

ITEM 8.B.

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: David A. Bobardt, Community Development Director
Prepared by: Joseph Fiss, Principal Planner



DATE: January 27, 2010 (CC Meeting of 2/17/2010)

SUBJECT: Consider General Plan Amendment Pre-Screening No. 2008-02 to Change the Land Use Designation on 88.2 Acres at the Northwest Terminus of Gabbert Road between Moorpark Country Club Estates and the North Hills Parkway/North Hills Industrial Park from Rural Low Density Residential to Medium Low Density Residential, Rural High Density Residential, and Open Space on the Application of John Newton, for A-B Properties, Inc.

BACKGROUND/DISCUSSION

On January 20, 2010, the Community and Economic Development Committee (Mayor Pro Tem Mikos and Councilmember Pollock) considered General Plan Amendment (GPA) Pre-Screening Application No. 2008-02 to change the planned use of 88.2 acres at the northwest terminus of Gabbert Road between Moorpark Country Club Estates and the North Hills Parkway/North Hills Industrial Park from Rural Low Density Residential to Medium Low Density Residential, Rural High Density Residential, and Open Space to allow proposed development of 43 half-acre residential lots, 7 one-acre lots and 42.7 acres of open space, where currently 17 five-acre lots would be permitted. A copy of the Committee agenda report with analysis of this proposal is attached. The Committee recommended that the City Council allow the filing of a General Plan Amendment application on this project, provided that a development agreement be included as part of the project proposal.

FISCAL IMPACT

Staff and consultant costs related to the processing of the entitlement applications would be paid for by the developer.

STAFF RECOMMENDATION

1. Open the public hearing, accept public testimony and close the public hearing;
and
2. Direct staff to accept a General Plan Amendment application, provided that all other necessary entitlement applications, including an application for a development agreement, are filed concurrently.

ATTACHMENT:

1. January 20, 2010, Community and Economic Development Committee Agenda Report

COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE AGENDA REPORT

TO: Community and Economic Development Committee
(Mayor Pro-Tem Mikos and Councilmember Pollock)

FROM: David A. Bobardt, Planning Director 
Prepared by: Joseph Fiss, Principal Planner 

DATE: January 4, 2010 (CEDC Meeting of 1/20/2010)

SUBJECT: Consider General Plan Amendment Pre-Screening No. 2008-02 to Change the Land Use Designation on 88.2 Acres at the Northwest Terminus of Gabbert Road between Moorpark Country Club Estates and the North Hills Parkway/North Hills Industrial Park from Rural Low Density Residential to Medium Low Density Residential, Rural High Density Residential, and Open Space on the Application of John Newton, for A-B Properties, Inc.

BACKGROUND

Section 17.44.050 of the Municipal Code requires the pre-screening of proposed General Plan Amendments through procedures set by City Council resolution. Resolution No. 2008-2672 establishes the procedures for General Plan Amendment pre-screening applications. There are two filing periods each year, May 31st and November 30th. Review and recommendation by the Community and Economic Development Committee is required prior to a public hearing before the City Council to determine whether or not a General Plan Amendment application may be accepted for processing.

On May 29, 2008, John Newton, for A-B Properties, Inc. filed an application for a General Plan Amendment (GPA) Pre-Screening to change the land use designation on 88.2 acres at the northwest terminus of Gabbert Road between Moorpark Country Club Estates and the North Hills Parkway/North Hills Industrial Park from Rural Low Density Residential to Medium Low Density Residential, Rural High Density Residential, and Open Space, to allow for the filing of a GPA application along with other entitlement applications for a proposed residential development. Staff needed additional information on a proposed General Plan Amendment for an adjacent property in order to properly analyze this application, due to access issues. That information has been provided, allowing both GPA Pre-Screening applications to proceed for consideration by the Community and Economic Development Committee.

DISCUSSION

Project Setting

The topography of the site is complex. The site consists of two large lots within a small valley with slopes on the entire eastern and western boundaries. The floor of the valley is relatively flat, with the exception of the Gabbert Canyon Channel (also known as Gabbert Creek or Gabbert Wash), crossing the site from north to south. A single family home, horse corrals, and equestrian facilities exist on the site. The site is bounded by The Moorpark Country Club Estates and Golf Course on the north, the Orchard Downs development on the west, the Gabbert Road neighborhood on the east, and an agriculture/drainage on the south. A GPA Pre-Screening application has been submitted for the property to the south, the topic of a separate staff report at this meeting. Attachment 1 to this report shows an aerial view of the project site and vicinity with current General Plan designations.

Previous Applications

In 2006, a GPA Pre-Screening application was submitted by Centex Homes to allow residential development of this site. That application was rejected due to incompleteness and was not pursued further by the applicant.

General Plan Land Use Designation

The Medium Low Density Residential, Rural High Density Residential, and Open Space land use designations requested for the site would allow the applicant's proposed development of 43 half-acre residential lots, 7 one-acre lots and 42.7 acres of open space. Remaining lot area would include common equestrian areas, trails, roadways, and the Gabbert Canyon Channel within the property boundaries.

GENERAL PLAN/ZONING			
Direction	General Plan	Zoning	Land Use
Site	RL (Rural Low Density Residential)	RE-5ac (Rural Exclusive – Five Acre Minimum Lot Size)	Equestrian Ranch and Home
North	ML (Medium Low Density Residential) and OS-2 (Open Space 2)	RPD (Residential Planned Development) and OS (Open Space)	Moorpark Country Club Estates and Golf Course
South	Agriculture (County)	AE (Agricultural Exclusive) (County)	Agriculture/Drainage
East	RL (Rural Low Density Residential)	RE-5ac (Rural Exclusive – Five Acre Minimum Lot Size)	Residential
West	RL (Rural Low Density Residential)	RE-5ac (Rural Exclusive – Five Acre Minimum Lot Size)	Residential

Evaluation Criteria

Criteria most pertinent for approval or denial of this General Plan Amendment Pre-Screening are:

- Conformity with Goals, Policies, and Implementation Strategies of the General Plan
- Potential for Compatibility with Existing and Planned Uses in the Area
- Facilitation of a Significant Contribution to the Provision of Affordable Housing
- Conformity with Other City Council Policies
- Potential to Provide Public Benefit

General Plan Goals and Policies

Goals and policies from the General Plan most pertinent to this project include:

Land Use Element

- Attain a balanced city growth pattern which includes a full mix of land uses. New development shall be orderly with respect to location, timing, and density, consistent with the provision of local public services and facilities, and compatible with the overall suburban rural community character.
- Provide a variety of housing types and opportunities for all economic segments of the community. A mix of residential densities shall be provided which accommodate the housing needs of all members of the community. Residential projects shall include variation of product types, lot sizes, and designs where feasible. Inclusionary zoning shall be used where feasible to require that a percentage of new units are affordable to very low to moderate income households.
- Develop new residential housing which is compatible with the character of existing neighborhoods and minimizes land use incompatibility. Infill development in existing residential neighborhoods shall be compatible with the scale and character of the surrounding neighborhood.
- Establish land uses and development intensities which are compatible with scenic and natural resources and which encourage environmental preservation.
- Enhance the physical and visual image of the community. New development shall be compatible with the scale and visual character of the surrounding neighborhood.

Housing Element

- Provide residential sites through land use, zoning and Specific Plan designations to provide a range of housing opportunities. Identify adequate housing sites to facilitate the 1998-2005 Regional Housing Needs Assessment (RHNA) goals. Ensure residential sites have appropriate public services, facilities, circulation, and other needed infrastructure to support development.

- Require, in aggregate, ten percent (10%) of new units to be affordable to lower-income households.

Noise Element

- Protect the public from adverse noise impacts. Incorporate noise considerations into planning decisions to prevent or minimize future land-use incompatibilities. Limit the impact of nuisance noise sources upon residential areas. Residential buildings should be located and oriented to minimize or eliminate a noise problem for a site adjacent to a highway.

Circulation Element

- The completion of the ultimate circulation system, through the improvement of sub-standard roadway segments and intersections and the construction of missing roadway links and related facilities shall be actively promoted.
- New residential streets should be designed so as to discourage pass-through trips which do not begin nor end within the residential areas within the City of Moorpark.
- New development projects shall mitigate off-site traffic impacts to the maximum extent feasible.
- Roadways in hillside areas shall not have a significant, adverse impact on the natural contours of the land; grading for streets shall be minimized; and harsh cut slopes which may not heal into natural appearing surfaces shall be avoided.
- Multi-use equestrian, bicycle, and pedestrian trails shall be encouraged wherever feasible.

ANALYSIS

Under the current General Plan and Zoning Designations, this property could be developed with up to 17 five-acre lots, consistent with the development to the east and west. However, such development would not like provide substantial public benefit. This proposed General Plan Amendment, when accompanied by an appropriate development proposal, could further a number of the General Plan goals and policies stated above better than the lower density residential use currently planned for the site. The density ranges contemplated, which would allow for the construction of 50 homes, the provision of open space, and an extension of the City's multi-use trails, would not likely provide a source of additional affordable housing in the City on site. Provisions for off-site affordable housing would be needed for this type of project.

While the site plan shows provisions for equestrian trails, staff would ask that the designation of these trails be revised and designed as "multi-use trails" that would accommodate hiking and biking as well. This is consistent with trails that have been provided within other residential projects.

In order to ensure that a project involving a General Plan Amendment as proposed for this site furthers all the General Plan goals, including the provision of affordable housing, without adverse impacts and provides for predictable, consistent development, it is recommended that a development agreement be required to be processed concurrently with the applications for a General Plan Amendment, Specific Plan Amendment, Zone Change, Subdivision Map, Residential Planned Development Permit, and any other necessary entitlements.

PROCESSING TIME LIMITS

Time limits have been established for the processing of development projects under the Permit Streamlining Act (Government Code Title 7, Division 1, Chapter 4.5), the Subdivision Map Act (Government Code Title 7, Division 2), and the California Environmental Quality Act Statutes and Guidelines (Public Resources Code Division 13, and California Code of Regulations, Title 14, Chapter 3). Since this project proposal requires consideration of a General Plan Amendment, which is a legislative matter, it is not subject to processing time limits under the Permit Streamlining Act. None of the other time limits are applicable to this pre-screening application.

ENVIRONMENTAL DETERMINATION

A GPA Pre-Screening application does not involve any approval action and is therefore not subject to environmental review. Should the City Council allow the filing of a GPA application on this project, an initial study will be prepared to determine the proper environmental documentation or further studies.

STAFF RECOMMENDATION

It is recommended that the Community and Economic Development Committee recommend that the City Council authorize the filing of a General Plan Amendment application and that a Development Agreement be required.

Attachments:

1. Aerial Photograph of Project Site
2. Conceptual Site Plan

**Aerial Photograph of Project Site
With General Plan Land Use Designations**

(UNDER SEPARATE COVER)

CEDC ATTACHMENT 1

Conceptual Site Plan

(UNDER SEPARATE COVER)

**EXHIBITS ITEM 8.B.
A-B PROPERTIES**

**Aerial Photograph of Project Site
With General Plan Land Use Designations**



