

ITEM 8.D.

MOORPARK CITY COUNCIL AGENDA REPORT

TO: Honorable City Council

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

DATE: October 3, 2013 (Meeting of 10/16/2013)

SUBJECT: Consider an Ordinance Approving Zoning Ordinance Amendment No. 2013-06 to Amend Part C of Section 17.32.050 (Parking Space Standards and Striping), of Chapter 17.32 (Off-Street Parking Requirements), of Title 17 (Zoning), of the Moorpark Municipal Code, Related to Tandem Parking, and Recommending that the City Council Make a Determination of Exemption under CEQA Therewith on the Application of City Ventures, LLC

BACKGROUND/DISCUSSION

On September 9, 2013, Bill McReynolds of City Ventures, LLC, applied for a Zoning Ordinance Amendment to allow the required third parking space in single household homes over 2,800 square feet to be provided as a tandem space. The current parking regulations in the Zoning Ordinance do not allow tandem spaces for required parking.

On September 24, 2013, the Planning Commission considered and recommended to the City Council approval of ZOA No. 2013-06. The attached Planning Commission staff report contains a more detailed description of the proposed amendments and changes. Upon consideration and review of the application, the Planning Commission opened the public hearing, but there was no testimony. Commissioner Landis asked if there had been projects approved with tandem parking and if so were there parking issues on the streets in these neighborhoods. Staff's response was that yes, tandem parking spaces exist, as approved in the Residential Planned Development permits for the Meridian Hills, Moorpark Highlands, and Serenata developments, and staff is not aware of any on-street parking issues occurring in those neighborhoods. After closing the public hearing, the Planning Commission unanimously recommended approval of the application to the City Council. The City Attorney has reviewed and approved the form of the ordinance.

ENVIRONMENTAL DETERMINATION

The Director has reviewed this project and found it to qualify for a General Rule Exemption in accordance with Section 15061(b)(3) of California Code of Regulations (CEQA Guidelines). Zoning Ordinance Amendment No. 2013-06 would amend the Municipal Code provisions related to parking requirements by allowing tandem parking spaces for single-household residences for the third parking space, when three spaces are required. The number of required spaces remains the same. Therefore it can be seen with certainty there is no possibility of any significant effect on the physical environment as a result of this Zoning Ordinance Amendment. No further environmental documentation is required.

FISCAL IMPACT

None.

STAFF RECOMMENDATION

1. Open the public hearing, accept public testimony and close the public hearing.
2. Introduce Ordinance No. ____, approving Zoning Ordinance Amendment No. 2013-06, for first reading, waive full reading, and place this ordinance on the agenda for November 6, 2013 for purposes of providing second reading and adoption of the ordinance.

ATTACHMENTS

1. September 24, 2013 Planning Commission Agenda Report (Without Attachments)
2. Ordinance No. ____, approving Zoning Ordinance Amendment No. 2013-06

**MOORPARK PLANNING COMMISSION
AGENDA REPORT**

TO: Honorable Planning Commission

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

DATE: September 10, 2013 (Meeting of 09/24/13)

SUBJECT: Consider Resolution Recommending to the City Council Approval of Zoning Ordinance Amendment No. 2013-06 to Amend Part C of Section 17.32.050 (Parking Space Standards and Striping), of Chapter 17.32 (Off-Street Parking Requirements), of Title 17 (Zoning), of the Moorpark Municipal Code, related to Tandem Parking, and recommending that the City Council Make a Determination of Exemption under CEQA Therewith on the Application of City Ventures, LLC



BACKGROUND

On September 9, 2013, Bill McReynolds of City Ventures, LLC, applied for a Zoning Ordinance Amendment to allow the required third parking space in single household homes over 2,800 square feet to be provided as a tandem space. The current parking regulations in the Zoning Ordinance do not allow tandem spaces for required parking.

DISCUSSION

On August 1, 2007, the City Council adopted Ordinance 353, which amended Chapter 17.32 Parking. At that time the parking ordinance was reorganized to have a more logical flow, utilizing a matrix format for the required parking. Main substantive changes included a requirement for a 3-car garage in homes greater than 2,800 square feet, and increasing the parking requirement for shopping centers over 25,000 square feet to 1 space for every 250 square feet of gross floor area. These changes were intended to allow homes 2,800 square feet or smaller with a 3-car garage an opportunity to convert one garage space to a habitable room, and shopping centers to have greater flexibility for tenants. Other changes included the establishment of required parking for motorcycles and bicycles, the updating of standards for angled parking and aisle width, the setting of standards for sight clearance at intersections, a requirement for the issuance of a Zoning Clearance for parking lot restriping, the establishment of specific standards for gates across private residential streets and gates in non-residential areas, the establishment of standards for drive-through restaurant queues, and the establishment of stricter standards for recreational vehicle parking and storage in residential zones. The parking ordinance contained a prohibition of use of tandem spaces to meet required parking for single family homes, though tandem spaces are allowed for parking in excess of required parking.

ANALYSIS

The proposed zoning ordinance amendment intends to update the parking ordinance to allow use of tandem parking spaces, to meet parking requirements for the third parking space for single family residential developments.

For single family dwellings, the current parking ordinance requires the following:

Dwellings, single-family	2 spaces in a garage for dwellings ≤ 2,800 sq. ft. 3 spaces in a garage for dwellings > 2,800 sq. ft.
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Therefore, a minimum of three (3) parking spaces are currently required in a garage for single family houses that are greater than, 2,800 square feet in size, (habitable floor area, not including garage square footage). Currently, Section 17.32.050.C states that tandem spaces may be provided in garages for residential uses only in **excess** of the required parking, provided that they meet the same minimum width and depth requirements, do not exceed a two (2) vehicle depth and are dedicated for use by the same dwelling unit.

The applicant is requesting that tandem parking spaces be allowed to satisfy parking requirements for a third parking space in a garage when required for single family dwellings. When the proposed square footage exceeds 2,800 square feet, then the minimum of three (3) parking spaces are required in a garage. The minimum required width and depth for garage spaces are ten (10) feet wide by twenty (20) feet deep and must be free and clear of obstructions, including but not limited to water heaters and other mechanical equipment. Since the minimum required width of a garage parking space is ten (10) feet, then garages for larger homes need to be at least thirty (30) feet wide to meet standard requirements. This creates a challenge to make the home design attractive, as three car garages can dominate front elevations and result in streetscapes that consist primarily of garage facades, as opposed to viewing single family residential features such as front doors and window elements, front porches, entry ways and courtyards. Use of tandem parking for a required third space that meets all other parking ordinance requirements, can allow more architectural variations and detailing on front elevations of larger homes. The façade will only include and demonstrate a two car garage door within the context of the chosen architectural style.

The existing zoning ordinance definition of Tandem Parking is: “Tandem parking” means the placement of parking spaces one behind the other, so that the space nearest the driveway or street access serves as the only means of access to the other space. This definition does not need to be updated. Section 17.32.050 Parking space standards and striping, is provided below; and the proposed changes are shown under subsection “C” in legislative format, as follows:

17.32.050 Parking space standards and striping.

- A. Parking Space Size. All measurements are the minimum requirements.

Compact parking spaces are not allowed.

Type	Stall Width in feet	Stall Depth in feet	Comments
1. Single Family Residential	10	20	Spaces shall be in a garage and free and clear of obstructions
2. Multiple Family Residential			
a. Garage	10	20	Spaces shall be free and clear of obstructions
b. Carport or Open	9	20	
3. Commercial and Industrial	9	20	
4. Motorcycle	5	10	
5. Parallel	10	24	

B. Parking lots must be designed so that no vehicle has to back out into a street in order to leave the lot or to maneuver out of a parking space. Circulation of vehicles among parking spaces must be accomplished entirely within the parking lot. Each parking space must be clearly marked with paint striping at least two (2) inches wide.

C. Tandem spaces may be provided in garages for single family residences over 2,800 square feet residential uses only in excess of the required parking, for a required third parking space, provided that they meet the same minimum width and depth requirements, and do not exceed a two (2) vehicle depth ~~and are dedicated for use by the same dwelling unit~~. Tandem spaces may also be provided in garages for residential uses to provide parking in excess of required parking.

D. Carports, garages, parking areas and driveways must be paved with concrete or other durable material approved by the community development director. Asphalt paving for garages and driveways to single-family homes and duplex homes is not allowed.

PROCESSING TIME LIMITS

Since a Zoning Ordinance Amendment is a legislative action, the processing time limits 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) are not applicable.

ENVIRONMENTAL DETERMINATION

In accordance with the City's environmental review procedures adopted by resolution, the Community Development Director determines the level of review necessary for a project to comply with the California Environmental Quality Act (CEQA). Some projects may be exempt from review based upon a specific category listed in CEQA. Other projects may be exempt under a general rule that environmental review is not necessary where it can be determined that there would be no possibility of significant effect upon the environment. A project which does not qualify for an exemption requires the preparation of an Initial Study to assess the level of potential environmental impacts.

The Director has reviewed this project and found it to qualify for a General Rule Exemption in accordance with Section 15061(b)(3) of California Code of Regulations (CEQA Guidelines). The proposed ordinance would amend the Municipal Code provisions related to parking requirements. The change to the parking requirements allow tandem parking spaces for residential development do not reduce or eliminate existing parking requirements and should not have any effect on the physical environment. There is no possibility that the changes may result in a significant environmental impact. Thus, it can be seen with certainty that there is no possibility that the zone text amendment may have a significant impact on the environment. No further environmental documentation is required.

STAFF RECOMMENDATION

1. Open the public hearing, accept public testimony and close the public hearing.
2. Adopt Resolution No. PC-2013-____ recommending that the City Council approve Zoning Ordinance Amendment 2013-06.

ATTACHMENTS

1. Draft PC Resolution which contains the following:
Exhibit A - 17.32.050(C)

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF MOORPARK, CALIFORNIA, APPROVING ZONING ORDINANCE AMENDMENT NO. 2013-06, TO AMEND PART C OF SECTION 17.32.050 (PARKING SPACE STANDARDS AND STRIPING), OF CHAPTER 17.32 (OFF-STREET PARKING REQUIREMENTS), OF TITLE 17 (ZONING), OF THE MOORPARK MUNICIPAL CODE, RELATED TO TANDEM PARKING, AND RECOMMENDING THAT THE CITY COUNCIL MAKE A DETERMINATION OF EXEMPTION UNDER CEQA IN CONNECTION THEREWITH ON THE APPLICATION OF CITY VENTURES, LLC

WHEREAS, at a duly noticed public hearing on September 24, 2013, the Planning Commission considered Zoning Ordinance Amendment No. 2013-06, to amend Section 17.32.050(C) of the Moorpark Municipal Code related to tandem parking; and considered the agenda report and any supplements thereto and written public comments; opened the public hearing and took and considered public testimony both for and against the proposal; closed the hearing; and the Planning Commission adopted Resolution No. PC-2013-591 recommending approval to the City Council of Zoning Ordinance Amendment No. 2013-06; and

WHEREAS, at a duly noticed public hearing on October 16, 2013, the City Council considered Zoning Ordinance Amendment No. 2013-06, to amend Section 17.32.050(C) of the Moorpark Municipal Code related to tandem parking; and considered the agenda report and any supplements thereto and written public comments; opened the public hearing and took and considered public testimony both for and against the proposal; closed the public hearing, and reached a decision on this matter; and

WHEREAS, the Community Development Director has reviewed this project and determined it to be 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. Zoning Ordinance Amendment No. 2013-06 would amend the Municipal Code provisions related to parking requirements by allowing tandem parking spaces for single-household residences for the third parking space, when three spaces are required. The number of required spaces remains the same. Therefore it can be seen with certainty there is no possibility of any significant effect on the physical environment as a result of this Zoning Ordinance Amendment.

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

SECTION 1. ENVIRONMENTAL DETERMINATION: The City Council concurs with the Community Development 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. Zoning Ordinance Amendment No. 2013-06 would amend the Municipal Code provisions related to parking requirements by allowing tandem parking spaces for single-household residences for the third parking space, when three spaces are required. The number of required spaces remains the same. Based on its independent analysis and judgment of the City Council, it can be seen with certainty that there is no possibility that the Zoning Ordinance Amendment No. 2013-06 may have a significant impact on the environment. No further environmental documentation is required.

SECTION 2. GENERAL PLAN AND SPECIFIC PLAN CONSISTENCY: The City Council finds Zoning Ordinance Amendment No. 2013-06 to amend Section 17.32.050(C) of the Moorpark Municipal Code to be consistent with the City of Moorpark General Plan and all adopted Specific Plans.

SECTION 3. The City Council hereby approves Zoning Ordinance Amendment No. 2013-06, which amends section 17.32.050(C) of the Moorpark Municipal Code, as shown in Exhibit A attached.

SECTION 4. 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 5. This Ordinance shall become effective thirty (30) days after its passage and adoption.

SECTION 6. 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 publish notice of adoption in the manner required by law.

PASSED AND ADOPTED this ____ day of _____, 2013.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk

Exhibit A: Section 17.32.050(C) of the Moorpark Municipal Code

EXHIBIT A

AMENDMENT TO PART C OF SECTION 17.32.050 (PARKING SPACE STANDARDS AND STRIPING), OF CHAPTER 17.32 (OFF-STREET PARKING REQUIREMENTS), OF TITLE 17 (ZONING), OF THE MOORPARK MUNICIPAL CODE

C. Tandem parking spaces may be provided in garages for single family residences over 2,800 square feet residential uses only in excess of the required parking, for a required third parking space, provided that they the spaces meet the same minimum width and depth requirements, and do not exceed a two (2) vehicle depth and are dedicated for use by the same dwelling unit. Tandem parking spaces may also be provided in garages for residential uses to provide parking in excess of required parking.