essentially a continuation of the roof of the main structure;
  - b. It resembles the roof of the nearest enclosed, habitable area of the main structure in terms of pitch, materials, etc.; and
  - c. It is imperforate; or
2. The space between such structures is completely enclosed by walls attached to each structure.

D. Sight Triangle. Where there are no controls (stop signs or signals) on either street at an intersection, a sight triangle (see definitions) must be provided on each corner adjacent to the intersection. No structures or landscaping over three (3) feet in height which could block the view of approaching traffic on either street shall be located or constructed within any required sight triangle.

E. Sight Distance. Adequate sight distance shall be provided at intersections. In cases where the minimum setback requirements of Section 17.24.020 do not provide such sight distance, particularly where streets intersect at less than ninety (90) degrees and traffic is controlled (e.g., by stop signs) on only one (1) of the streets (the "minor street"), setbacks for discretionary projects must be adjusted to provide adequate sight distance in accordance with the following table. The sight distance shall be measured from a point in the center of the minor street eight (8) feet behind the designated stopping point for vehicles on such street, or behind a continuation of the intersecting curb line, to the center of the nearest (curbside) driving lane on the intersecting ("major") street. No structures or landscaping over three (3) feet in height which could block the view of approaching traffic on the major street shall be constructed or located on the street side of the line connecting the two (2) points. Curb cuts on discretionary projects should be considered minor streets for purposes of this section.

<b>Speed Limit On Major Street (mph)</b>	<b>Sight Distance Required (ft).</b>
25	165
30	190
35	225
40	260
45	300
50	350
55	400

F. Light Fixtures. The following regulations apply to light fixtures over two (2) feet in height:

1. Maximum height is twenty-four (24) feet (twelve (12) feet if within one hundred (100) feet of residentially zoned property) unless a greater height is approved by the director of community development or his designee.
2. Such fixtures shall not be placed in side setbacks.
3. Lights in excess of one hundred (100) watts shall not result in direct illumination of adjacent properties.
4. A lighting plan shall be submitted for all approved entitlement projects governed by Chapter 17.44. The lighting plan shall achieve the following objectives: avoid interferences with reasonable use of adjoining properties; minimize on-site and off-site glare; provide adequate on-site lighting; limit electroliers height to avoid excessive illumination; and provide structures which are compatible with the total design of the proposed facility.
5. Fixtures must provide sharp cut-off qualities which minimize light spillage at property lines.
6. Energy-efficient lighting fixtures shall be provided which are compatible with adjacent properties.
7. No direct light source (bulb) shall be visible from the road.
8. The architectural design of the pole(s) and lamp(s) shall complement the design of the building.
9. Eliminate upward light spillage. (Ord. 189 § 3 (8106-8), 1994)

## **Existing Parking Sections**

### **17.32.025 Downtown parking requirements.**

Parking in the downtown area (as defined in Section 17.40.020 of this code) shall meet one-half the standards required pursuant to Section 17.32.010 of this chapter. Of the parking required by this section, the applicant may choose to pay an in-lieu fee in order to reduce any portion of the parking spaces otherwise required to be provided on-site. The fee shall be established by city council resolution and shall be used to offset a portion of the cost required to construct public parking facilities in the downtown area.

### **17.32.060 General requirements of parking spaces.**

D. Parking in Setbacks. See Sections 17.24.040 and 17.24.060C.

E. Residential Access. Access to parking spaces for dwellings shall be at least ten (10) feet wide throughout and paved with a minimum of two and one-half (2½) inches of asphalt or concrete, except that a center strip over which the wheels of a vehicle will not normally pass need not be paved, provided that the access complies with the requirements of the Ventura County fire protection district. For flag lots the minimum access width shall be twenty (20) feet. Driveways serving more than two (2) dwelling units shall be at least eighteen (18) feet wide. See also Section 17.24.070B.

**Existing Chapter 17.72**  
**DOWNTOWN SPECIFIC PLAN OVERLAY ZONE (SP-D)**

**17.72.010 Purpose.**

The development standards and design guidelines for downtown Moorpark are intended to reinforce building character and establish design criteria for all new buildings, renovated buildings, and remodels.

**17.72.020 Terms and definitions.**

Words and terms used within the downtown specific plan and overlay zone shall have the same meaning and definition as given within the Moorpark municipal code, including Chapter 17, zoning ordinance and the city general plan.

**17.72.030 General provisions.**

These provisions of the downtown specific plan overlay zone apply to properties in the downtown specific plan area and supplement the other regulations of the zoning ordinance. The specific plan development standards and design guidelines are consistent with, and further, the city zoning ordinance. In such cases where the specific plan development standards and zoning code standards conflict, the specific plan development standards shall apply.

**17.72.040 Review procedures.**

Design review procedures identified within the downtown specific plan shall apply to any private or quasi-public parcel or building within the specific plan area. Design review is generally required for all new construction, exterior modifications, and substantial remodels to existing buildings, single and multifamily residences, parking lots and exterior pedestrian areas. Design review occurs in conjunction with the respective entitlement process which is governed by Chapter 17.44 of the city's zoning ordinance. In addition to the city's zoning ordinance, projects must comply with the standards provided in the specific plan. Projects shall comply with the standards set forth in this district, the specific plan and the existing zoning designation.

**17.72.050 Design and landscape guidelines.**

The design guidelines contained within the downtown specific plan are intended to reinforce building character, and establish design criteria for all new buildings, renovated buildings, and remodels. The guidelines should be used in conjunction with the downtown vision plan (Section 1.1 of the downtown specific plan), and are intended to provide property owners, merchants, and their designers with the basic design criteria.

follows:

A. Goals of the Development Standards and Design Guidelines. The goals of these development standards and design guidelines are as follows:

1. Establish a hierarchy of building types in the downtown area utilizing a landmark building designation to identify special and important places;
2. Provide basic design recommendations for all buildings in the downtown promoting design creativity, and variation while insuring consistency in building scale, proportion and pedestrian orientation;
3. Establish clear and usable standards, guidelines and criteria;
4. Protect and enhance historical architectural buildings and utilize historical building forms and styles to create future buildings.

B. The design guidelines and landscape guidelines should be considered in conjunction with the development standards.

### **17.72.060 Single-family residential (R-1).**

A. Site Development Standards.

1. Land Use and Permitted Uses. The single-family residential designation is intended to accommodate single-family home developments on varying sized parcels, while preserving hillside landforms and historic weave of the neighborhood character. This land designation allows for second dwelling units when an administrative permit has been secured in accordance with zoning code Section 17.28.020(G). Secondary dwellings are not encouraged on small to medium sized lots. Land uses shall be permitted as designated in Table 17.20.050 of the zoning code.

2. Density. Existing land use patterns in the single density residential areas of the plan are characterized by both developed and undeveloped parcels that range from six thousand (6,000) square feet to greater than one (1) acre in size. A number of parcels north of Everett Street and along Valley Road are located in hillside areas with slopes in excess of twenty (20) percent, making them subject to hillside management development requirements. The maximum density for the single-family residential area is four (4) to six (6) units per acre.

3. Building Setbacks. Building setbacks in the single-family residential zone shall conform to the following standards, with setback intrusions permitted only as described in Section 17.24.060A of Title 17 of the Moorpark zoning code, including setback requirements for detached accessory structures. Section 17.24.070 shall determine the extent of any other miscellaneous setback requirements.

#### **YARD SETBACKS**

Front

From main house Minimum 20 feet

From front porch Minimum 14 feet

Side

Interior lot Minimum 5 feet

Corner lot street side Minimum 10 feet  
Rear Minimum 15 feet

**4. Height.**

a. For the primary structure, the maximum height is twenty-five (25) feet; measured from finish grade to the highest point of a flat or mansard roof, or in the case of pitched or hip roof, to the "averaged midpoint" which is the average of the highest point on the roof with the top of the finished wall height.

b. The maximum height for an accessory structure is fifteen (15) feet. The maximum height of a patio cover or second story deck (excluding rail height) shall be twelve (12) feet. Exceptions to building height may only be permitted in accordance with Section 17.24.080 of Title 17 of the Moorpark municipal code.

**5. Second Dwellings and Building Additions.**

a. Second dwellings are permitted on lots that are ten thousand eight hundred ninety (10,890) square feet (1/4 acre) or larger in size. For lots ten thousand eight hundred ninety (10,890) square feet (1/4 acre) to twenty-one thousand seven hundred eighty (21,780) square feet (1/2 acre) -- a second dwelling unit shall not exceed eight hundred (800) square feet. These units may be located over garages. All secondary structures and building additions/expansions should complement the existing structure in form, massing, building materials and architectural character.

b. The maximum size of the second dwelling shall be limited to the following lot size limitations:

**LOT SIZES SECOND DWELLING  
FLOOR AREA**

1/4 acre - 1/2 acre 800 sq. ft.\*  
(10,890 - 21,780 sq. ft.)

\* Per City of Moorpark Zoning Code.

i. The planning commission may authorize exceptions to the standards by use permit upon finding that (1) the purpose of this section is served (2) strict compliance with the size limitations would (a) require significant structural modifications that would not otherwise be required, or (b) adversely affect an historic or architecturally significant building.

ii. Either the primary unit or the second unit must be owner-occupied.

iii. Accessory buildings shall not be located in front setback areas between the main structure and the public street.

iv. The style material and color of accessory buildings visible from public streets shall be the same or substantially consistent with the main structure.

v. In the case of carport design:

(A) Materials and colors shall be the same as the main building,

(B) Where carports back up to public streets or alleys, provide rear carport walls to screen cars,

(C) Include fascias in carport roof design to screen support beams and trusses,

(D) Roof design should be compatible with the main structure.

**6. Maintenance and Renovation.**

A. Quality maintenance of existing buildings and parcels, combined with gradual progression in meeting design goals for this land use designation are encouraged. To this end, the maintenance guidelines and incentives outlined in Section 2.3.1 to 2.3.2 of the downtown specific plan apply to the single-family residential designation.

B. The design guidelines and landscape guidelines contained in the downtown specific plan for this designation should be considered in conjunction with the vision statement contained in Section 1.1 of the downtown specific plan and the site development standards contained in this chapter.

**17.72.070 Two-family residential (R-2).**

**A. Site Development Standards.**

1. Land Use and Permitted Uses. The two-family residential designation is intended to accommodate duplex and secondary dwelling units in addition to single-family residential development. This land designation allows for second dwelling units in accordance with Chapter 17.20 of the zoning code. Land uses shall be permitted as designated in Table 17.20.050 of the zoning code.

2. Density. Existing land use patterns in the two-family residential areas of the plan are characterized by mostly developed parcels that range from six thousand (6,000) to eight thousand (8,000) square feet in size. These parcels face onto Flory Avenue and have alley access along their western boundary, adjacent to the office zone. The maximum density for the two-family residential area is four (4) to six (6) units to the acre. The minimum site area per dwelling unit is three thousand five hundred (3,500) square feet.

3. Building Setbacks--Two-Family (R-2). Setbacks for the two-family residential designation shall comply with the setbacks for the single-family residential designation contained in Section 17.72.060(A)(3).

4. Height. Height requirements for the two-family residential designation shall comply with the height requirements for the single-family residential designation contained in Section 17.72.060(A)(4).

5. Second Dwellings and Building Additions. Second dwellings and building additions for the two-family residential designation shall comply with the second dwellings and building additions for the single-family residential designation contained in Section 17.72.060(A)(5).

6. Maintenance and Renovation. Maintenance and renovation for the two-family residential designation shall comply with the maintenance and

renovation for the single-family residential designation contained in Section 17.72.060(A)(6).

B. The design guidelines and landscape guidelines contained in the downtown specific plan for this designation should be considered in conjunction with the vision statement contained in Section 1.1 of the downtown specific plan and the site development standards contained in this chapter.

#### **17.72.080 Residential planned development--(R-PD).**

A. Site Development Standards. The residential planned development category is intended to provide small lot single-family and attached housing: townhouses, condominiums and apartments. These units should be well articulated as individual or collective units, and act as a transition between single-family residential and the old town commercial zone. Buildings shall be generally oriented toward the street with parking courts located behind.

1. Land Use and Permitted Uses. The residential planned development designation is intended to allow for a wide range of residential development products as a primary use, with limited office as a secondary use. The range of residential density that is covered by this specific plan designation is inclusive of both the high density (seven (7) units to the acre) and very high density (fourteen (14) units to the acre) general plan land use designations. A fifteen (15) unit density allocation applies only to the developed property east of Spring Road between High Street and Charles Street. Permitted uses in the R-PD zone are designated in Table 17.020.050 of the city zoning code.

2. Density. The majority of the existing land use pattern in the residential planned development areas of the plan are characterized by lots that are in the seven thousand (7,000) to eight thousand (8,000) square foot range. There are some lots which are sixteen thousand (16,000) square feet or greater in size that occur where smaller lots have been combined, or a single cohesive development has occurred (as with the senior housing project at Magnolia and Charles Streets).

The density maximums within the residential planned development area have been designed to encourage lot consolidation and redevelopment of underdeveloped or declining properties. The maximum permissible density for the residential planned development area ranges from seven (7) to fourteen (14) units to the acre and up to twenty (20) units/acre should low/very low or senior housing be built. (Refer to Section 17.72.150 for explanation and density standards contained within the lot consolidation incentive and the building renovation programs).

The specific plan RPD district allows a second dwelling on residential zoned lots as permitted by the city zoning code Chapter 17.28.020(G)(C).

3. Building setbacks--Residential planned development (R-PD).

## **YARD SETBACKS**

(from property line)

**Front**

**Main House Minimum 20 feet**

**Front Porch Minimum 14 feet**

**Side**

**Interior Lot Minimum 10 feet**

**Corner lot street side Minimum 20 feet**

**Rear As determined on**

**project by project**

**basis\***

\* Shall be adequate to provide buffering from incompatible adjacent land uses.

4. Height. The maximum height is thirty-five (35) feet; measured from finish grade to the highest point of a flat or mansard roof, or in the case of pitched or hip roof, to the "averaged midpoint" which is the average of the highest point on the roof with the top of the finished wall height. There is a three (3) story maximum on main structures.

5. Accessory Structures and Building Additions. Generally, secondary structures and building additions/expansions should complement the existing structure in form, massing, building materials, and architectural character. However, if the existing structure is already not in keeping with the design characteristics established by this section, compatible materials and architecture may create an even larger design compatibility gap. The programs and standards contained in Section 17.72.160 are designed to encourage and guide building additions and renovations towards agreement with the design characteristics established within the specific plan.

6. Building Maintenance and Renovation. Quality maintenance of existing buildings and parcels, combined with gradual progression in meeting design goals for this land use designation are encouraged. To this end, the maintenance guidelines and incentives outlined in Section 2.3.1 to 2.3.3 of the downtown specific plan apply to the residential planned development designation.

B. The design guidelines and landscape guidelines contained in the downtown specific plan for this designation should be considered in conjunction with the vision statement contained in Section 1.1 of the downtown specific plan and the site development standards contained in this chapter.

### **17.72.090 Office--(C-O).**

A. Site Development Standards.

1. Land Use and Permitted Uses. Existing land uses in this district are a mixture of office complexes, some retail uses and small single and two-

family bungalow style residences. There are a number of existing auto retail/service uses along Moorpark Avenue which are existing legal non-conforming uses. These uses may continue as nonconforming uses in accordance with Section 2.3.2 of the downtown specific plan. This district is intended to provide opportunity for conversion of existing residences to small professional and commercial offices, while preserving residential scale, and respecting the existing historic character of the neighborhood. Innovative re-use of existing structures is encouraged. All new office construction and remodels should be done so as not to detract from the existing character of the neighborhood, particularly with regard to historic characteristics. Public institutional uses are intended to be allowable with an administrative permit within the office zone. Additionally, parks are permitted in the office zone, which would enable park development such as the concept discussed in Section 3.3.6 of this plan. Land uses in the C-O zone shall be permitted as designated in Table 17.020.050 and 17.020.060 of the city zoning code.

2. Building Setbacks. The following table indicates the minimum building setbacks in the office (C-O) zone. The front and side setbacks are consistent with the R-P-D zone provisions in the Moorpark zoning code. (Refer to the city zoning code for more detailed descriptions and exceptions).

#### YARD SETBACKS

##### Front

From Arterial Streets Minimum 20 feet

(Spring Road, Los Angeles Avenue) Average 24 feet

Local and Collector Streets

(First, Second, Third, Charles, Walnut, Bard, Magnolia Streets, and Moorpark Avenue) Minimum 20 feet

##### Side

Interior yard Minimum 5 feet

Rear--Adjacent to Residential Zones

From property line Minimum 15 feet

From alley Minimum 5 feet

Rear--Adjacent to Commercial Zones

From property line or alley As determined by permit

3. Height. The maximum height for an office structure shall be thirty-five (35) feet, and no more than three stories high. The maximum height of accessory

structures such as garages shall be fifteen (15) feet with the exception that the maximum height of a patio cover shall be twelve (12) feet.

4. Building Maintenance and Renovation. Quality maintenance of existing buildings and parcels, combined with progress in meeting design goals for this land use designation are encouraged. To this end, the maintenance guidelines and incentives outlined in Section 2.3.1 to 2.3.3 of the downtown specific plan apply to the office designation.

B. The design guidelines and landscape guidelines contained in the downtown specific plan for this designation should be considered in conjunction with the vision statement contained in Section 1.1 of the downtown specific plan and the site development standards contained in this chapter.

#### **17.72.100 Old town commercial (C-OT).**

A. Site Development Standards.

1. Land Use and Permitted Uses. This area is characterized by commercial buildings which are rooted in the framework of Moorpark's agricultural business and rural heritage. This district is intended to attract a wide range of specialty retail, service and entertainment uses that will encourage public gathering and pedestrian activity. The introduction of outdoor paseos and courtyards as part of the street experience is encouraged. Refer to Table 4 in Section 2.1 for the permitted uses within the old town commercial zone.

2. Building Setbacks. Buildings should be located along the street right-of-way inside property lines. This will create a strong edge for storefronts and public sidewalks. Setbacks from street right-of-ways are permitted only when providing areas for benches, planters or pedestrian plazas.

The following are the setback requirements that apply to new and renovated structures in the C-OT zone. These requirements vary from other commercial zone landscaping and setback requirements.

#### **YARD/AREA SETBACKS**

Front None

Side

Parking Lots None

Parking Lots

From right-of-way

to parking lot Minimum 6 feet

Notwithstanding the setbacks noted above, new development shall be consistent with Table 17.24.020B of the city's zoning code, which requires a thirty (30) foot landscape setback from arterials and a twenty (20) foot landscape setback from two-lane local and rural collector roads.

3. Height. The maximum building height is thirty-five (35) feet; measured from finish grade to the highest point of a flat or mansard roof, or in the case

of pitched or hip roof, to the "average and midpoint," which is the average of the highest point on the roof with the top of the finished wall height.

· Architectural elements such as towers, chimneys, parapet walls, and flagpoles may have a maximum height of forty (40) feet.

· Corner buildings should be a minimum of two (2) stories high.

4. **Building Maintenance and Renovation.** Quality maintenance of existing buildings and parcels combined with progress in meeting design goals for this land use designation are encouraged. To this end, the maintenance guidelines and incentives outlined in Section 2.3.1 to 2.3.3 of the downtown specific plan apply to the old town commercial designation.

5. **Mixed Use Development.** A mixed commercial-residential use project is a project in which commercial uses will occupy the entire street level of a building or group of buildings, and residential uses will occupy portions or all of the upper floors of that same building(s). The intent of allowing for mixed-use projects in the old town commercial district is to provide continuous frontage of retail shops and commercial business establishments at the street level, while providing opportunities for downtown residential living. The following requirements shall apply to these mixed-use projects:

a. The primary use shall be commercial and the residential use shall be secondary to the commercial use of the property.

b. The street level of the commercial structure shall be utilized for commercial uses and not for parking.

c. The entire ground floor or street level, with the exception of circulation access, shall be used exclusively for retail and other commercial uses and no dwelling shall be permitted to be located in whole or in part on the ground floor or street level.

d. All parking spaces required by the residential use shall be required to be provided on-site. Parking spaces to serve the residential units shall be specifically designated and shall be reserved for the exclusive use of the residents, but not to dominate a street level storefront.

e. Where a project consists of more than ten (10) units, the project shall be clustered in two (2) or more buildings to reduce building mass and create architectural interest.

f. Wall planes for buildings shall have design articulation consistent with the design standards set for all buildings in the old town commercial district.

g. Direct access for parking areas and driveways is discouraged along High Street. Access for parking and driveways shall be taken from adjoining alleys or alternative streets when available. If a parking area or driveway cannot be designed to avoid access from High Street the driveway and parking area shall not occupy more than forty (40) percent of the lot frontage, leaving the majority of the lot width for commercial store front development.

h. Driveway access to parking shall be taken as close to a side lot line as is feasible, rather than from the middle of the lot frontage.

i. Additions to existing buildings shall be designed to be integrated with the existing building. The new addition should match the original in terms of scales, architectural details, window and door styles and openings, roofline, materials, color and other aspects of design.

j. Where a large addition is developed the entire building should be renovated to achieve a single, coordinated appearance.

B. The design guidelines and landscape guidelines contained in the downtown specific plan for this designation should be considered in conjunction with the vision statement contained in Section 1.1 of the downtown specific plan and the site development standards contained in this chapter.

#### **17.72.110 Neighborhood commercial (C-1).**

##### **A. Site Development Standards.**

1. Land Use and Permitted Uses. These development standards and design guidelines apply to the neighborhood commercial zone outlined in Figures 5 and 6 within the specific plan. This zone is located on the west and east side of Moorpark Avenue, between First and Third Streets. This zone is adjacent to an office zone, old town commercial, and general commercial zoning. Due to its proximity to this wide variety of land uses, these design standards and subsequent guidelines strive to blend the building character of the neighborhood commercial zone with the surrounding established neighborhoods.

This area is characterized by small scale shopping facilities which are intended to provide a range of goods and services that cater to the convenience needs of residents in the immediate neighborhood vicinity. The scale of development and the commercial uses permitted in this district are not intended to be oriented to a community or regional need. Refer to Table 17.20.060 of the city's zoning code which contains the permitted uses within the C-1 zone.

2. Building Setbacks. The following table indicates the minimum setbacks in the neighborhood commercial zone. The front setback is consistent with the commercial zone landscaping provisions in the Moorpark zoning code; the side setback requirements are consistent with the R-1 zone provisions but differ from the commercial zone landscaping provisions in the Moorpark zoning code; while the rear setback is unique to the downtown specific plan. (Refer to the city zoning code for more detailed descriptions and exceptions).

##### **BUILDING SETBACK**

**Front** Minimum 20 feet

**Side**

**Corner lot** Minimum 5 feet

**Side**

**Interior lot** adjacent to

**Residential zone** Minimum 5 feet

Interior lot As specified by permit  
Rear--Adjacent to  
Residential Zones  
From property line Minimum 15 feet  
From alley Minimum 3 feet  
Rear--Adjacent to  
Commercial Zones  
From property line or  
alley As determined by permit

3. Height. The maximum height for a neighborhood commercial structure shall be thirty-five (35) feet and no more than three stories high.

4. Building Maintenance and Renovation. Quality maintenance of existing buildings and parcels, combined with progress in meeting design goals for this land use designation are encouraged. To this end, the maintenance guidelines and incentives outlined in Sections 2.3.1 to 2.3.3 of the downtown specific plan apply to the neighborhood commercial designation.

B. The design guidelines and landscape guidelines contained in the downtown specific plan for this designation should be considered in conjunction with the vision statement contained in Section 1.1 of the downtown specific plan and the site development standards contained in this chapter.

#### **17.72.120 Commercial planned development (C-PD).**

##### **A. Site Development Standards.**

1. Land Use and Permitted Uses. Existing uses in these areas are the Metrolink rail station, a gas station and various small developed commercial buildings. This district will continue to accommodate this mix of land uses. Permitted uses in the C-PD zone can be referenced in the city zoning code Table 17.20.060.

2. Building Setbacks. The following table indicates the minimum setbacks in the commercial planned development zone. The front and side setbacks are consistent with the R-1 zone provisions in the Moorpark zoning code, while the rear is unique to the downtown specific plan. (Refer to the city zoning code for more detailed descriptions and exceptions).

##### **BUILDING SETBACK**

**Front** To be consistent with Table

17.24.020B of Title 17 of

**Municipal Code**

**Side**

**Corner lot** Minimum 5 feet

**Side**

**Interior lot** adjacent to

Residential zone Minimum 5 feet  
Interior lot As specified by permit  
Rear--Adjacent to  
Residential Zones  
From property line Minimum 15 feet  
From alley Minimum 2 feet  
Rear--Adjacent to  
Commercial Zones  
From property line or  
alley As determined by permit

3. Height. The maximum height for a commercial planned development structure shall be thirty-five (35) feet and no more than three stories high.

4. Building Maintenance and Renovation. Quality maintenance of existing buildings and parcels, combined with progress in meeting design goals for this land use designation are encouraged. To this end, the maintenance guidelines and incentives outlined in sections 2.3.1 to 2.3.3 apply to the neighborhood commercial designation.

B. The design guidelines and landscape guidelines contained in the downtown specific plan for this designation should be considered in conjunction with the vision statement contained in Section 1.1 of the downtown specific plan and the site development standards contained in this chapter.

#### **17.72.130 Institutional (I).**

##### **A. Site Development Standards.**

1. Land Use and Permitted Uses. This area provides for the uses in the existing civic center, as well as other public facilities which include: government buildings, libraries, fire stations, nonprofit status organizations, and community service oriented uses. Permitted uses in the I zone can be referenced in the city zoning code Table 17.20.050 and 17.20.060.

2. Building Setbacks. The following table indicates the minimum setbacks in the institutional zone. The front and side setbacks are consistent with the R-1 zone provisions in the Moorpark zoning code, while the rear is unique to the downtown specific plan. (Refer to the city zoning code for more detailed descriptions and exceptions).

##### **BUILDING SETBACK**

**Front** Minimum 20 feet from  
Moorpark Avenue. As  
determined by permit.

**Side**

**Corner lot** Minimum 5 feet

**Side**

Interior lot adjacent to  
Residential zone Minimum 5 feet  
Interior lot As specified by permit  
Rear--Adjacent to  
Residential Zones  
From property line Minimum 15 feet  
Rear--Adjacent to  
Commercial Zones  
From property line or  
alley As determined by permit

3. Height. The maximum height for an institutional structure shall be thirty-five (35) feet and no more than three (3) stories high.

4. Building Maintenance and Renovation. The public facilities in this district would continue to be maintained by the city and county. Future expansions should be consistent with the design guidelines established within this section. The location of other public uses within the downtown is encouraged and building maintenance will be provided by individual public agencies and owners.

B. The design guidelines and landscape guidelines contained in the downtown specific plan for this designation should be considered in conjunction with the vision statement contained in Section 1.1 of the downtown specific plan and the site development standards contained in this chapter.

#### **17.72.140 Industrial Park/Light Industrial (M-1).**

##### **A. Site Development Standards.**

1. Land Use. The existing development in this zone, where it is adjacent to the railroad right-of-way is characterized by a number of small industrial uses housed in a long narrow metal warehouse. Due to the narrow lot dimension and its proximity between existing residential single family homes and the railroad tracks, the lot has limited alternative use potential. Ultimately, improved access could be provided through a connection to the westerly Metrolink parking lot. In addition to the core planning area, light industrial uses are planned for in the area east of Spring Road, between Los Angeles Avenue and the railroad tracks. This area is characterized by an existing mixed light industrial complex fronting High Street east of Chuey's restaurant. This district is intended to accommodate small scale, low traffic demand, clean industrial service oriented uses which are compatible with adjoining commercial and residential areas. Permitted uses in the (M-1) zone as listed in the Moorpark zoning code.

2. Building Setbacks. The following table indicates the minimum setbacks in the M-1 zone. The front and side setbacks are consistent with the R-1 zone provisions in the Moorpark zoning ordinance, while the rear is unique to the

downtown specific plan. (Refer to the city zoning ordinance for more detailed descriptions and exceptions).

#### **BUILDING SETBACK**

**Front** Consistent with Table

17.24.020B of Title 17\*

**Side**

Corner lot Minimum 5 feet

**Side**

Interior lot adjacent to

Residential zone Minimum 5 feet

Interior lot As specified by permit

**Rear--Adjacent to**

Residential Zones

From property line Minimum 15 feet

From alley Minimum 2 feet

**Rear--Adjacent to**

Commercial Zones

From property line or

alley As determined by permit

\* Requires 30-foot landscaped setback from arterials and a 20-foot landscaped setback from two-lane local and rural collectors.

3. Height. The maximum height for an industrial park structure shall be thirty-five (35) feet and no more than three (3) stories high.

4. Building Maintenance and Renovation. Quality maintenance of existing buildings and parcels, combined with progress in meeting design goals for this land use designation are encouraged. To this end, the maintenance guidelines and incentives as well as the building restoration guidelines outlined in Sections 2.3.1 to 2.3.3 of the downtown specific plan apply to the industrial park designation.

B. The design guidelines and landscape guidelines contained in the downtown specific plan for this designation should be considered in conjunction with the vision statement contained in Section 1.1 of the downtown specific plan and the site development standards contained in this chapter.

#### **17.72.150 Lot consolidation incentive program.**

In the high to very high density residential areas of the specific plan, the density maximums have been designed to encourage lot consolidation and redevelopment of underdeveloped or declining property. The maximum permissible density for the high to very high density residential area ranges from seven (7) to fourteen (14) units to the acre.

A. Where a range for density is indicated (as in RPD 7-14U) the fourteen (14) unit density maximum is only obtainable when certain performance standards are met. The performance standards are tied to desired land use patterns and character for the high density residential neighborhoods. The density bonus is intended as an incentive to attain that desired neighborhood characteristic. The potential resulting number of units per lot, in relation to lot size, is illustrated on Table 17.72.150A (density threshold comparison by lot size). Table 17.72.150B outlines the performance standards that are required to achieve the desired maximum permitted density. The lot consolidation program is intended to encourage lot consolidation of multiple parcels and does not promote small duplexes or inappropriately scaled two-story residences. Hence, the performance criteria rewards additional density for the successful consolidation of lots equal to twenty-one thousand seven hundred eighty (21,780) square feet at minimum. At such time as renovation occurs, the base zoning of the parcel should be modified to reflect the appropriate earned increase in density (e.g. RPD 7U to RPD 14U). The department of community development will administer this base density tracking. Further, Table 17.72.150B requires certain findings be made by the planning commission in order to permit the density increase. These findings are described as follows:

B. Findings for increased density up to fourteen (14) units to the acre:

1. The project is consistent with the spirit and intent of the city's general plan and specific plan goals and policies for the downtown.
2. The project is consistent with the combined development standards of the city's zoning code and the downtown specific plan.
3. The project has incorporated design measures which render the project compatible with existing and planned surrounding land use and development.
4. The project would not be obnoxious or harmful, or impair the utility of the neighboring property or uses.
5. The project would not be detrimental to the public interest, health, safety, convenience or welfare.
6. The density increase beyond seven (7) units to the acre is supported by the project through incorporating one or more of the design characteristics listed below which will result in greater community benefit as circumscribed in the downtown specific plan.
  - a. The project has a minimum lot size of twenty-one thousand seven hundred eighty (21,780) square feet or greater.
  - b. The project will significantly remodel/renovate an existing residential structure that currently does not meet design standards established by the specific plan, and will in turn incorporate physical building and site improvements that are consistent with the design standards for the high to very high residential land use designation within the specific plan.
7. The project has demonstrated the use of innovative site planning and has designed the multiple units to be compatible with each other, the surrounding

single-family residential neighborhood, and maintain an overall cohesive appearance.

TABLE 17.72.150A  
DENSITY THRESHOLD COMPARISON BY LOT SIZE

DENSITY PER ACRE	LOT SIZE		CONSOLIDATED BY LOT SIZE	
	7,000 SF OR LESS	21,780 SF	28,000 SF OR MORE	
	MAXIMUM	NUMBER OF	UNITS PERMITTED	
7 DU/ACRE	1			
12 DU/ACRE	2	6	8	
14 DU/ACRE	2	7	9	
18DU/ACRE*	3	9	12	

\* Requires provision of inclusionary low/very low or senior housing within project.

TABLE 17.72.150B  
DENSITY BONUS CRITERIA

DENSITY DESIGNATION	MAXIMUM DENSITY	PERFORMANCE CRITERIA
RPD 7-U	7/ACRE	Must meet development specifications of the zoning code and specific plan
RPD 7-14U*	7/ACRE	Same as RPD-7U
	12/ACRE	21,000 SF net minimum lot size
	14/ACRE	28,000 SF net minimum lot size
RPD-14U		Same as RPD-7U
DENSITY BONUS	UP TO 18/ACRE	Consistent with Chapter 17.64 of the zoning code, a 25% density bonus may be added to the permitted base density when a project qualifies on criteria associated with low/very low income

or senior housing.

\* Density beyond 7DU/Acre is permitted only when one or more of the performance standards associated with each density cap has been met through project design, and the planning commission makes the findings contained in this section before approving a project.

**MOORPARK PLANNING COMMISSION  
AGENDA REPORT**

**TO:** Honorable Planning Commission

**FROM:** Barry K. Hogan, Community Development Director 

**DATE:** July 18, 2006 (PC Meeting of 7/25/2006)

**SUBJECT:** Consider Zoning Ordinance Amendment No. 2005-03 – Amendments to Chapter 17.24: Lot Area and Coverage, Setbacks, Height and Related Provisions; Chapter 17.32: Parking, Access and Landscaping Requirements; and Chapter 17.72: Downtown Specific Plan Overlay Zone (SP-D)

**BACKGROUND/DISCUSSION**

Staff presented this project to the Planning Commission on June 27 2005 (staff report attached) concurrently with the proposed Amendment No. 1 to the Downtown Specific Plan. At its meeting, the Planning Commission questioned staff on the required timeframe for revisions to the downtown area, parking requirements, incentives for commercial or redevelopment area property owners, and the possible addition of "smart" shops. The public hearing was opened and testimony was received from two property owners, both expressing concerns over parking standards related to requiring reciprocal access and parking. The Planning Commission continued the item with the public hearing still open to its July 25, 2006 meeting.

**STAFF RECOMMENDATION**

1. Continue to accept public testimony and close the public hearing.
2. Adopt Resolution No. PC-2006-\_\_\_\_ recommending to the City Council approval of ZOA No. 2005-03.

**ATTACHMENTS:**

1. June 27, 2006 Planning Commission Staff Report (without Resolution).
2. Draft PC Resolution with Amended Chapter 17.24, Amended Sections 17.32.025 and 17.32.060 and Amended Chapter 17.72

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF MOORPARK, CALIFORNIA, APPROVING ZONING ORDINANCE AMENDMENT NO. 2005-03 TO AMEND CHAPTER 17.24: LOT AREA AND COVERAGE, SETBACKS, HEIGHT AND RELATED PROVISIONS, CHAPTER 17.32: PARKING, ACCESS AND LANDSCAPING REQUIREMENTS (SECTIONS 17.32.025: DOWNTOWN PARKING REQUIREMENTS AND 17.32.060: GENERAL REQUIREMENTS OF PARKING SPACES), AND CHAPTER 17.72: DOWNTOWN SPECIFIC PLAN OVERLAY ZONE (SP-D) OF THE MOORPARK MUNICIPAL CODE AND REPEALING ORDINANCE NO. 331, A TEMPORARY MORATORIUM IN THE DOWNTOWN SPECIFIC PLAN OVERLAY ZONE

WHEREAS, on December 7, 2005, the City Council adopted Ordinance No. 331, establishing a moratorium on development in non-residential zones of the Downtown Specific Plan Overlay Zone and on decreased parking requirements in the Downtown area which expires on December 7, 2006; and

WHEREAS, on July 2, 1996, the City Council adopted Resolution No. 96-1209 directing the Planning Commission to study, set a public hearing, and provide a recommendation pertaining to the examination of setbacks in the commercial, industrial and special purpose zones; and

WHEREAS, at its meeting of June 27, 2006 and July 25, 2006, the Planning Commission conducted a duly-noticed public hearing on Zoning Ordinance Amendment No. 2005-03, proposed amendments to Chapter 17.24: Lot Area and Coverage, Setbacks, Height and Related Provisions, Chapter 17.32: Parking, Access and Landscaping Requirements (Sections 17.32.025: Downtown Parking Requirements and 17.32.060: General Requirements of Parking Spaces), and Chapter 17.72: Downtown Specific Plan Overlay Zone (SP-D) of the Moorpark Municipal Code, received public testimony on the proposed amendments, and after receiving oral and written public testimony, closed the public hearing and reached a decision, recommending to the City Council approval of the amendments as revised; and

WHEREAS, at its meeting of September 20, 2006, the City Council conducted a duly-noticed public hearing on Zoning Ordinance Amendment No. 2005-03, proposed amendments to Chapter 17.24: Lot Area and Coverage, Setbacks, Height and Related Provisions, Chapter 17.32: Parking, Access and Landscaping Requirements (Sections 17.32.025: Downtown Parking Requirements and 17.32.060: General Requirements of Parking Spaces), and Chapter 17.72: Downtown Specific Plan Overlay Zone (SP-D) of the Moorpark Municipal Code, received public testimony on the proposed amendments, and after receiving oral and written public testimony, closed the public hearing and reached a decision; and

WHEREAS, the City Council concurs with the Community Development Director's determination that this project is exempt from the provisions of the California Environmental Quality Act by the general rule that CEQA only applies to projects that may have a significant effect on the environment.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council finds Zoning Ordinance Amendment No. 2005-03 is consistent with the City of Moorpark General Plan.

SECTION 2. Chapter 17.24: Lot Area and Coverage, Setbacks, Height and Related Provisions, Chapter 17.32: Parking, Access and Landscaping Requirements (Sections 17.32.025: Downtown Parking Requirements and 17.32.060: General Requirements of Parking Spaces), and Chapter 17.72: Downtown Specific Plan Overlay Zone (SP-D) of the Moorpark Municipal Code are hereby amended in its entirety as shown in Exhibits A, B and C.

SECTION 3. Ordinance No. 331, a moratorium on development in non-residential zones of the Downtown Specific Plan Overlay Zone and on decreased parking requirements in the Downtown area, is hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase, part or portion of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses, phrases, parts or portions be declared invalid or unconstitutional.

SECTION 5. This Ordinance shall become effective thirty (30) days after its passage and adoption.

SECTION 6. The City Clerk shall certify to the passage and adoption of this ordinance; shall enter the same in the book of original ordinances of said City; shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council at which the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published

Ordinance No. \_\_\_\_\_

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once in the Moorpark Star a newspaper of general circulation, as defined in Section 6008 of the Government Code, for the City of Moorpark, and which is hereby designated for that purpose.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Patrick Hunter, Mayor

ATTEST:

\_\_\_\_\_  
Deborah S. Traffenstedt, City Clerk

- Exhibit A: Amendments to Moorpark Municipal Code Chapter 17.24: Lot Area and Coverage, Setbacks, Height and Related Provisions
- Exhibit B: Amendments to Moorpark Municipal Code Chapter 17.32: Parking, Access and Landscaping Requirements (Sections 17.32.025: Downtown Parking Requirements and 17.32.060: General Requirements of Parking Spaces)
- Exhibit C: Amendments to Moorpark Municipal Code Chapter 17.72: Downtown Specific Plan Overlay Zone (SP-D)

000291

**EXHIBIT A**

**AMENDMENTS TO MOORPARK MUNICIPAL CODE CHAPTER 17.24: LOT AREA AND COVERAGE, SETBACKS, HEIGHT AND RELATED PROVISIONS**

Chapter 17.24 is hereby amended in its entirety to read as follows:

**Chapter 17.24**

**DEVELOPMENT REQUIREMENTS**

**Sections:**

- 17.24.010 Purpose.**
- 17.24.020 Open space, agriculture and residential zone development requirements.**
- 17.24.025 Open Space, Agriculture and Residential Property development standards – Additional requirements.**
- 17.24.030 Open Space, Agricultural and Residential Zones walls and fences.**
- 17.24.035 Commercial, industrial and special purpose zone development requirements.**
- 17.24.040 Commercial, Industrial and Special Purpose Zones Property development standards – Additional requirements.**
- 17.24.045 Accessory structures in commercial, industrial, and special purpose zones.**
- 17.24.050 Walls and fences in commercial, industrial and special purpose zones.**

**17.24.010 Purpose.**

The purpose of this chapter is to set forth specific development requirements for all zones in the city in order to provide adequate separation for light, air, safety, and open space as well as to provide an aesthetically pleasing environment in which to live, work and recreate.

**17.24.020 Open space, agriculture and residential zone development requirements.**

Table 1 below indicates the minimum development requirements for buildings and accessory structures in the open space, agricultural and residential zones with respect to lot area, setback, height and building coverage unless indicated otherwise. Maximum density and minimum lot dimensions (A – D) only apply to the creation of new lots by subdivision or the amendment of existing lots by lot line adjustment and do not otherwise restrict the use of the lot. Lot areas and dimensions (B – D) do not apply

to lots created for public or public utility uses. All setbacks shall be landscaped except for required walkways and driveways. No parking shall be permitted in any setback area except when on a driveway or as allowed by Chapter 17.32 Parking. Additional development requirements are given in the sections following Table 1. Development in any of the zones shall follow the requirements of this Title including but not limited to parking, lighting, landscaping, signing, operation and entitlement. All construction must be performed within the hours allowed by Chapter 15.26 and Chapter 17.53.

**Table 1****DEVELOPMENT REQUIREMENTS FOR O-S, A-E AND R-ZONES**

<b>General Requirements</b>	<b>O-S</b>	<b>A-E</b>	<b>R-A</b>	<b>R-O</b>	<b>R-E</b>	<b>R-1</b>	<b>R-2</b>	<b>SP, RPD, TPD</b>
A. Density – Maximum dwelling units per gross acre <sup>1</sup>	1 du/10 acres	1 du/40 acres	1.0	2.0	4.0	7.0	15.0	By permit
B. Net lot area (in square feet unless noted) <sup>1</sup>	10 acres	40 acres	1 acre	20,000	10,000	6,225	6500	By permit
C. 1. Lot width (in feet)	110	110	100	80	80	60	60	By permit
C. 2. Cul-de-sac or odd-shaped lot width (in feet)	30	30	30	30	30	30	30	By permit
C. 3. Flag lot "pole" front setback (in feet)	20	20	20	20	20	20	20	By permit
D. Lot depth (in feet)	150	150	100	100	100	100	100	By permit
E. Front yard setback, (in feet) <sup>2</sup>	20	20	20	20	20	20	20	By permit
F. Side yard setback, interior side (in feet) <sup>3</sup>	10	10	5	5	5	5	5	By permit
G. Side yard setback, street side (in feet) <sup>3</sup>	10	10	10	10	10	10	10	By permit
H. Rear yard setback (in feet) <sup>3</sup>	15	15	15	15	15	15	15	By permit
I. Lot coverage, maximum (in percentage)	20	10	35	35	35	50	50	By permit
J. Building and structure height, maximum (in feet)	35, with no limitation as to the number of stories so long as the height is not exceeded							By permit
K. Parking shall meet the requirements of Chapter 17.32								

L. Signage shall meet the requirements of Chapter 17.40

M. Lighting shall meet the requirements of Chapter 17.30

- Notes:
1. Zone suffix may establish different minimum lot area.
  2. See Section 17.24.025D.6 for exception.
  3. Two (2) story residences with windows facing the adjacent property shall have a minimum ten (10') foot side-yard setback (second story only) and a twenty (20') foot rear yard setback (second story only) from the adjacent property line.

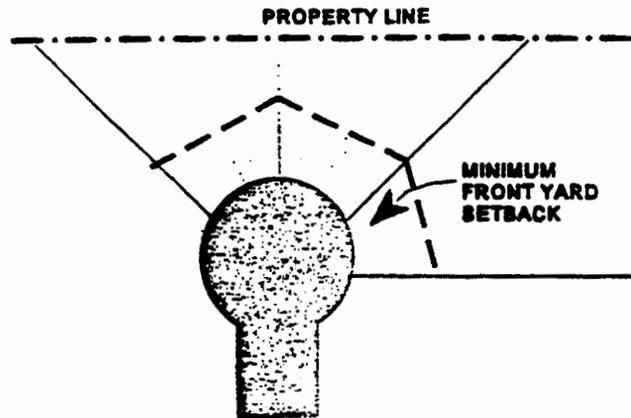
**17.24.025 Open Space, Agriculture and Residential Property development standards – Additional requirements.**

In addition to the standards of Chapter 17.36 the following standards shall apply.

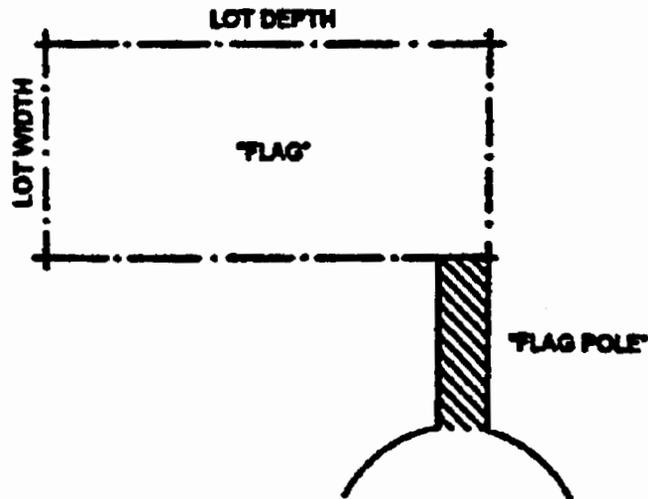
**A. Required Setbacks.**

1. **Street Setbacks.** Street setbacks shall be measured from the ultimate street right-of-way or the maximum required street width if said street is proposed to be private or is now a private street.

2. **Curved Street Setbacks.** Each lot or parcel on a cul-de-sac, curved street or dead-end street shall meet the minimum lot width requirement at the required front setback of the zone. The setback is measured along the perpendicular taken from the front radiused property line (see example below)



3. **Flag Lots.** Flag lots shall meet the minimum setback and lot dimension requirements in the "flag" portion of the lot. The flag "pole" portion of a flag lot shall not be counted toward the minimum lot area requirement.



4. Existing Setbacks. Where a portion of a residential building is nonconforming in terms of current rear yard and/or side yard setbacks, the existing distance from the side or rear lot line established by the nonconforming portion of the building shall be used as the required setback distance for any additions to that building in the side yard and rear yard areas.

5. Irregularly Shaped Lots. In situations where a single-family residential lot is so irregular, as to prohibit or unduly restrict the construction of a single-family home, within the required setbacks noted in this title, the Community Development Director shall have the authority to alter the setback locations, i.e., front, side and rear yards, to enable the property owner to enjoy the same privileges as those enjoyed by other property owners in the same area.

6. Side Entry Carports and Garages. In the R-1 and R-2 zones, front setbacks for side entry carports or garages shall be a minimum of fifteen (15') feet from the front property line.

7. Accessory Structures. Accessory buildings and/or structures shall meet all of the requirements for location of the main structure as constructed or required by the zone, whichever is less restrictive; except as provided in this subsection:

a. A detached accessory structure shall meet the setback requirements of the main building for the front and street side yard areas.

b. A detached accessory structure may be located within an interior side yard or rear yard provided that such structure is located no closer than three (3') feet to an interior side or rear lot line and is at least six (6') feet from the main structure unless additional fire resistive construction is provided in accordance with Chapter 15.04, Building Code. One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, provided the projected roof area does not exceed 120 square feet may be located anywhere on a single-family residential lot, except

within the front and street side yard areas, provided the eaves do not over-hang adjacent property.

c. Swimming pools and spas, including diving boards and slides and similar devices, shall be located a minimum of three (3') feet from the main structure, within five (5') feet of the rear and side property lines and shall comply with all fencing requirements of Chapter 15.04, Building Code and Section 17.24.030. In no instance shall swimming pools and spas be permitted within the required front yard setback.

d. Canopies, patios and breezeways attached to the main building or connecting the main building with a detached accessory building, may extend into a required rear or interior side yard; provided, that portions of such structures extending into the yard:

i. Shall not exceed fifteen (15') feet in height or project closer than five (5') feet to an interior side yard or closer than ten (10') feet at the rear lot line;

ii. Shall be entirely open on at least three sides for patios and canopies except for necessary supporting columns. A roof connecting a main building and an accessory building shall be open on two sides.

e. Architectural features, including but not limited to covered porches, steps, eaves, awnings, chimneys, balconies, stairways, wing walls and bay windows, may project not more than two and one-half (2 ½') feet into any required front yard area, not more than four (4') feet into any required rear yard area, and not more than two (2') feet into any required side yard setback area.

f. Outdoor fireplaces must be at least ten (10') feet from the main structure and three (3') feet from interior side and rear property lines.

g. Heating and cooling and other mechanical equipment, including pool equipment and necessary appurtenances shall be a minimum of three (3') feet from any side or rear lot line, not be visible from the street, and be enclosed by a minimum four (4') foot high masonry wall except on the side where access is provided or abuts a structure.

h. Uncovered porches, platforms, or landings that do not extend above the floor level of the first floor of the main structure may extend into required setback areas not more than six (6') feet.

i. Safety guard railings required for stairs, landings, porches, and depressed ramps may encroach into front, side or rear setback areas, provided they are open and do not exceed forty-two (42") inches in height.

j. Decks on the second floor of a home shall be at least ten (10') feet from the rear and side property lines. The color and the materials of the second story deck shall complement those of the main structure.

k. A flagpole not exceeding twenty-five (25') feet in height may be located in the front or rear yard setback area so long as it is at least ten (10') feet from the front or rear property line and does not encroach into the required side yard or street side yard setback area. Flag size restrictions shall comply with the requirements of Section 17.40.020 under the definition of "signs" item "i".

B. Lot Coverage. Lot coverage shall include all buildings, carports, structures and accessory buildings, except that patios, patio covers that are open on no less than three sides, pools, spas, and freestanding open air gazebos shall not be counted as lot coverage.

C. Miscellaneous.

1. Utility Connections. All utility connections shall be designed to coordinate with the architectural elements of the site so as not to be exposed except where necessary. Pad-mounted transformers and/or meter box locations shall be included in the site plan with screening treatment approved by the Director.

2. Floodplain. All development in the floodplain shall be in accordance with the National Flood Insurance requirements and Chapter 15.24 of the Moorpark Municipal Code.

3. Architectural Appurtenances. Steeples, institutional symbols, bell towers, clock towers or other similar architectural appurtenances on institutional buildings in the agricultural, open space, and residential zones may exceed the maximum height of thirty-five (35') feet. Proposals for such appurtenances, however, shall be evaluated on a case-by-case basis in conjunction with the required permit for the proposed use so that architectural compatibility and appropriate building scale for the neighborhood is achieved and maintained.

4. Garage Conversions. Conversions of existing garages into habitable space is permitted only when replaced with the equivalent covered parking as required by Chapter 17.32 Parking, Access and Landscaping Requirements or such that was provided at the time the dwelling was constructed, whichever is less.

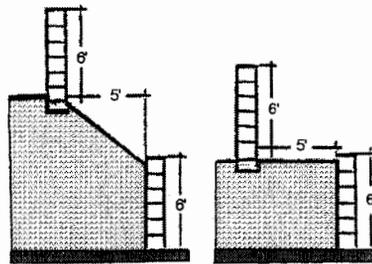
5. Antennas, Ground-Mounted. Ground-mounted citizens' band and amateur radio transmitting and receiving antennas, intended for private, noncommercial use accessory to a dwelling, may be erected up to a maximum height of forty (40') feet. Ground-mounted antennas may be erected above the height limit of forty (40') feet, under the permit prescribed by this Title, provided that no antenna or mast shall exceed seventy-five (75') feet in height, and the design of such antennas shall be in accordance with Section 17.28.020(A).

6. Street Improvements. No development shall occur on any property unless all street frontages that the property abuts or is adjacent to are fully improved according to adopted City standards and consistent with the Moorpark General Plan.

**17.24.030 Open Space, Agricultural and Residential Zones walls and fences.**

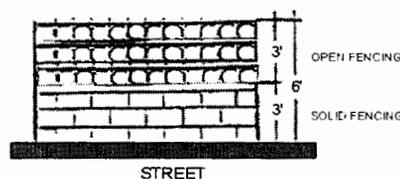
Requirements for walls and fences in open space, agricultural and residential zones shall be as follows:

A. A wall, fence, retaining wall or any combination thereof, shall not exceed six (6') feet in height except as herein provided. When a retaining wall is used to increase usable lot area, the sum total of any combination of fence or wall and retaining wall shall not exceed six (6') feet in height, unless a five (5') foot landscape area is provided between the retaining wall and the fence or wall. When the five (5') foot landscape area is provided, each individual fence or wall or retaining wall shall not exceed six (6') feet in height (see below).

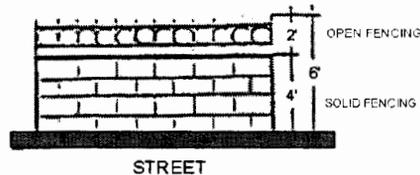


B. Where there is a grade difference between two (2) properties that share a common property line fence/wall, the fence/wall height shall be measured from the highest finish grade, provided that the distance from the lower grade to the top of the fence shall not exceed ten (10') feet. Where the height of ten (10') feet would be exceeded, the requirements of section 17.24.030A shall be met.

C. Fences and walls may be allowed in required front yard area up to six (6') feet in height; however, the last two (3') feet of the fence or wall shall be constructed of visually open and decorative fencing (at least 75% open, see below), unless the wall is a retaining wall or additional height is approved for noise attenuation purposes.

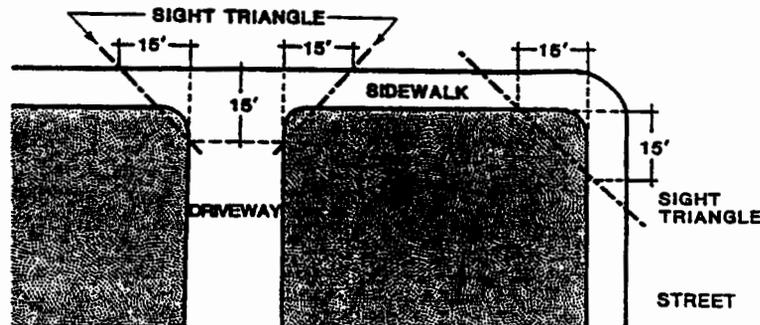


D. Within the R-1 and R-2 areas of the Downtown Specific Plan and in the area north of Los Angeles Avenue between Moorpark Avenue and Spring Road south of High Street, fences and walls may be allowed in the required front yard setback area up to six (6') feet in height; however, the last two (2') feet of the fence or wall shall be constructed of visually open and decorative fencing (at least 75% open, see below), unless the wall is a retaining wall or additional height is approved for noise attenuation purposes.



E. A solid wall or fence not more than six (6') feet in height may be maintained along the interior side or rear lot lines, provided, that such wall or fence does not extend into a required front yard except for noise attenuation as required by the City and as provided in this Chapter.

F. A wall or fence adjacent to a driveway or street providing vehicular access to an abutting lot or street shall not exceed three (3') feet in height within fifteen (15') feet of the intersection of the driveway and the street right-of-way and/or shall comply with Caltrans design standards for site visibility as adopted by the City. Final determination shall be by the Community Development Director. Corner cut-offs may be required for safety and visibility (see example below).



G. Walls and fences in street yard frontages or visible from the street shall be constructed out of durable, substantial, and decorative materials. Fiberglass sheeting, bamboo sheeting and other similar non-durable materials are not permitted for fencing in street yard frontages. Plain concrete materials are also not permitted for walls in street yard frontages or visible from the street.

H. A wall or fence up to ten (10') feet in height may be allowed by the Community Development Director where necessary for noise attenuation from arterial streets or other noise sources. Chainlink or similar material fencing up to twelve (12') feet high,

with windscreening shall be permitted for tennis/recreation courts so long as such fencing is located outside the required front, side and rear setbacks of the zone in which it is located.

I. Use of barbed wire strands, razor wire, or concertina wire (coiled barbed wire) is prohibited in the Open Space, Agricultural, and Residential zones.

J. With the approval of an Administrative Permit, walls or fences located along the rear or street side property lines, which are adjacent to an arterial or collector road, may be allowed to increase the visual wall/fence height up to an additional two (2') feet through the construction of a durable metal open trellis, so that vines may be planted throughout the trellis. The trellis construction must meet city standards for construction.

K. All fences and walls (including retaining walls) shall be constructed of new or good used material and in accordance with the methods of construction which conform to the requirements of Chapter 15.08, Building Code. Additionally, they shall be maintained in a state of good repair. Any dilapidated, dangerous or unsightly fences or retaining walls shall be repaired or removed.

**17.24.035 Commercial, industrial and special purpose zone development requirements.**

Table 1 below indicates the minimum development requirements for buildings and accessory structures in the commercial, industrial and special purpose zones with respect to lot area, setback, height and building coverage unless indicated otherwise. Minimum lot area (B) only applies to the creation of new lots by subdivision or the amendment of existing lots by lot line adjustment and does not otherwise restrict the use of the lot. Minimum lot area (B) also does not apply to lots created for public or public utility uses. All setbacks shall be landscaped except for required walkways and driveways. No parking shall be permitted in any setback area except when on a driveway. Additional development requirements are given in the sections following the Table 1. Development in any of the zones shall follow the requirements of this Title including, but not limited to parking, lighting, landscaping, signing, operation and entitlement. All construction must be performed within the hours allowed by Chapter 15.26 and Chapter 17.53.

**Table 1**

**DEVELOPMENT REQUIREMENTS FOR COMMERCIAL, INDUSTRIAL AND SPECIAL PURPOSE ZONES**

<b>General Requirements<sup>1</sup></b>	<b>C-O</b>	<b>C-1</b>	<b>C-OT</b>	<b>C2, CPD</b>	<b>M-1</b>	<b>M-2</b>	<b>P-C</b>	<b>I</b>
A. Floor Area Ratio, maximum (the ratio of gross floor area to the gross project site)	0.50	0.25	0.38	0.25 <sup>2</sup>	0.38	0.38	By permit	By permit

B. Lot area (in square feet)	None	None	None	None	10,000	10,000.	100 acres	By permit
C. Front yard setback (in feet) <sup>1</sup>	20 except when next to a 4 or 6 lane road, then 30	20 except when next to a 4 or 6 lane road, then 30	0	20 except when next to a 4 or 6 lane road, then 30	20, except when next to or across the street from R zone, then 30	20, except when next to or across the street from R zone, then 30	By permit	By permit
D. Interior side yard setback (in feet)	5	5	0	5	5 except when next to R zone, then by permit	5 except when next to R zone, then by permit	By permit	By permit
E. Street side yard setback (in feet)	5 except when next to a 4 or 6 lane road, then 10	5 except when next to a 4 or 6 lane road, then 10	5	5 except when next to a 4 or 6 lane road, then 10	5 except when next to R zone, then by permit	5 except when next to R zone, then by permit	By permit	By permit
F. Rear yard setback (in feet)	10 unless next to C or M zone, then 0	10 unless next to C or M zone, then 0	10 unless next to C or M zone, then 0	10 unless next to C or M zone, then 0	10 unless next to C or M zone, then 0	10 unless next to C or M zone, then 0	By permit	By permit
G. Building and structure height, maximum <sup>3</sup> (in feet)	25	35	35	By permit	30	30	By permit	By permit
H. Parking shall meet the requirements of Chapter 17.32								
I. Signage shall meet the requirements of Chapter 17.40								
J. Lighting shall meet the requirements of Chapter 17.30								

**Notes**

1. Measurement of setbacks shall be from the ultimate right-of-way of streets as shown on the adopted Circulation Element Map of the Moorpark General Plan or in the case of a roadway not shown on the Circulation Element Map, the measurement shall be from the edge of the right-of-way required by the City. Public or private alleys shall not be counted as part of the required setback.
2. Sites greater than eight (8) acres that are adjacent to both a freeway interchange and an arterial roadway as identified in the Circulation Element and that are not adjacent to planned residential uses may be developed with retail furniture or appliance stores with attached distribution/warehouse facilities at a maximum 0.38 FAR when all other standards of the Zoning Ordinance are met.
3. Height may be increased (to maximum 60') with approval of a conditional use permit.

**17.24.040 Commercial, Industrial and Special Purpose Zones Property development standards – Additional requirements.**

In addition to the standards of Chapter 17.36 the following standards shall apply.

A. Vehicular Access. Each building site shall have a minimum twenty-five (25') foot wide vehicular access to a public street.

B. Setbacks Adjacent to R Zone. Wherever a lot in the commercial or industrial zone abuts a lot in any residential zone, the minimum setback may be increased by the approving authority in situations where, in the opinion of the approving authority, additional distance would help to mitigate or alleviate potential problems or hazards.

C. Floodplain. All development in the floodplain shall be in accordance with the National Flood Insurance requirements and Chapter 15.24 of the Moorpark Municipal Code.

D. Architectural Appurtenances. Clocks, tower elements, and similar ornamental design elements on structures, may exceed the maximum height of thirty-five (35') feet, provided the additional height does not create additional floor area. Proposals for such appurtenances, however, shall be evaluated through the entitlement review application process on a case-by-case basis so that architectural compatibility and appropriate building scale are achieved and maintained.

E. Landscaping. All planting and irrigation shall be in accordance with the City's Landscape Manual. All required landscaping shall be permanently maintained in a healthy and thriving condition, free from weeds, trash and debris.

F. Masonry Walls and Landscape Screens. Where a commercial or industrial development abuts property in any residential zone, a masonry wall or equivalent noise attenuation structure, a minimum of eight (8') feet in height from the highest finished grade at the property line shall be erected and maintained between such uses and the residential zone. In addition, 15-gallon or larger trees, no less than twenty (20') feet on-center, and shrubbery shall be installed and maintained along the project side of the wall in a minimum five (5') foot wide, raised landscaped planter to provide a dense landscape screen.

G. Mechanical Equipment – Screening. All mechanical equipment shall be architecturally screened from view. When ground-mounted mechanical equipment is used including, but not limited to heating and air conditioning units, such equipment shall be completely screened from surrounding properties by use of a wall or fence or shall be enclosed within a building. Structural and design plans for any required screening under the provisions of this section shall be approved by the Community Development Director and Building Official.

H. Roof Appurtenances – Screening. All roof appurtenances including, but not limited to, air conditioning units, roof access ladders, and mechanical equipment shall be -- located below the lowest roof parapet that exists on the building to ensure that it is fully screened from view from on-site parking areas, adjacent public streets and adjacent residentially zoned property.

I. Reciprocal Ingress, Egress, Parking and Drainage. Reciprocal ingress, egress, circulation, parking and drainage arrangements shall be required to facilitate the ease of vehicular movement between adjoining properties as well as drainage.

J. Testing. Whenever there is a question of conformance with a performance standard of this section or a condition of approval of the project, the Community Development Director shall require the property owner or operator to engage the services of a City approved testing firm. Copies of all such tests shall be furnished to the Community Development Director.

K. In all commercial and industrial zones the conversion of the project to condominium ownership shall meet all requirements of the zone to the maximum extent possible within the constraints of the existing development. In no case shall the requirements of the Fire Code, sign ordinance, and screening standards of Section 17.24.040 be waived.

L. No outdoor paging systems or telephone bells or similar devices shall be used on commercial or industrial properties which abut or are across the street from residentially zoned properties.

M. Street Improvements. No development shall occur on any property unless all street frontages that the property abuts or is adjacent to are fully improved according to adopted City street standards and consistent with the Moorpark General Plan.

**17.24.045 Accessory structures in commercial, industrial, and special purpose zones.**

Accessory structures in commercial, industrial and special purpose zones shall be as follows:

A. Accessory structures shall not be located in front of or on the street side of the main building(s).

B. Accessory structures shall meet all of the setback requirements for main buildings.

C. Porches, steps, architectural features such as canopies or eaves, and chimneys, balconies or stairways may project not more than two and one-half (2 ½') feet into any required front yard area, not more than four (4') feet into any required rear yard area, and not more than two (2') feet into any required side yard setback area.

D. Outdoor swimming pools and spas shall be located a minimum of three (3') feet from the main structure. Exterior or interior walls and shall comply with all fencing requirements of Chapter 15.08, Building Code and the requirements of Section 17.24.050.

**17.24.050 Walls and fences in commercial, industrial and special purpose zones.**

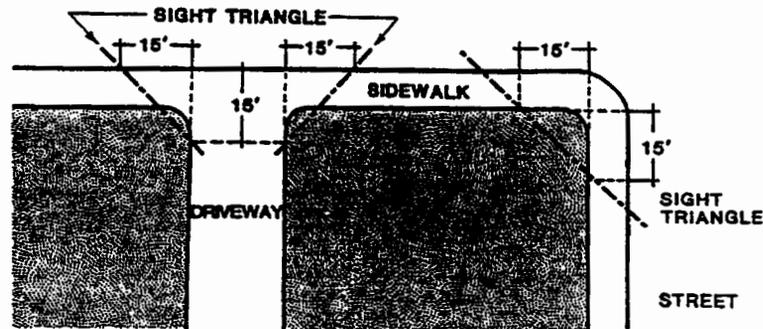
Wall and fence requirements in commercial, industrial and special purpose zones shall be as follows:

A. In any required front or street side yard area, a wall or fence shall not exceed three (3') feet in height. In the required front or exterior side yard, where a retaining wall is used to increase usable lot area, a fence or wall not exceeding three (3') feet in height may also be erected; provided, that the fence or wall is set back a minimum of five (5') feet from the retaining wall.

B. In any required rear or interior side yard area, a wall or fence shall not exceed eight (8') feet in height except in those instances where there is a grade difference or a noise attenuation requirement. When a retaining wall is used to increase usable lot area, the sum total of any combination of fence or wall and retaining wall shall not exceed ten (10') feet in height, unless a five (5') foot landscape area is provided between the retaining wall and the fence or wall.

C. A wall or fence adjacent to a driveway or street providing vehicular access to an abutting lot or street shall not exceed three (3') feet in height within fifteen (15') feet of the intersection of the driveway and the street right-of-way and/or shall comply with Caltrans's design standards for site visibility. Final height determination shall be by the

Community Development Director. Corner cut-offs may be required for safety and visibility (see example below).



D. Walls and fences in street yard frontages or visible from the street shall be constructed out of durable, substantial, and decorative materials. Fiberglass sheeting, bamboo sheeting or other similar non-durable materials are not permitted for fencing in street yard frontages. Plain concrete materials are also not permitted for walls in street yard frontages or visible from the street.

E. Where there is a grade difference between two (2) properties the fence/wall height shall be measured from the highest finish grade, provided that the distance from the lower grade to the top of the fence shall not exceed ten (10') feet. Where the height of ten (10') feet would be exceeded the requirements of section 17.24.050A shall be met.

F. All fences and walls (including retaining walls) shall be constructed of new or good used material and in accordance with the methods of construction which conform to the requirements of Chapter 15.08, Building Code. Additionally, they shall be maintained in a state of good repair. Any dilapidated, dangerous or unsightly fences or retaining walls shall be repaired or removed.

G. Barbed Wire Strands, Razor Wire or Concertina Wire (coiled barbed wire). Use of barbed wire strands, razor wire or concertina wire shall not be visible from a public street and shall meet the following requirements:

1. Such fencing shall only be permitted on industrially zoned property that is not adjacent to or across the street from R zoned property, or a school, and where a finding can be made that use of such fencing material is required to protect the public health, safety and welfare.

2. If approved, such fencing material shall be placed at the top of a wall or fence, shall have a minimum vertical clearance of six (6') feet above grade, and shall be maintained in a safe condition.

3. In no case shall such fencing be permitted along Los Angeles Avenue, Gabbert Road and Poindexter Avenue.

4. Barbed wire or any other type of wire fencing shall not be kept in an unsafe, abandoned or materially dangerous condition. Unmaintained wire fencing, including but not limited to, barbed wire, razor wire and concertina wire (coiled barbed wire), is declared to be a public nuisance and shall be subject to the nuisance abatement procedure, Chapter 17.56.

5. Razor wire or concertina wire shall not be placed on the rooftop of any building.

**EXHIBIT B**

**AMENDMENTS TO MOORPARK MUNICIPAL CODE CHAPTER 17.32:  
PARKING, ACCESS AND LANDSCAPING REQUIREMENTS**

Sections 17.32.025 and 17.32.060(D) and (E) are hereby amended in their entirety to read as follows:

**17.32.025 High street area parking requirements.**

Commercial development on High Street is unique within the city and its parking must be addressed in a manner different than parking for other commercial development. The Downtown Specific Plan establishes standards for development which are unique to the downtown and High Street in particular. Parking in the High Street area (from Moorpark Avenue on the east to Spring Road on the west and Walnut Street from High Street to Charles Street) shall meet three-quarters of the required parking pursuant to Section 17.32.010 of this chapter. In-lieu of meeting the required parking, the applicant may pay a fee to reduce the required on-site parking to one-half of the required parking pursuant to Section 17.32.010. The fee shall be established by city council resolution and shall be used to offset a portion of the cost required to construct public parking facilities in the downtown area.

**17.32.060 General requirements of parking spaces.**

**(Amendments to Subsections D and E only)**

D. Parking in residential setbacks. Parking within setback areas in open space, agricultural and residential zones shall meet the requirements of Section 17.32.010 and the following:

1. Operable Motor Vehicles. Motor vehicles parked within any required front, rear or side setback must be fully operative, licensed and registered vehicles. Such vehicles may only be parked within the driveway access to the required parking or on a paved area (asphalt, concrete, or other hardscape materials) adjacent to the driveway, as an accessory use to a dwelling. Any additional paved area for parking purposes may not exceed fifty percent (50%) of the area covered by the existing driveway and not exceed thirty (30') feet in total width. The vehicle parking or driveway area must be connected to a city approved access and driveway.

2. Recreation Vehicle Parking.

a. If a recreation vehicle is used for everyday transportation of the resident, it shall meet the requirements of Section 17.32.060D.1.

b. Parking of a trailer, boat or other similar recreational vehicle is only allowed when parked on a paved surface in the side yard or rear yard, but not in a street side yard or street rear yard.

c. Parking of such vehicles shall be adjacent to the dwelling or garage and shall be at least ten (10') feet from the face of curb.

d. If the vehicle is parked in the rear yard, it shall be at least ten (10') feet from the rear property line and at least three (3') from the side property lines.

e. In all cases, the vehicle(s) shall be screened from view from the street by a six (6') foot high opaque decorative gate.

f. Additional limitations for on-street parking are required by Section 10.04.220.

3. Commercial Vehicles in Residential Areas. Parking of commercial vehicles in residential areas shall meet the requirements of Section 10.04.300.

4. Accessory Parking and Storage of Large Vehicles. Residential, agricultural or open space zoned lots shall not be used for the accessory parking or storage of vehicles which are designed to carry more than a three-quarter ton load and which are used for shipping or the delivery of freight and products.

E. Residential Access. Access to parking spaces for dwellings shall be at least ten (10') feet wide throughout and paved with a minimum of two and one-half (2½") inches of asphalt or concrete, except that a center strip over which the wheels of a vehicle will not normally pass need not be paved, provided that the access complies with the requirements of the Ventura County fire protection district. Driveways serving more than two (2) dwelling units shall be at least eighteen (18') feet wide.

**EXHIBIT C**

**AMENDMENTS TO MOORPARK MUNICIPAL CODE CHAPTER 17.72:  
DOWNTOWN SPECIFIC PLAN OVERLAY ZONE (SP-D)**

Chapter 17.72 is hereby amended in its entirety to read as follows:

**Chapter 17.72**

**DOWNTOWN SPECIFIC PLAN OVERLAY ZONE (SP-D)**

**Sections:**

- 17.72.010 Purpose.**
- 17.72.020 General provisions.**
- 17.72.030 Entitlement process and procedures.**
- 17.72.040 Development standards and guidelines.**

**17.72.010 Purpose.**

The purpose of this overlay zone is to identify properties which are part of the Downtown Specific Plan and set forth development standards and guidelines for public and private development and redevelopment of existing and new residential, commercial and industrial development in downtown Moorpark.

**17.72.020 General provisions.**

All provisions of the Downtown Specific Plan shall apply to the development and use of the properties within the Downtown Specific Plan Overlay Zone. Those provisions shall be supplemental to the regulations of the underlying zone. In such cases where the specific plan development standards and the standards for the underlying zone conflict, the specific plan development standards shall apply.

**17.72.030 Entitlement process and procedures.**

Requirements for development within the Downtown Specific Plan Overlay Zone shall comply with the requirements of Chapter 17.44, Entitlement – Process and Procedures and with the Development Standards and Guidelines of the Downtown Specific Plan as adopted by City Council Resolution.

**17.72.040 Development standards and guidelines.**

The development standards and guidelines for the construction, reconstruction, renovation and remodeling of existing and/or proposed buildings in the Downtown Specific Plan Overlay Zone shall adhere to the requirements and guidelines contained in the Downtown Specific Plan as adopted by the City Council.

**- End -**