MOORPARK CITY COUNCIL
AGENDA REPORT

TO: **Honorable City Council**

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

DATE: **February 20, 2013 (CC Special Meeting of 2/27/2013)**

SUBJECT: **Consider Public Workshop on General Plan Amendment Pre-Screening No. 2012-02 to Expand the City Urban Restriction Boundary (CURB) and Establish Land Use Designations on Approximately 3,844 Acres Generally North and East of Moorpark College and Campus Hills Currently Outside the City Corporate Boundaries on the Application of Residential Strategies LLC for Coastline RE Holdings Moorpark Corporation**

BACKGROUND

On October 26, 2012, Residential Strategies, LLC filed an application for a General Plan Amendment Pre-screening proposing to expand the City's corporate boundaries and CURB to develop between 552 and 765 homes of various densities on approximately 510 acres of a 3,844 acre site north of Moorpark College on land currently outside the City corporate boundaries.

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 December 19, 2012, the City Council requested a public workshop at a Special City Council Meeting on February 27, 2012 at 7:00 PM to go over the project and the review process, and to take early comments and questions from the public on this project. This workshop is in addition to the process established by Resolution No. 2008-2672.

Following the public workshop, at a date to be determined, the Community and Economic Development Committee will consider this General Plan Amendment Pre-Screening application and make a recommendation to the full City Council. The City Council will then consider action on the application after conducting a public hearing.

DISCUSSION

State law, Section 65300 of the Government Code, requires each County and City to "adopt a comprehensive, long-term general plan for the physical development of the county or city, and of any land outside its boundaries which in the planning agency's judgment bears relation to its planning." State law also gives Cities and Counties broad authority in the consideration of adopting or amending General Plans. The adoption or amendment of a General Plan is considered a legislative act; other than certain mandatory components being required as part of a General Plan, the only required finding is that the adoption or amendment is in the public interest. Moorpark's General Plan, with minor exceptions (i.e. highway network, bikeway plan, equestrian trail plan and horizon lines), addresses land only within the City limits. It establishes the type, density and intensity of land uses, location and function of roads, and development goals and standards for the ultimate buildout of the City. The project site, currently outside the City, is not addressed by the goals, policies, or objectives of the City's General Plan except by the aforementioned exceptions. The applicant is requesting an amendment to the City's General Plan that would include the property and allow for its development as proposed.

Inclusion in the General Plan is the first required step for any property that may be annexed by a City; the property must first fit in the City's long-term plan for physical development. Several different amendments would be required to accomplish the goals of the project. Likely amendments would include changes to the Land Use Element, Circulation Element, and Open Space, Conservation, and Recreation Elements of the General Plan. Ultimately, if the project site is included in the General Plan, exhibits in the Housing Element and Safety Element would also need to be amended for internal consistency; however, goals and policies in these elements could remain unchanged.

Of note in the potential requested amendments to the General Plan for the project is an amendment to the Moorpark City Urban Restriction Boundary (CURB). The Moorpark CURB was added to the Land Use Element of the General Plan as a result of Measure "S", adopted by Moorpark voters on January 12, 1999. The Moorpark CURB is a boundary beyond which, except for limited exceptions, urban services and urbanized uses of land could not be extended. The project site is outside the Moorpark CURB; an extension of the CURB boundary to include the proposed development area of the project site is requested.

Although most General Plan Amendment requests are decided by the City Council (after a recommendation is made by the Planning Commission), the process to extend the Moorpark CURB differs. The process to extend the Moorpark CURB is set by Section 8.4 (E) of the Land Use Element. It only allows an amendment to extend the

CURB after the City Council, through the public hearing process, places the amendment on the ballot, and it receives a majority vote (50% plus 1 of those voting) by the Moorpark electorate.

Project Setting

The project site for the proposed Specific Plan is approximately 3,844 acres (6 square miles), located generally north of Moorpark College outside the City limits and Sphere of Influence in unincorporated territory of the County of Ventura. The project site is also outside the Moorpark City Urban Restriction Boundary (CURB) as established in the Land Use Element through the SOAR Initiative that was adopted by the public in 1999. Topography on the project site ranges from approximately 650 feet above mean sea level in the southeastern portion of the site to over 2,200 feet above mean sea level in the northeastern portion of the site. The topography of northern portion of the site includes mostly very steep terrain composing the prominent ridgelines of Big Mountain. The topography of the southern portion of the project site includes a southward sloping plateau divided by several steep-walled canyons that trend north to south.

Previous Applications

1. The 1992 Land Use Element of the General Plan included Specific Plan Area 8, an area of approximately 4,200 acres including the project site. The policy of the Land Use Element was for a development plan for the site to be developed comprehensively as a specific plan to include up to 2,400 dwelling units (or up to 3,221 units if the developer agreed to provide public improvements, public services, and/ or financial contributions that the City Council determined to be of substantial public benefit to the community).

   In 1993, a specific plan application, known as Hidden Creek Ranch, was filed for 4,200 acres by the Messenger Investment Company. The Specific Plan was approved by the City in 1998, along with zoning designations and regulations for the site to allow for the development of 3,221 dwelling units, among other uses. Also in 1998, the City Council submitted an application to the Ventura County Local Agency Formation Commission (LAFCO) to approve an extension to the City's Sphere of Influence and to include the Hidden Creek Ranch property in the City's corporate boundaries.

   This annexation application was approved, although it was later rescinded in accord with a decision of the Superior Court. In January 1999, Moorpark voters adopted Measure "S", also known as the SOAR Ordinance, which, among other things removed Specific Plan Area 8 from the City's Land Use Element. The City Council withdrew the application for annexation in 2001. In 2002, the City rescinded the zoning designations and regulations previously adopted for the Hidden Creek Ranch property.

2. On December 21, 2001, after entering a Memorandum of Understanding with the City, North Park Village filed applications for a General Plan Amendment, Specific Plan, and Zone Change to develop 1,500 houses and 150 apartment units on land immediately outside the City limits north of Moorpark College. Additionally, the City entered into a Development Agreement with the applicant.

   On June 1, 2005, prior to approval of the Development Agreement, the City Council certified a Final Program Environmental Impact Report, adopted findings in support thereof, approved a Mitigation Monitoring and Reporting Program (MMRP) to ensure compliance with the mitigation measures contained in the Final Program EIR, and adopted a Statement of Overriding Considerations (EIR). The EIR constituted the required CEQA review for General Plan Amendment No. 2001-05 ("GPA 2001-05"), Specific Plan No. 2001-01 (SP 2001-01), and Zone Change No. 2001-02 ("ZC 2001-02") as well as for the Development Agreement.

   Pursuant to the process outlined above, On October 5, 2005, the City Council called for a Special Election to be held on February 28, 2006, for the voters of the City of Moorpark to consider the proposed North Park Village and Nature Preserve Specific Plan project. An ordinance (Measure A6) was put on the ballot of the Special Election for the voters to consider whether or not to approve a General Plan Amendment, including an amendment to the City Urban Restriction Boundary (CURB) line, Specific Plan, Zone Change, and Development Agreement for this project. Measure A6 was rejected by the voters.

General Plan Land Use Designation

A General Plan Amendment, Specific Plan, and Zone Change are required to change the planned land use for the site from open space in order to allow for the development of the proposed project.

GENERAL PLAN/ZONING			
Direction	**General Plan**	**Zoning**	**Land Use**
Site	Open Space (County)	Agricultural Exclusive (County)	Cattle Grazing, Oil Extraction
North	Open Space (County)	Rur.Agricultural-5Ac (Co.)	Open Space/ Recreation
South	Medium-Low Density Residential (City), Schools (City), Open-Space 2 (City)	Residential Planned Development-2.5U (City), Rur. Exclusive-1 Ac (City), Open Space (City)	Single-Family Residential, Moorpark College, Cattle Grazing, Oil Extraction
East	Open Space (County)	Agricultural Exclusive (County)	Cattle Grazing, Oil Extraction
West	Open Space (County)	Agricultural Exclusive (County) Rur. Agricultural-5Ac (Co.)	Cattle Grazing, Orchards, Open Space I Recreation

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.
- Establish a logical Sphere of Influence. The City shall strive to obtain and maintain sphere of influence boundaries consistent with the City Urban Restriction Boundary.
- 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.
- Identify and encourage the preservation of viable agricultural resources in the City and its Area of Interest. Unless property has not been used for agricultural purposes in the immediately preceding 2 years and is unusable for agriculture

due to its topography, drainage, flooding, adverse soil conditions, or other physical reasons, it shall be deemed viable.

- Establish land uses and development intensities which are compatible with scenic and natural resources and which encourage environmental preservation. New development shall be located and designed to minimize adverse visual and/or environmental impacts to the community. New development shall respect, integrate with, and complement the natural features of the land. Areas identified as significant aquifer recharge areas shall be protected and preserved.
- Maintain a high quality environment that contributes to and enhances the quality of life and protects public health, safety, and welfare. Public and private projects shall be designed so that significant vegetation shall be maintained and protected, including riparian and oak woodland vegetation and mature trees. Ecologically sensitive habitats shall be protected and preserved or replaced with no net loss of habitat so long as there is substantial public benefit to any relocation program. Natural and cultural resources having significant educational, scientific, scenic, recreational or social value shall be protected and preserved. The City shall require developers to maintain wildlife corridors to allow for the passage of animals between designated open space or recreation areas.
- Enhance and maintain the suburban/rural identity of the community. The overall density and intensity of development should decrease as the slope increases.
- 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.
- Expand and protect housing opportunities for lower income households and special needs groups.

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

- Provide a transportation system that supports the land use plan in the General Plan and provides for the safe and efficient movement of people, goods, and services within, into, out of, and through the City of Moorpark.
- 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.
- Provide a circulation system which supports existing, approved and planned land uses throughout the City while maintaining a desired level of service on all streets and at all intersections. Level of service "C" shall be the system performance objective for traffic volumes on the circulation system. For roadways and interchanges already operating at less than level of service "C", the system performance objective shall be to maintain or improve the current level of service.
- 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.
- Provide a citywide system of safe, efficient and attractive bicycle and pedestrian routes for commuter, school, and recreational use.
- Multi-use equestrian, bicycle, and pedestrian trails shall be encouraged wherever feasible.

ANALYSIS

Under the current County General Plan Designation, this property could be developed with up to 384 ten-acre lots. However, the current Zoning Designation would allow only 96 forty-acre lots.

Although this proposed General Plan Amendment, when accompanied by an appropriate development proposal could further a number of the City's General Plan goals and policies stated above, it would also involve many policy decisions that could only be made through careful analysis after preparation and consideration of an Environmental Impact Report. If the processing of this project is to proceed, staff would recommend 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 would be prepared to determine the proper environmental documentation. It is expected that an Environmental Impact Report would be prepared due to the nature, location, and scale of the proposed project.

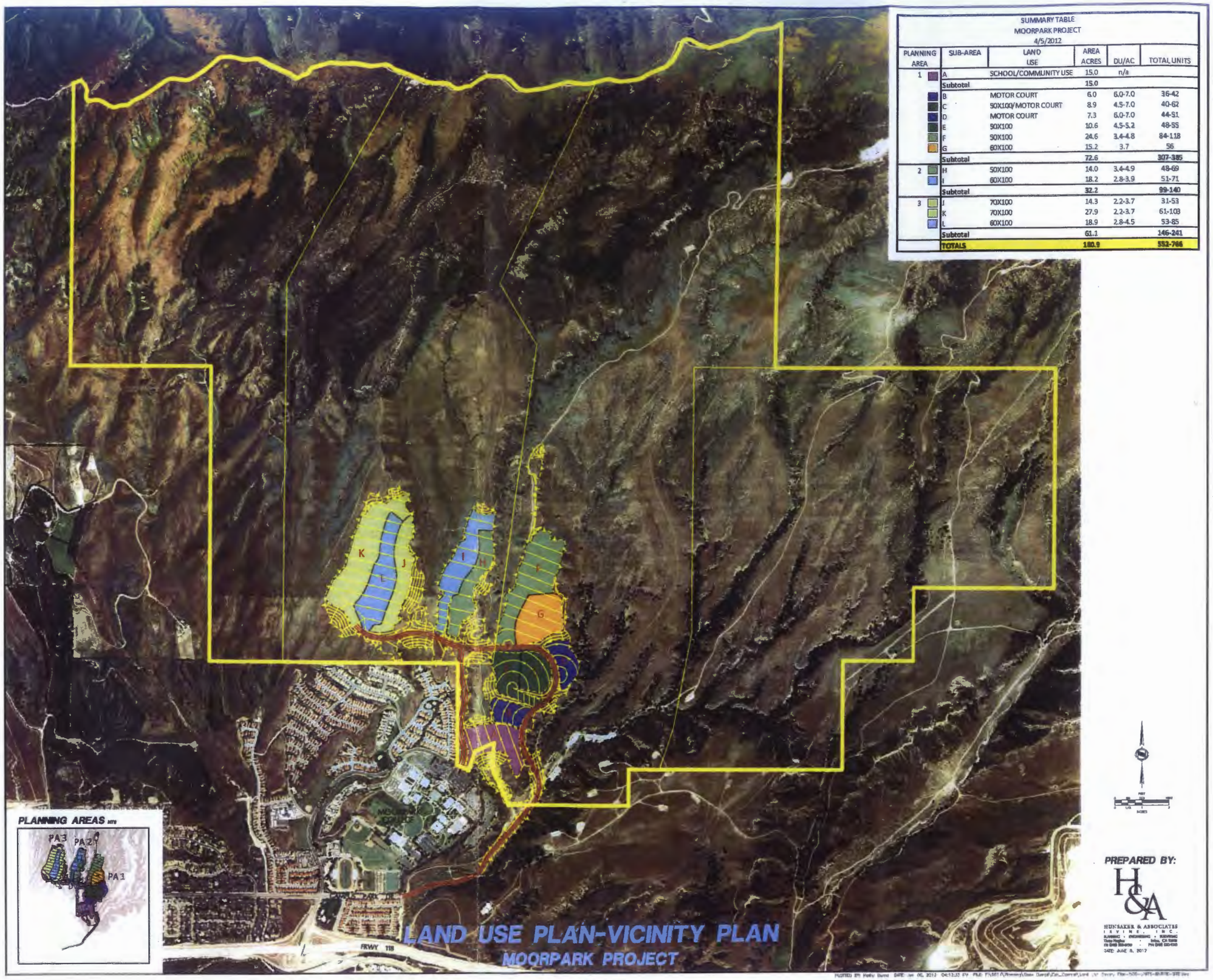
FISCAL IMPACT

Costs related to the processing of the entitlement applications are paid for by the developer.

STAFF RECOMMENDATION

Refer application to Community and Economic Development Committee for recommendation.

Attachment: Proposed Conceptual Site Plan

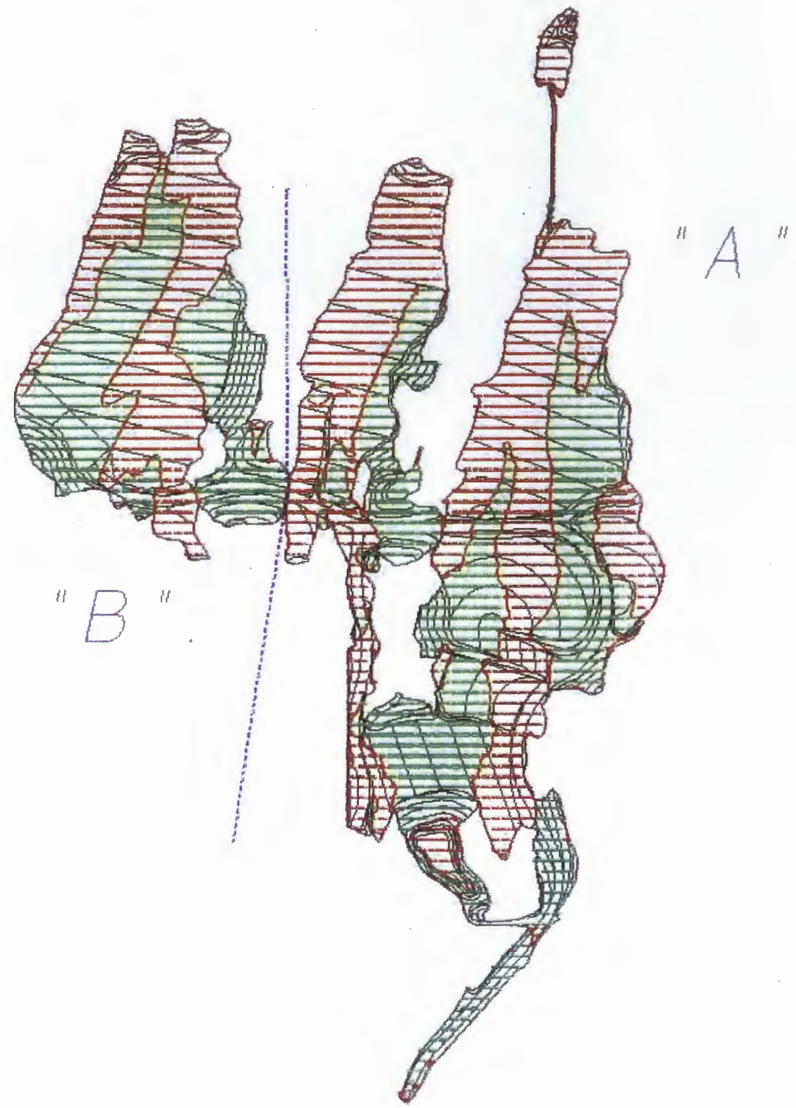


SUMMARY TABLE
MOORPARK PROJECT
4/5/2012

PLANNING AREA	SUB-AREA	LAND USE	AREA ACRES	DU/AC	TOTAL UNITS
1	A	SCHOOL/COMMUNITY USE	15.0	n/a	
	Subtotal		15.0		
	B	MOTOR COURT	6.0	6.0-7.0	36-42
	C	50X100/MOTOR COURT	8.9	4.5-7.0	40-62
	D	MOTOR COURT	7.3	6.0-7.0	44-51
	E	50X100	10.6	4.5-5.2	48-55
	F	50X100	24.6	3.4-4.8	84-118
	G	60X100	15.2	3.7	56
	Subtotal		72.6		307-385
2	H	50X100	14.0	3.4-4.9	48-69
	I	60X100	18.2	2.8-3.9	51-71
	Subtotal		32.2		99-140
3	J	70X100	14.3	2.2-3.7	31-53
	K	70X100	27.9	2.2-3.7	61-103
	L	60X100	18.9	2.8-4.5	53-85
	Subtotal		61.1		146-241
	TOTALS		180.9		552-766

HUNSAKER & ASSOCIATES
IRVINE, INC.
PLANNING ▪ ENGINEERING ▪ SURVEYING
Three Hughes ▪ Irvine, CA 92618 ▪ PH: (949) 583-1010 ▪ FX: (949) 583-0759

June 5, 2012
W.O. 3085-1; C405-1c
Leon M. Cautillo

North Park – Moorpark 200 sc Mass Grade Concept – 3-29-12

	CUT		FILL	
Area "A" Area of Grading -185.48 ac	3,179,900	CYS	3,179,900	CYS
Area "B" Area of Grading - 84.23 ac	1,599,600	CYS	1,599,600	CYS
ESTIMATED TOTALS Area of Grading - 269.71 ac	**4,779,500**	**CYS**	**4,779,500**	**CYS**