

ITEM 11.B.

ORDINANCE NO. 381

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, APPROVING ZONING ORDINANCE AMENDMENT NO. 2009-01, AMENDING SECTION 17.32.025, HIGH STREET AREA PARKING REQUIREMENTS, OF CHAPTER 17.32, OFF-STREET PARKING REQUIREMENTS, OF TITLE 17 (ZONING) OF THE MOORPARK MUNICIPAL CODE

WHEREAS, at its meeting of June 23rd, 2009, the Planning Commission conducted a duly-noticed public hearing on Zoning Ordinance Amendment No. 2009-01, amending Section 17.32.025 High Street area parking requirements of Chapter 17.32 Off-street Parking Requirements of Title 17 (Zoning) 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 recommended approval of Zoning Ordinance Amendment No. 2009-01 to the City Council; and

WHEREAS, at its meeting of July 15, 2009, the City Council conducted a duly-noticed public hearing on Zoning Ordinance Amendment No. 2009-01, amending Section 17.32.025 High Street area parking requirements of Chapter 17.32 Off-street Parking Requirements of Title 17 (Zoning) 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 Planning 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 HEREBY ORDAIN AS FOLLOWS:

SECTION 1. GENERAL PLAN AND SPECIFIC PLAN CONSISTENCY: The City Council finds the proposed amendments to Chapter 17.32, Section 17.32.025, of the Moorpark Municipal Code related to High Street area parking requirements within the city are consistent with the City of Moorpark General Plan and all adopted Specific Plans.

SECTION 2. Section 17.32.025, High Street area parking requirements, of the Moorpark Municipal Code is hereby amended as shown in Exhibit A.

SECTION 3. 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 4. This Ordinance shall become effective thirty (30) days after its passage and adoption.

SECTION 5. 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 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 2nd day of September, 2009.

Janice S. Parvin, Mayor

ATTEST:

Deborah S. Traffenstedt, City Clerk

Exhibit A: Zoning Ordinance Amendment No. 2009-01: Amendments to Section 17.32.025 of the Moorpark Municipal Code

EXHIBIT A

“17.32.025 High Street area parking requirements.

A. 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 (High Street from Moorpark Avenue on the west to Spring Road on the east and Walnut and Bard Streets from High Street to Charles Street) must meet fifty percent (50%) of the required parking pursuant to Section 17.32.020 of this chapter. In consideration of providing fewer parking spaces than required by Section 17.32.020, a percentage of the parking spaces provided as set forth below must be open and available to the general public at all times (shared parking). In addition, eating and drinking places in the High Street area shall have the same required parking as retail shops and services in the High Street area. In-lieu of meeting the required parking as stated above, the applicant may pay a fee based on the estimated value of a fully improved parking space, circulation and landscaping, to reduce the required on-site parking an additional ten percent (10%) to forty percent (40%) of the required parking, pursuant to Section 17.32.020 of this chapter. The city council shall establish the fee by resolution to be used to offset a portion of the cost required to construct public parking facilities in the downtown area.

B. All parking spaces provided above the fifty percent (50%) standard per subsection (A) above, may be designated as reserved parking. Reserved spaces become shared parking spaces after six (6:00) p.m. until two (2:00) a.m., so that those spaces are available for off-peak parking by the general public. Shared parking spaces are required in accordance with the following table.

Percentage of Parking Standard Provided	Percentage of Required Shared Parking
40 to 49	85
50	75

For example, if Section 17.32.020 requires one-hundred (100) parking spaces and forty (40) parking spaces are provided, then thirty-four (34) parking spaces must be reciprocal and six (6) parking spaces may be reserved for exclusive use for the on-site uses of the property between two (2:00) a.m. and six (6:00) p.m.

C. Reserved parking signs are required for all reserved spaces. These signs must include the time restrictions. All signing must be in conformance with Chapter 17.40 Sign Regulations.

D. Properties with one or more driveways providing direct access to public streets in the High Street area as described in subsection (A) above must provide reciprocal vehicular access to adjacent properties and the general public to its shared parking spaces.

E. Notwithstanding the foregoing, any property providing one-hundred (100%) percent of the parking required pursuant to Section 17.32.020 is exempt from the shared parking and shared access requirements set forth herein.”