

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** Honorable City Council

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

**DATE:** June 19, 2013 (CC Meeting of 7/17/2013)

**SUBJECT:** Consider a Resolution Directing the Planning Commission to Study, Hold a Public Hearing and Provide a Recommendation on Proposed Amendments to the General Plan Land Use Element, the Downtown Specific Plan, a Zone Change of at Least 25.8 Total Acres of Land to Residential Planned Development (RPD) - 20U, (Locations To Be Determined) and Title 17 (Zoning) of the Moorpark Municipal Code Regarding Development of a RPD-20U Zone, to Allow Development Up to 20 Units per Acre, at Various Locations Throughout the City, to be Determined, on the Application of the City of Moorpark

**BACKGROUND / DISCUSSION**

On May 16, 2012, the City Council approved the 2008-2014 Housing Element Update. Several of the programs included in the Housing Element Update call for amendments to the Zoning Ordinance to reduce barriers to meeting the City's housing needs. Amendments related to emergency shelters, transitional housing, and single-room occupancy housing have been initiated and are provided for consideration by City Council on a separate agenda item at this meeting. Two additional programs calling for amendments to the General Plan, Zoning Ordinance and Zone Changes include:

- Housing Program No. 3: Sites to Accommodate Fair-Share Housing Needs  
This program states that vacant or underutilized sites offer opportunities for residential development and achieve lower-income housing goals, as identified by the Regional Housing Needs Assessment (RHNA). In the past several years, developers have initiated both the conversion of commercial sites for residential use, and the up-zoning of low-density residential sites for higher-density development.

As shown in Appendix B of the adopted Housing Element, the City's lower-income need is 655 units and a total of 139 new lower-income units have been

built or approved since the beginning of the new planning period. Additional sites to accommodate at least 516 lower-income units are needed in order to meet RHNA requirements. While pending projects and vacant sites contain sufficient potential to accommodate this remaining need, a new RPD-20 zoning district is required to be established and additional sites with a minimum of 25.8 total acres are required to be rezoned to this designation that allows owner-occupied and multi-family rental residential development by-right at a density of 20 units/acre in order to ensure adequate capacity to accommodate the City's fair-share needs during this planning period. Zoning for these projects shall meet all the requirements of Government Code Sec. 65583.c.1., which include the following:

- Permit a minimum density of 20 units/acre.
- Permit a minimum of 16 units per site.
- Accommodate at least 50% of the units on sites designated for residential use only.

This program also indicates that for projects that require subdivision or lot consolidation prior to development, the City will facilitate this process through expedited or concurrent processing of the required approvals. Since most affordable housing developments occur on sites of 2 to 10 acres, the City will prioritize rezoning and subdivision of sites that can accommodate developments of this size. In order to enhance the likelihood of affordable housing development in these projects, as part of Housing Program No. 3, the City committed to also take the following actions:

- Contact affordable housing builders regarding development opportunities in these projects, and convene meetings between the master developer and interested builders, if requested.
- Offer incentives and concessions for affordable housing projects such as expedited processing, reduced development standards, administrative assistance with funding applications such as Low-Income Housing Tax Credits, and fee waivers or reductions if feasible.

- Housing Program No. 17: R-P-D Zone Designation and Planned Development Permit Process

This program states that the R-P-D Zone designation provides flexibility in the development process to meet specific housing needs. The R-P-D Zone designation offers various densities that can be tailored to the lot, nature of the development, and local housing needs. The R-P-D Zone provides a mechanism for the development of higher-density housing (up to 20 du/ac) and can be coupled with a density bonus, financial and regulatory incentives to provide affordable housing.

In order to further reduce processing time a Zoning Code amendment will be initiated to make the following changes to the Planned Development Permit process:

- Designate the Planning Commission as the final approval authority (rather than City Council); and
- Modify the required findings for approval to confirming that the project complies with objective development and design standards.

With another Housing Element update under preparation, the rezoning of 25.8 acres to allow residential density of 20 units per acre by right must be completed and in force by October 15, 2013 in order to avoid the following:

- having the 25.8 acres added to the acreage to be rezoned for next Housing Element update, meaning the City would have to rezone approximately 45-50 acres to a density of 20 units per acre by right.
- Putting the next Housing Element update on a 4-year cycle instead of an 8-year cycle, adding costs and staff time to this effort.

Meeting this deadline with the rezoning would allow for the acreage to be counted as being available to meet housing needs for the 2014-2021 cycle, minimizing or possibly eliminating the need for further rezoning. Staff has identified potential sites for the rezoning and will attempt to meet this deadline while processing this General Plan Amendment. To meet the October 15 deadline, the City Council would need to adopt an ordinance on or before September 14. Staff has developed a schedule that would allow this to be accomplished.

The Municipal Code calls for a resolution of City Council to initiate amendments to the General Plan, Specific Plans, Zoning Ordinance and Zone Changes in order to fully implement the two Housing Programs listed above. The attached draft resolution, if adopted by City Council, would direct staff and the Planning Commission to study and provide a recommendation to the City Council on a General Plan Amendment, Downtown Specific Plan Amendment, Zoning Ordinance Amendment and Zone Change to address these Housing Programs.

#### **STAFF RECOMMENDATION**

Adopt Resolution 2013-\_\_\_\_\_.

#### **ATTACHMENT:**

1. Draft Resolution

RESOLUTION NO. 2013-\_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, DIRECTING THE PLANNING COMMISSION TO STUDY, HOLD A PUBLIC HEARING, AND PROVIDE A RECOMMENDATION TO THE CITY COUNCIL ON PROPOSED AMENDMENTS TO THE GENERAL PLAN LAND USE ELEMENT, THE DOWNTOWN SPECIFIC PLAN, A ZONE CHANGE OF AT LEAST 25.8 TOTAL ACRES OF LAND TO RESIDENTIAL PLANNED DEVELOPMENT (RPD) - 20U, (LOCATIONS TO BE DETERMINED) AND TITLE 17 (ZONING) OF THE MOORPARK MUNICIPAL CODE REGARDING DEVELOPMENT OF A RPD-20U ZONE, TO ALLOW DEVELOPMENT UP TO 20 UNITS PER ACRE, AT VARIOUS LOCATIONS THROUGHOUT THE CITY, LOCATIONS TO BE DETERMINED, ON THE APPLICATION OF THE CITY OF MOORPARK

WHEREAS, Section 17.44.050 of the Municipal Code provides that the City Council may initiate proceedings to consider amendments to the General Plan, any Specific Plan, and Zoning Ordinance (including the Zoning Map) by the adoption of a resolution of intent; and

WHEREAS, the City Council wishes to initiate proceedings to consider a General Plan Amendment, a Downtown Specific Plan Amendment, a Zone Change of at least 25.8 total acres of land to Residential Planned Development (RPD) - 20u, (locations to be determined) and amendments to Title 17 (Zoning) of the Moorpark Municipal Code regarding development of a RPD-20u zone, to allow development up to 20 units per acre, at various locations throughout the city, locations to be determined, on the application of the City of Moorpark.

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

SECTION 1. INITIATION OF PROCEEDINGS: The City Council hereby authorizes the initiation of proceedings to consider a General Plan Amendment, a Downtown Specific Plan Amendment, a Zone Change of at least 25.8 total acres of land to Residential Planned Development (RPD) - 20u, (locations to be determined) and amendments to Title 17 (Zoning) of the Moorpark Municipal Code regarding development of a RPD-20u zone, to allow development up to 20 units per acre, at various locations throughout the city, locations to be determined, to address Housing Element Program Nos. 3 and 17, where a new RPD-20u zoning district is required to be established and additional sites with a minimum of 25.8 total acres are required to be rezoned to this designation that allows owner-occupied and multi-family rental residential development by-right at a density of 20 units/acre in order to ensure adequate capacity to accommodate the City's fair-share needs during this planning

period, consistent with State law, the City's General Plan and other provisions of the City's Zoning Ordinance.

SECTION 2. DIRECTION TO PLANNING COMMISSION: The Planning Commission is hereby directed to study, hold a public hearing, and provide a recommendation to the City Council on this matter.

SECTION 3. CITY CLERK CERTIFICATION AND FILING: The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 17th day of July, 2013.

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Janice S. Parvin, Mayor

ATTEST:

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Maureen Benson, City Clerk