ITEM 10.D.

MOORPARK CITY COUNCIL
AGENDA REPORT

TO: Honorable City Council

FROM: David A. Bobardt, Community Development Director
By: Joseph R. Vacca, Principal Planner

DATE: April 3, 2012 (CC Meeting of 4/18/2012)

SUBJECT: Consider the City of Moorpark 2011 General Plan Annual Report Including the Housing Element Progress Report

BACKGROUND

Government Code Section 65400 requires the planning agency of each local government to provide an annual report on the status of the General Plan and its implementation, including progress in meeting the community's share of regional housing needs, with information concerning City efforts to remove local governmental constraints to the maintenance, improvement, and development of housing. This annual report, covering activities in the prior calendar year, must be provided to the City Council, the Governor's Office of Planning and Research, and the California Department of Housing and Community Development (HCD) by April 1st of each year, while the City is technically three weeks late there is no penalty.

DISCUSSION

STATUS OF GENERAL PLAN AND IMPLEMENTATION PROGRESS

Land Use Element

A comprehensive update to the Land Use Element was adopted in May 1992. A number of substantial amendments have been made to this element since that time. These include the conversion of about 1,000 acres of rural residential designated land to higher residential densities and open space, the adoption or substantial amendment of three (3) Specific Plans (Carlsberg, Downtown, and Moorpark Highlands), and the approval of a voter-initiated City Urban Restriction Boundary (CURB). The Community Development Department has been working on a comprehensive update to this element, along with the Circulation Element, with hearings now expected in 2012.

Amendments to the Land Use Element Approved in 2011

- General Plan Amendment No. 2009-01 – This General Plan Amendment application, filed by Triliad, Inc. on behalf of Los Angeles Avenue, LLC, was approved by City Council on October 19, 2011, approving a change to the land use designation on 10.75 acres of a 32.65-acre site on the north side of Los Angeles Avenue west of Gabbert Road from "General Commercial" to "Medium Industrial" to allow for development of a movie studio complex.

Land Use Element Amendment Applications in Process in 2011 that have Completed Pre-Screening

- General Plan Amendment No. 2007-01 – On July 31, 2007, 1 Moorpark , LLC (Charles Rim) filed an application to redesignate 48 acres north of Casey Road and west of Walnut Canyon Road, from "Rural Low Density Residential" (1 unit per 5 acres) to "Medium Density Residential" (4 units per acre) to permit the construction of 109 houses. This application was determined to be incomplete and processing awaits submittal of additional information.
- General Plan Amendment No. 2005-02 – This request from John C. Chiu is to add a new residential density category to the General Plan which would allow up to 25 units per acre. This density is not currently allowed by the General Plan, as the highest planned density currently allows up to 20 units per acre. This request is part of a request to construct 60 condominium units on a 2.4-acre site in downtown Moorpark. The application is currently being processed.
- General Plan Amendment No. 2010-01 – On November 20, 2009, Pacific Communities filed an application to change the planned use of approximately 37 acres on the south side of Los Angeles Avenue between Leta Yancy Road and Maureen Lane from 32 acres "High Density Residential" and 5 acres "Very High Density Residential" to 24 Acres "High Density Residential" and 13 Acres "Very High Density Residential" to allow for a proposed residential development of 157 single-family detached homes and 300 condominium homes. The application was considered by the City Council on February 17, 2010, and was allowed to proceed with the filing of a General Plan Amendment application. An application has been filed but it is incomplete.

Pre-Screening Applications for Land Use Element Amendments

City Council Resolution No. 99-1578 (updated by Resolution No. 2008-2672 subsequent to the timeframe of this report) requires pre-screening of requests for General Plan amendments, based on adopted criteria, prior to submittal of formal General Plan amendment applications. The following pre-screening applications were on file with the City during the timeframe of this report:

- PS 2008-02 – On May 29, 2008, A-B Properties filed a pre-screening application to change the land use designation on 88.2 acres at the northerly terminus of Gabbert Road from "Rural Low Density Residential" to "Light Industrial", "Rural High Density Residential", and "Medium Low Density Residential" to develop an industrial technology park and two gated residential neighborhoods. This application has since been amended, eliminating the proposed industrial designation. The application was considered by the City Council on February 17, 2010, and was allowed to proceed with the filing of a General Plan Amendment application, an application has not been filed to date.
- PS 2009-01 – On February 5, 2009, Westpointe Homes filed an application to amend the "Rural Low Density Residential" land use designation on 67 acres west of Gabbert Road to allow for higher density housing. The application was refined by November 2009, ultimately requesting land use designations of "Very High Density Residential, Rural Low Density Residential, and Open Space" land use designations for the site to allow the proposed development of 5, five-acre residential lots, 120 apartment units in 5 three-story buildings, 46 two-story detached condominium units, and 100 two-story duplex units. The applicant withdrew this pre-screening application at the February 17, 2010 City Council meeting, and a subsequent pre-screening application for the same property as described below was filed on May 20, 2010.
- PS 2010-01 - On May 20, 2010, James Rasmussen, Moorpark Property 67 LLC, filed an application to amend the "Rural Low Density Residential" land use designation on 67 acres west of Gabbert Road to allow for higher density residential uses. The application includes requests to provide "Rural Low Density Residential", "High Density Residential", "Very High Density Residential" and "Open Space" land uses, to allow construction of 271 total dwelling units (150 senior apartments, 36 attached condominiums, 66 single family detached units, and 5 large lot custom home lots). Staff is working with the applicant on various options for design, uses, and density.

Circulation Element

An updated General Plan Circulation Element was adopted in May 1992. Further analysis of circulation system alternatives continued in 1999 with the approval of Specific Plan No. 2. The adoption of Specific Plan No. 2 included a circulation system amendment to allow for the construction of an extension of Spring Road, to function as a connecting arterial between Los Angeles Avenue and Walnut Canyon Road, through the central portion of the City, establishing an additional north/south corridor. Specific Plan No. 2 also includes right-of-way reservations for the SR-23 and SR-118 arterials across the project site.

The city-wide equestrian and bicycle trails were expanded by the adoption of a Class 1 and Class 2 bicycle trail within Specific Plan No. 2, and the addition of a segment of the city-wide and regional connection of equestrian trails to serve the northern portion of the community. Modification No. 2 to Tract 4928 (Toll Brothers), approved in 1999, included an alignment alteration to provide an expanded "C" Street (now Championship Drive) right-of-way which includes an equestrian/multi-use trail alignment.

Measure "S", adopted by the voters of the City of Moorpark in January 1999, restricted the future eastern extension of Broadway to serve circulation needs of potential agricultural, open space, or recreational uses in the portion of the planning area northeast of the City limits.

City staff is currently studying potential future alignments and appropriate improvements for the SR-23 Bypass and SR-118 Bypass currently included on the Highway Network map in the Circulation Element. These are being considered in a comprehensive update to Circulation Element currently under preparation.

Amendments to the Circulation Element Approved in 2011

None.

Circulation Element Amendment Applications in Process in 2011 that have Completed Pre-Screening

None.

Pre-Screening Applications for Circulation Element Amendments

None.

Noise Element

The Noise Element was amended in 1998, satisfying Implementation Measure No. 2 in the Land Use Element that required an update of the Noise Element to reflect the City's land use and circulation plans. A Noise Ordinance was also adopted.

Amendments to the Noise Element Approved in 2011

None.

Noise Element Amendment Applications in Process in 2011 that have Completed Pre-Screening

None.

Pre-Screening Applications for Noise Element Amendments

None.

Open Space, Conservation, and Recreation (OSCAR) Element

The OSCAR Element is a combined element, meeting State mandates for an Open Space Element and Conservation Element, and providing an optional Recreation Element. The City adopted the OSCAR Element in August 1986.

In 1996, the City Council approved a contract with a consultant to prepare an updated OSCAR Element. A final draft was prepared, received staff review and was anticipated to go to public hearing late in 1999. However, due to the adoption of a Voter Initiative Measure "S", several provisions of the OSCAR Element require revision. The Planning Commission and Parks and Recreation Commission held a joint workshop on the draft element in May 2000. The Parks and Recreation Commission gave further review to the document in July 2000. The rewritten element was discussed at public workshops before the Planning Commission in June and August 2001. Hearings were held by the Planning Commission in September 2001. In October 2001, the City Council considered the draft element and referred it to an ad-hoc committee for further study. In 2007, this assignment was transferred to the Community and Economic Development (standing) Committee. The Element is presently being redrafted by staff. The update will include goals and policies on stormwater quality to address National Pollution Discharge Elimination System (NPDES) issues, as well as goals and policies related to the reduction of greenhouse gases.

Amendments to the Open Space, Conservation, and Recreation Element Approved in 2011

None.

Open Space, Conservation, and Recreation Element Amendment Applications in Process in 2011 that have Completed Pre-Screening

None.

Pre-Screening Applications for Open Space, Conservation, and Recreation Element Amendments

None.

Safety Element

The Safety Element was approved in April 2001. This update includes information and environmental studies related to the West Simi Valley Alquist-Priolo Zone. The adopted Safety Element includes the most recent information on earthquake faults, including identification of active faults and policies on setbacks and development constraints.

Amendments to the Safety Element Approved in 2011

None.

Safety Element Amendment Applications in Process in 2011 that have Completed Pre-Screening

None.

Pre-Screening Applications for Safety Element Amendments

None.

Housing Element

The current Housing Element was approved by the City in December 2001, and subsequently certified by the California Department of Housing and Community Development. The City's progress to date in implementing the Housing Element is discussed below. The City is preparing an updated Housing Element to meet new housing needs targets for 2006-2014.

Amendments to the Housing Element Approved in 2011

None.

Housing Element Amendment Applications in Process in 2011 that have Completed Pre-Screening

None.

Pre-Screening Applications for Housing Element Amendments

None.

Progress in Implementing the Housing Element, Including Meeting the Local Share of the Regional Housing Needs

Share of Regional Housing Needs - The City's fair share for affordable housing units under the 2006-2014 Regional Housing Needs Assessment (RHNA) requirements is shown in Table 1. A new Housing Element that addresses this RHNA, due on June 30, 2008, is under preparation and expected to be completed in 2012. A Draft Housing Element was prepared and reviewed by the City Council on October 6, 2010. Following review by the City Council, the Draft Housing Element was submitted to the California Department of Housing and Community Development (HCD) for review. After a series of discussions between City staff and HCD and revisions to the draft element, on January 31, 2012 a letter was received from HCD stating that the draft element addresses statutory requirements. The Planning Commission reviewed the Draft Housing Element for the 2008-2014 planning period on March 27, 2012, and adopted PC Resolution No. 568, recommending its adoption to the City Council. Staff anticipates scheduling a public hearing of the City Council on May 2, 2012, to review the Draft Housing Element.

TABLE 1: LOCAL SHARE OF REGIONAL HOUSING NEEDS

	2006-2014 RHNA	
Income Group	**Number**	**Percentage**
Very Low	363	22.4%
Low	292	18.1%
Moderate	335	20.7%
High	627	38.8%
TOTAL	**1,617**	**100.0%**

Progress in Meeting Local Share - Table 2 shows new housing units completed since January 1, 2006. This table includes the number of units affordable by households with incomes categorized as Very Low (less than 50 percent of County median income), Low (50-80 percent of County median income), Moderate (80-120 percent of County median income), or High (greater than 120 percent of County median income), based on estimated original sales or rental price. Units affordable to very-low and low-income residents were all secured through development agreements with the City. Moderate income units include both market rate units and units with rents or sales prices restricted by development agreements. It should be noted that in this RHNA reporting period, the City lost 37 rental units affordable to very low income households as the terms of the bond financing for an apartment project allowed these units to convert to market rate in September 2007.

TABLE 2: NEW HOUSING UNITS COMPLETED JANUARY 2006 – DECEMBER 2011

	Affordability				
Tract Map No./(Project Name)	**Very Low**	**Low**	**Mod.**	**High**	**Total**
Tr. 4928 (Country Club Est.)	-	-	-	49	49
Tr. 5045 (Moorpark Highlands)	-	28	74	283	385
Tr. 5187/5405 (Meridian Hills)	-	-	-	65	65
Tr. 5133 (Canterbury Lane)	-	7	31	37	75
Miscellaneous Units (Including 2nd Dwellings)	-	-	11	11	22
Units Lost (Demolished or Destroyed)	-	-	(-20)	-	(-20)
Total Units Completed	**0**	**35**	**96**	**445**	**576**
2006-2014 Draft RHNA Share	**363**	**292**	**335**	**627**	**1,617**
(% Draft RHNA Share Met)	**(0.0%)**	**(11.9%)**	**(28.6%)**	**(70.9%)**	**(35.6%)**

Table 3 shows units in various stages of construction (from site grading to final details) at the end of the reporting year. William Lyon Homes has stopped construction on Tract 5187/5405 and sold the unbuilt graded lots.

TABLE 3: NEW HOUSING UNITS UNDER CONSTRUCTION DECEMBER 31, 2011

	Expected Affordability				
Tract Map No./(Project Name)	**Very Low**	**Low**	**Mod.**	**High**	**Total**
Tr. 5045 (Moorpark Highlands)	-			167	167
Tr. 5187/5405 (Meridian Hills)	4	4	9	183	200
Tr. 5133 (Canterbury Lane)	-	0	2	-	2
Tr. 5860 (Pardee Homes)	-	7	-	126	133
Area Housing Authority of VC	16	4	-	-	20
Total Units to be Built	**20**	**15**	**11**	**476**	**522**

Table 4 shows residential projects that have been approved but are not yet under construction, with expected affordability by household income.

TABLE 4: APPROVED RESIDENTIAL PROJECTS NOT UNDER CONSTRUCTION

Tract	Units	Applicant	Expected Inc. Category Served
5053 and 5204*	284	Pacific Communities	262 High (Market Rate) plus 22 Low plus fee for 15 Very Low
5130	110	Moorpark 150 LLC	110 High (Market Rate) plus 7 Low and 5 Very Low off-site
5425	102	Shea Homes	82 High (Market Rate) plus 5 Moderate, 9 Low, and 6 Very Low
5347	21	Birdsall	High (Market Rate) plus 1 Low and 1 Very Low off-site
5463	49	Toll Brothers	49 High (Market Rate) plus 4 Low and 4 Very Low off-site
-	200	Essex Property Trust	160 Moderate (Market and Restricted) plus 24 Low and 16 Very Low
Total	766	-	-

* Pacific Communities is working on a redesign to Tentative Tracts 5053 and 5204 that would increase the number of homes and change the type of project.

City Efforts to Remove Governmental Constraints to the Maintenance, Improvement, and Development of Housing Units - The City of Moorpark has taken the following steps in recent years to remove governmental constraints that hinder the development of affordable housing units:

1. Continued implementation of the City's General Plan, as discussed previously in this report.
2. Continued processing of development agreements and other entitlements with inclusionary affordable housing components.
3. Continued revisions to the Zoning Ordinance to allow more flexibility in affordable housing projects.
4. Compliance with the affordable housing provisions of the Community Redevelopment Law.
5. Use of Community Development Block Grant (CDBG) funds for housing services in lower income neighborhoods.
6. Provision of priority processing to projects that include affordability components.
7. Support of changes in planned land uses from non-residential to residential uses with high to very-high densities to provide affordable housing.
8. Support of upzoning of land planned for lower residential densities to provide affordable housing.
9. Support of density bonuses for residential projects that provide an affordability component within the project.
10. Amendment of density bonus provisions in General Plan and Zoning Ordinance to allow for up to 100% density bonus for qualifying affordable housing projects.
11. Amendment of Second Unit Ordinance to make permits for second units ministerial in compliance with AB 1866.
12. Participation in mobile home park revenue bond financing to provide for reserved spaces and affordable rents for very low income households.

STAFF RECOMMENDATION

1. Receive and file the report.
2. Direct staff to forward a copy of this report to the Governor's Office of Planning and Research, the California Department of Housing and Community Development, and the Ventura County Planning Division.