

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** Honorable City Council

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

**DATE:** October 17, 2014 (CC Meeting of 11/5/2014)

**SUBJECT:** Consider Resolution Authorizing the Acceptance of a General Plan Amendment Application for Review Consistent with General Plan Amendment Pre-Screening No. 2010-01 to Change the Land Use Designation on 67.96 Acres West of Gabbert Road and North of the North Hills Parkway/North Hills Industrial Park from Rural Low Density Residential to Rural Low Density Residential, High Density Residential, and Open Space on the Application of James Rasmussen, for Moorpark Property 67 LLC and Making a Determination that This is Not a Project Approval Subject to CEQA. (Public Hearing Continued from September 17, 2014)



**BACKGROUND/DISCUSSION**

At the September 17, 2014 City Council meeting, the applicant for this project, James Rasmussen, became aware that there would not be a full City Council and requested a continuance to November 5, 2014 when he would be able to have his whole team together and have this item heard by the entire Council. Staff did not make a presentation at the meeting, but the public hearing was opened to allow those who wished to provide comments. The applicant requested to defer his comments to the November 5 meeting.

Six members of the public requested to give oral testimony. Of those, 3 stated that they were opposed to the project and requested to reserve their specific comments for the November 5 meeting. Two people spoke against the project and one person requested to reserve comment, without stating an opinion. One written comment was received in opposition to the project. Specific comments included concerns about visual impacts, the potential for a natural gas energy plant nearby, consideration should be given for 5-

acre lots on the top of the site and 1/2 to 1-acre lots below with a separation of the lots on top from the lots below, the road diversion being bad for business on Los Angeles Avenue, and a preference for rural use of the site.

At the end of the testimony, the agenda item was continued to the November 5, 2014 regular meeting of the City Council with the public hearing still open. An updated draft resolution is provided that includes the continued hearing date in the recitals.

**STAFF RECOMMENDATION**

1. Continue to accept public testimony and close the public hearing; and
2. Adopt Resolution No. 2014-\_\_\_\_ authorizing the acceptance of a General Plan Amendment application for review.

**ATTACHMENTS:**

1. September 17, 2014, City Council Agenda Report (with attachments – except draft resolution)
2. Draft Resolution (Updated)

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** Honorable City Council

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

**DATE:** August 4, 2014 (CC Meeting of 9/17/2014)

**SUBJECT:** Consider Resolution Authorizing the Acceptance of a General Plan Amendment Application for Review Consistent with General Plan Amendment Pre-Screening No. 2010-01 to Change the Land Use Designation on 67.96 Acres West of Gabbert Road and North of the North Hills Parkway/North Hills Industrial Park from Rural Low Density Residential to Rural Low Density Residential, High Density Residential, and Open Space on the Application of James Rasmussen, for Moorpark Property 67 LLC and Making a Determination that This is Not a Project Approval Subject to CEQA

**BACKGROUND/DISCUSSION**

On June 18, 2014, the Community and Economic Development Committee (Councilmembers Mikos and Pollock) considered General Plan Amendment (GPA) Pre-Screening Application No. 2010-01 to Change the Land Use Designation on 67.96 Acres West of Gabbert Road and North of the North Hills Parkway/North Hills Industrial Park from Rural Low Density Residential to Rural Low Density Residential, High Density Residential, and Open Space on the Application of James Rasmussen, for Moorpark Property 67 LLC. 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.

**ENVIRONMENTAL DETERMINATION**

The authorization of acceptance of a General Plan Amendment application for review is not a project approval subject to the California Environmental Quality Act of 1970, as amended (CEQA), per Section 15352 of the CEQA Guidelines in that it only allows for

the filing of an application for a General Plan Amendment and does not commit the City to a definite course of action in regard to a project intended to be carried out by any person. Environmental review will be required when an application is received. It will be part of the review process for the application, and will be completed prior to any decision on the application.

**FISCAL IMPACT**

None.

**STAFF RECOMMENDATION**

1. Open the public hearing, accept public testimony and close the public hearing; and
2. Adopt Resolution No. 2014-\_\_\_\_ authorizing the acceptance of a General Plan Amendment application for review.

**ATTACHMENTS:**

1. June 18, 2014, Community and Economic Development Committee Agenda Report (with attachments)
2. Draft Resolution

## COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE AGENDA REPORT

**TO:** Community and Economic Development Committee  
(Councilmembers Mikos and Pollock)

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

**DATE:** May 21, 2014 (C&EDC Meeting of June 18, 2014)

**SUBJECT:** Consider General Plan Amendment (GPA) Pre-Screening No. 2010-01 to Change the Land Use Designation on 67.96 Acres West of Gabbert Road Approximately 1,000 Feet North of the Union Pacific Railroad Right-of-Way from Rural Low Density Residential to Rural Low Density Residential, High Density Residential, and Open Space on the Application of James Rasmussen, for Moorpark Property 67 LLC

### **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 (CEDC) 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 February 5, 2009, the applicant filed a request to amend the land use designation on this site from Rural Low Density Residential to Rural Low Density Residential, Very High Density Residential, and Open Space to allow development of 271 dwelling units (General Plan Amendment Pre-Screening 2009-01). At its January 20, 2010 meeting, the CEDC recommended that the City Council authorize the filing of a General Plan Amendment application. At a public hearing on February 17, 2010, the City Council allowed the applicant to withdraw his application and re-file an application after meeting with local residents and landowners.

- On May 20, 2010, the applicant resubmitted a new application showing a combination of Rural Low Density Residential, Very High Density Residential, High Density Residential, and Open Space I, which was reviewed by the CEDC on July 20, 2011. This proposal reduced the total number of units to 207. This proposal still raised sufficient concerns within the neighborhood, specifically regarding land use compatibility (specifically related to traffic and privacy of the Gabbert Road neighborhood) and the need to have affordable housing in this location, that the CEDC asked the applicant to redesign and resubmit the project.
- On August 24, 2011, the applicant presented revised plans to the CEDC, addressing the concerns that were raised by local residents regarding land use compatibility (specifically related to traffic and privacy of the Gabbert Road neighborhood) and the need to have affordable housing in this location. The CEDC was concerned that, even though reduced, the proposed density was out of character with the surrounding area and that this property would be better suited as a transitional buffer zone between the Gabbert Road Neighborhood and the industrial properties to the south. The applicant agreed to continue working with the neighbors, and to return with revised plans.
- On April 17, 2013, the applicant presented revised plans to the CEDC, after meeting with residents of the Gabbert Road neighborhood individually, and at a community meeting. The CEDC recommended that the City Council authorize the filing of a General Plan Amendment application, provided that a multi-use trail improvement is shown on the development plan as described in this report, and that a Development Agreement be required.
- On October 16, 2013, the City Council considered the new design, but remanded the request back to the CEDC so the applicant could continue to meet with the residents of the Gabbert Road neighborhood and fine-tune the proposal.

Staff has continued to work with the applicant over the last year to come up with a design that reduced the proposed density, while still meeting housing needs and long-term planning goals. The current proposal requests authorization to submit a General Plan Amendment application for a project with 137 homes, including five five-acre estate lots, and 132 small lots for detached single-family homes.

## **DISCUSSION**

As mentioned above, at the previous CEDC and City Council meetings, concerns were raised by local residents regarding land use compatibility (specifically related to traffic and privacy of the Gabbert Road neighborhood) and the need to have affordable housing in this location. The applicant has met with several of the residents individually and at a community meeting to come up with an acceptable conceptual design and density that would be compatible with the character of the surrounding area.

The applicant's current revised proposal is discussed in the analysis section below.

**ANALYSIS**

The applicant has submitted several iterations of the plan to the CEDC and City Council. The table below shows how the unit count has changed over time.

**UNIT COUNT**

| <b>Proposal</b> | <b>Estate Lots</b> | <b>Small Lot SFR</b> | <b>Duplex</b> | <b>Apartments</b> | <b>Condos</b> | <b>Total</b> |
|-----------------|--------------------|----------------------|---------------|-------------------|---------------|--------------|
| <b>2/5/09</b>   | 5                  | 0                    | 100           | 120               | 46            | <b>271</b>   |
| <b>5/20/10</b>  | 5                  | 66                   | 0             | 100               | 36            | <b>207</b>   |
| <b>4/17/13</b>  | 5                  | 104                  | 0             | 0                 | 36            | <b>145</b>   |
| <b>Current</b>  | 5                  | 132                  | 0             | 0                 | 0             | <b>137</b>   |

The applicant has resubmitted a plan showing a total of 137 dwelling units in two building types (Attachment "A"). The proposed project still shows five five-acre lots that take access directly from Gabbert Road on the upper portion of the site. These lots are consistent with the rural nature of the existing Gabbert Road community. The lower portion of the site is proposed to be developed with 132 small lot single-family dwellings. The overall density of the project is now proposed at 2.02 units per acre on the whole site with individual components ranging from 1 unit per 6.25 acres for the proposed estate lots, to 3.93 units per acre for the proposed small lot area.

As with the previous iteration of the proposal, a very high density residential land use classification is no longer proposed for the project as the proposed apartments have been removed and replaced with single-family homes. In the current design, the six-plex homes have also been removed from the previous design and replaced with more small lot detached single-family homes. Although development of this site with affordable housing is not needed to meet the targets of the City's Housing Element, affordable housing from the project would be negotiated as part of a development agreement if this project is to proceed.

This transitional development serves to separate this project from the Gabbert Road neighborhood and to create an discrete independent cohesive neighborhood by proposing the five-acre lots on the ridge between the Gabbert Road neighborhood and the higher density components of this project, so that the higher density housing, at 40 to 60 feet below the ridge, and the North Hills Parkway, at 60 to 100 feet below the ridge, would not be visible from the Gabbert Road neighborhood. Because of the elevation differences between the higher density portions of this project and the Gabbert Road neighborhood, this plan provides an appropriate transitional land use between industrially zoned property and rural property. A three-dimensional model of the development will be required as part of the project application to demonstrate potential visual impacts if the Council decides to accept an application for this project.

The five proposed five-acre lots in northern part of the project would take access directly from Gabbert Road. These lots are consistent with the rural character of Gabbert Road. The higher density portions of the project would take access from a future north-south street on the western boundary of the site connecting to North Hills Parkway. Other than a gated emergency access road, there would be no access to Gabbert Road by motor vehicles from the higher density portions of the proposed project. The gated emergency access road would have the added benefit of giving the Gabbert Road residents a second emergency access in the event of a road closure at North Hills Parkway or the railroad tracks. To minimize potential conflicts between the higher density residences of the project and the rural residences of Gabbert Road, the gate for the emergency access road can also be designed with walls or fences to preclude pedestrian access except for emergencies. The proposed multi-use trail along North Hills Parkway that would extend from this project through the Hitch Ranch Specific Plan area to downtown Moorpark would be more inviting for pedestrian use than Gabbert Road, which does not have sidewalks or trails adjacent to it.

### **NOTICING**

Public Notice for this meeting was given consistent with Chapter 17.44.070 of the Zoning Ordinance as follows:

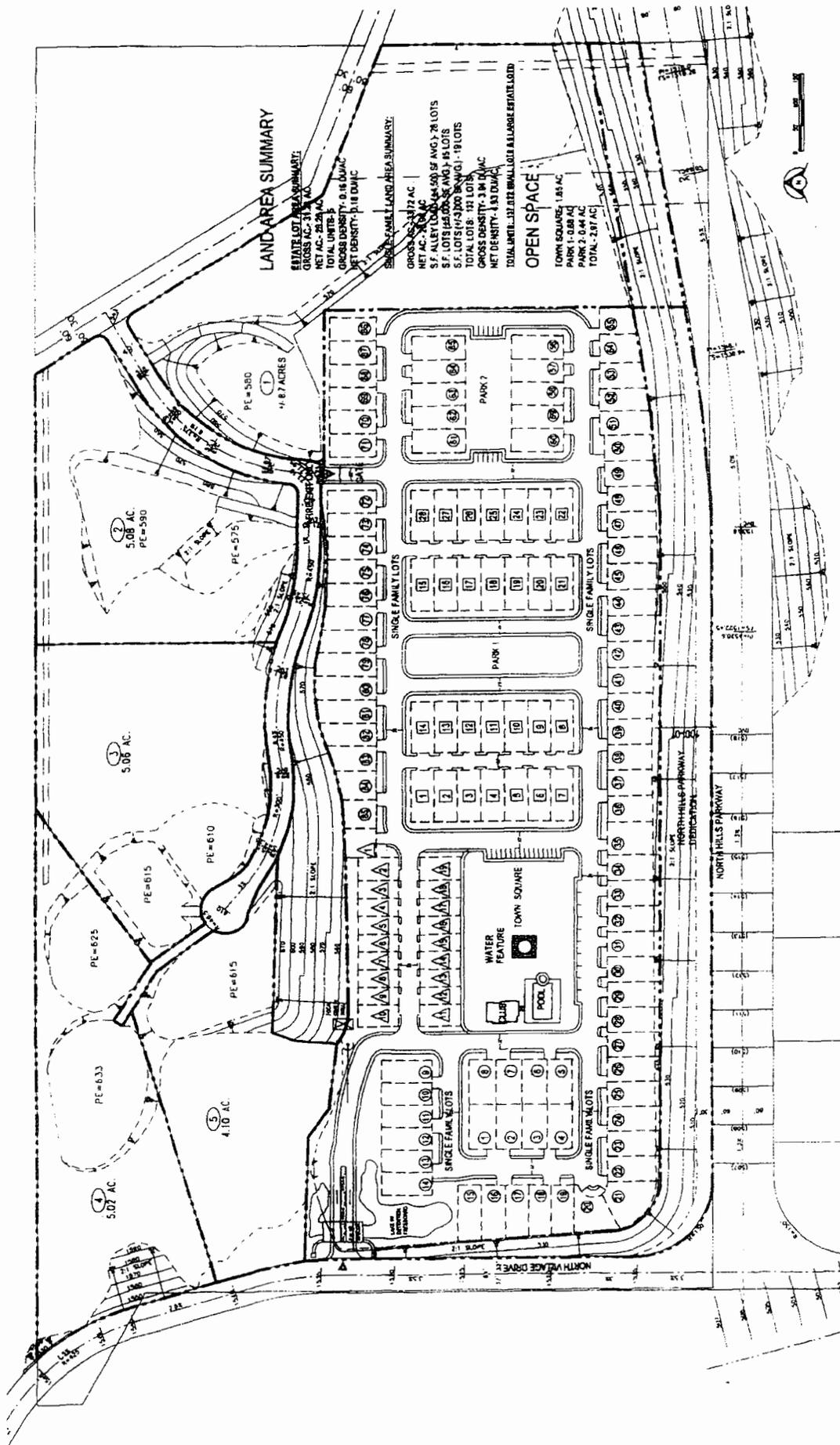
1. Publication. The notice of the public hearing was published in the Ventura County Star on June 7, 2014.
2. Mailing. The notice of the public hearing was mailed on June 4, 2014, to owners of real property, as identified on the latest adjusted Ventura County Tax Assessor Roles, within one-thousand (1,000) feet of the exterior boundaries of the assessor's parcel(s) subject to the hearing.
3. Sign. One 32 square foot sign is to be placed on the street frontage by June 7, 2014.

### **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, provided a multi-use trail improvement is shown on the development plan as described in this report and that a Development Agreement be required.

### **ATTACHMENTS:**

- A. Conceptual Site Plan
- B. October 16, 2013 City Council Report (with Attachments)



**LAND-AREA SUMMARY**

**ESTATE LOT AREA SUMMARY:**  
 GROSS AC. 31.7 AC  
 NET AC. 28.2 AC  
 TOTAL UNITS 5  
 GROSS DENSITY: 0.16 DU/AC  
 NET DENSITY: 0.18 DU/AC

**SINGLE FAMILY LAND AREA SUMMARY:**  
 GROSS AC. 117.7 AC  
 NET AC. 98.4 AC  
 S.F. ALLEY LOTS (44,500 SF AVG.) 78 LOTS  
 S.F. LOTS (140,000 SF AVG.) 18 LOTS  
 S.F. LOTS (175,000 SF AVG.) 19 LOTS  
 TOTAL LOTS: 115 LOTS  
 GROSS DENSITY: 3.38 DU/AC  
 NET DENSITY: 1.83 DU/AC  
 TOTAL UNITS: 112 SMALL LOTS & LARGE ESTATE LOTS

**OPEN SPACE**

TOWN SQUARE: 1.83 AC  
 PARK 1: 0.88 AC  
 PARK 2: 0.44 AC  
 TOTAL: 2.87 AC

**MOORPARK SITE**

**MOORPARK PROPERTY 67, LLC**

**HUNT HILLS PARTNERS, AN AFFILIATE OF**



**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** Honorable City Council

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

**DATE:** September 23, 2013 (CC Meeting of 10/16/2013)

**SUBJECT:** Consider Resolution Authorizing the Acceptance of a General Plan Amendment Application for Review Consistent with General Plan Amendment Pre-Screening No. 2010-01 to Change the Land Use Designation on 67.96 Acres West of Gabbert Road and North of the North Hills Parkway/North Hills Industrial Park from Rural Low Density Residential to Rural Low Density Residential, High Density Residential, and Open Space on the Application of James Rasmussen, for Moorpark Property 67 LLC and Making a Determination that This is Not a Project Approval Subject to CEQA

**BACKGROUND/DISCUSSION**

On April 17, 2013, the Community and Economic Development Committee (Councilmembers Mikos and Pollock) considered General Plan Amendment (GPA) Pre-Screening Application No. 2010-01 to Change the Land Use Designation on 67.96 Acres West of Gabbert Road and North of the North Hills Parkway/North Hills Industrial Park from Rural Low Density Residential to Rural Low Density Residential, High Density Residential, and Open Space on the Application of James Rasmussen, for Moorpark Property 67 LLC. 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.

It should be noted that the April 17, 2013 CEDC report did not have the correct case number. GPA Pre-Screening No. 2009-01 was the case number for the previous proposal on this same site, by the same applicant.

**ENVIRONMENTAL DETERMINATION**

The authorization of acceptance of a General Plan Amendment application for review is not a project approval subject to the California Environmental Quality Act of 1970, as amended (CEQA), per Section 15352 of the CEQA Guidelines in that it only allows for the filing of an application for a General Plan Amendment and does not commit the City to a definite course of action in regard to a project intended to be carried out by any person. Environmental review will be required when an application is received. It will be part of the review process for the application, and will be completed prior to any decision on the application.

**FISCAL IMPACT**

None.

**STAFF RECOMMENDATION**

1. Open the public hearing, accept public testimony and close the public hearing; and
2. Adopt Resolution No. 2013-\_\_\_\_ authorizing the acceptance of a General Plan Amendment application for review.

**ATTACHMENTS:**

1. April 17, 2013, Community and Economic Development Committee Agenda Report (with attachments)
2. Draft Resolution

**COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE  
AGENDA REPORT**

**TO:** Community and Economic Development Committee  
(Councilmember Mikos and Councilmember Pollock)

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

**DATE:** April 11, 2013 (C&EDC Meeting of 4/17/2013, continued from 8/24/2011)

**SUBJECT:** Consider General Plan Amendment Pre-Screening No. 2009-01 to Change the Land Use Designation on 67.96 Acres West of Gabbert Road and North of the North Hills Parkway/North Hills Industrial Park from Rural Low Density Residential to Rural Low Density Residential, High Density Residential, and Open Space on the Application of James Rasmussen, for Moorpark Property 67 LLC.

**BACKGROUND**

On July 20, 2011 the Community and Economic Development Committee (CEDC) considered the GPA Pre-Screening application requesting to change the land use designation on 67.96 acres west of Gabbert Road and north of the North Hills Parkway/North Hills Industrial Park from Rural Low Density Residential to Rural Low Density Residential, Very High Density Residential, High Density Residential, and Open Space I, to allow for the filing of a GPA application along with other entitlement applications for a proposed residential development. On August 24, 2011, the applicant presented revised plans to the CEDC, addressing concerns that were raised by local residents regarding land use compatibility (specifically related to traffic and privacy of the Gabbert Road neighborhood) and the need to have affordable housing in this location.

As mentioned in the previous report (attached), staff has been working with the applicant over the last year to come up with a design that reduced the proposed density, while still meeting housing needs and long-term planning goals.

A very high density residential land use classification is no longer needed for the project as the proposed apartments have been removed and replaced with single-family homes. Without this very high density component, this project will result in fewer affordable housing units to meet the City's needs for very low and low income households. Affordable housing from the project would be negotiated as part of a development agreement if this project is to proceed.

This transitional development serves to separate this project from the Gabbert Road neighborhood and to create an discrete independent cohesive neighborhood by proposing the five-acre lots on the ridge between the Gabbert Road neighborhood and the higher density components of this project, so that the higher density housing, at 40 to 60 feet below the ridge, and the North Hills Parkway, at 60 to 100 feet below the ridge, would not be visible from the Gabbert Road neighborhood. Because of the elevation differences between the higher density portions of this project and the Gabbert Road neighborhood, this plan provides an appropriate transitional land use between industrially zoned property and rural property. A three-dimensional model of the development will be required as part of the project application to demonstrate potential visual impacts, if the Council decides to accept an application for this project.

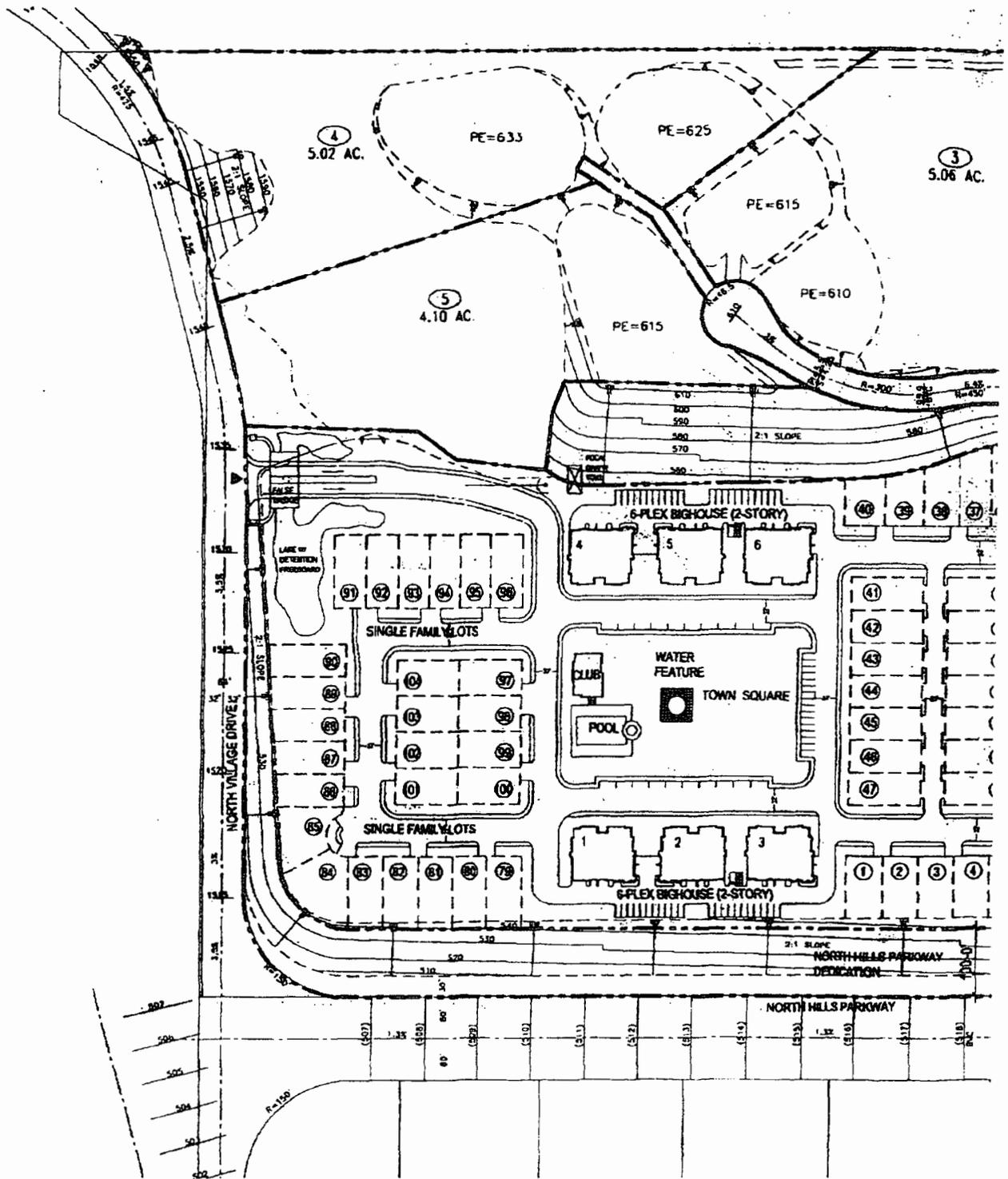
The 5 proposed 5-acre lots in northern part of the project would take access directly from Gabbert Road. These lots are consistent with the rural character of Gabbert Road. The higher density portions of the project would take access from a future north-south street on the western boundary of the site, connecting to North Hills Parkway. Other than through a gated emergency access road, there would be no access to Gabbert Road by motor vehicles from the higher density portions of the proposed project. The gated emergency access road would have the added benefit of giving the Gabbert Road residents a second emergency access, in the event of a road closure at North Hills Parkway or the railroad tracks. To minimize potential conflicts between the higher density residences of the project and the rural residences of Gabbert Road, the gate for the emergency access road can also be designed with walls or fences to preclude pedestrian access, except for emergencies. The proposed multi-use trail along North Hills Parkway that would extend from this project through the Hitch Ranch Specific Plan area to downtown Moorpark would be more inviting for pedestrian use than Gabbert Road, which does not have sidewalks or trails adjacent to it.

#### **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, provided that a multi-use trail improvement is shown on the development plan as described in this report, and that a Development Agreement be required.

#### **ATTACHMENTS:**

- A. Conceptual Site Plan
- B. August 24, 2011 CEDC Report



**COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE  
AGENDA REPORT**

**TO:** Community and Economic Development Committee  
(Councilmember Mikos and Councilmember Pollock)

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

**DATE:** August 10, 2011 (C&EDC Meeting of 8/24/2011, continued from 7/20/11)

**SUBJECT:** Consider General Plan Amendment Pre-Screening No. 2009-01 to Change the Land Use Designation on 67.96 Acres West of Gabbert Road and North of the North Hills Parkway/North Hills Industrial Park from Rural Low Density Residential to Rural Low Density Residential, Very High Density Residential, High Density Residential, and Open Space on the Application of James Rasmussen, for Moorpark Property 87 LLC.

**BACKGROUND**

On July 20, 2011 the Community and Economic Development Committee considered the GPA Pre-Screening application requesting to change the land use designation on 67.96 acres west of Gabbert Road and north of the North Hills Parkway/North Hills Industrial Park from Rural Low Density Residential to Rural Low Density Residential, Very High Density Residential, High Density Residential, and Open Space I, to allow for the filing of a GPA application along with other entitlement applications for a proposed residential development.

As mentioned in the previous report (attached), staff has been working with the applicant over the last year to come up with a design that reduced the proposed density, while still meeting housing needs and long-term planning goals.

**DISCUSSION**

At the July 20, 2011 CEDC meeting, concerns were raised by local residents regarding land use compatibility (specifically related to traffic and privacy of the Gabbert Road neighborhood) and the need to have affordable housing in this location. These issues are addressed in the Analysis section below.

## **ANALYSIS**

### **Land Use Compatibility:**

Residents in the Gabbert Road neighborhood expressed concerns about the compatibility of the proposed small lot single family homes and apartments with their neighborhood, as well as potential impacts of the project on their privacy. In order to separate this project from the Gabbert Road neighborhood and create an discrete independent cohesive neighborhood, this project has been designed with the five-acre lots on the ridge between the Gabbert Road neighborhood and the higher density components of this project, so that the higher density housing, at 40 to 80 feet below the ridge, and the North Hills Parkway, at 60 to 100 feet below the ridge, would not be visible from the Gabbert Road neighborhood. Because of the elevation differences between the higher density portions of this project and the Gabbert Road neighborhood, this plan provides an appropriate transitional land use between industrially zoned property and rural property. A three-dimensional model of the development will be required as part of the project application to demonstrate potential visual impacts, if the Council decides to accept an application for this project.

The five proposed five-acre lots in the project would take access directly from Gabbert Road. These lots are consistent with the rural character of Gabbert Road. The higher density portions of the project would take access from a future north-south street on the western boundary of the site, connecting to North Hills Parkway. Other than through a gated emergency access road, there would be no access to Gabbert Road by motor vehicles from the higher density portions of the proposed project. The gated emergency access road would have the added benefit of giving the Gabbert Road residents a second emergency access, in the event of a road closure at North Hills Parkway or the railroad tracks. To minimize potential conflicts between the higher density residences of the project and the rural residences of Gabbert Road, the gate for the emergency access road can also be designed with walls or fences to preclude pedestrian access, except for emergencies. The proposed multi-use trail along North Hills Parkway that would extend from this project through the Hitch Ranch Specific Plan area to downtown Moorpark would be more inviting for pedestrian use than Gabbert Road, which does not have sidewalks or trails adjacent to it.

### **Affordable Housing:**

The City is required under State law to have a Housing Element in its General Plan that demonstrates the ability to meet its housing needs for households at all income levels. The housing needs are determined by the Southern California Association of Governments (SCAG) for all cities in the six-county SCAG region through the Regional Housing Needs Assessment (RHNA) process. This Housing Element, in addition to requiring approval by the City Council, needs to be certified by the California Department of Housing and Community Development (HCD) to satisfy State law. The current Housing Element was approved by the City in December 2001, and subsequently certified by the California Department of Housing and Community Development (HCD). It covered the City's housing needs through 2005. Although the

current Housing Element identified sufficient properties to meet the City's housing needs through 2005 without additional rezoning, this is no longer the case as is discussed below.

City staff and a City consultant are currently preparing an updated Housing Element to demonstrate how the City will meet its housing needs from 2006 to 2014. Two drafts of the updated Housing Element have been reviewed by HCD and it is expected to be considered by the Planning Commission and City Council later this year. The City's fair share for affordable housing units under the 2006-2014 Regional Housing Needs Assessment (RHNA) requirements is shown in the table below.

**LOCAL SHARE OF REGIONAL HOUSING NEEDS**

| Income Group | 2006-2014 RHNA Target |                     | Units Completed or Under Construction as of 12/31/2010 |                           |
|--------------|-----------------------|---------------------|--|---------------------------|
|              | Number                | Percentage of Total | Number   | Percentage of RHNA Target |
| Very Low     | 363                   | 22.4%               | 20   | 5.5%                      |
| Low          | 292                   | 18.1%               | 50   | 17.1%                     |
| Moderate     | 335                   | 20.7%               | 107  | 31.9%                     |
| High         | 627                   | 38.8%               | 1,048  | 167.1%                    |
| <b>TOTAL</b> | <b>1,617</b>          | <b>100.0%</b>       | <b>1,225</b>   | <b>75.8%</b>              |

As can be seen in the table above, lower income housing needs have been the most difficult to meet. In 2004, the State approved Assembly Bill 2348, which requires local agencies to re-zone land at certain minimum allowable densities in order to demonstrate in the Housing Element that sufficient land is available to meet the housing needs of lower income households. For suburban cities like Moorpark, the allowable density must be at least 20 units per acre. After accounting for all projects completed, under construction, approved, and proposed that have already gone through the General Plan Amendment pre-screening process, the new Housing Element still shows a shortfall of 232 units for lower income households, requiring a commitment on the part of the City to re-zone at least 11.6 acres at a density of 20 units per acre to meet this need. The proposed project proposes 5.3 acres to be re-zoned at this density for apartments. These apartments would be located at the southwestern portion of the property closer in proximity and access to the North Hills Industrial Park (A-B Properties) than to the Gabbert Road neighborhood.

Latest census data shows that Moorpark continues to have a higher than average number of families with children, compared to Ventura County. The 2010 average household size for Moorpark was 3.30, compared to 3.10 for all of Ventura County. In addition, the 2005-2009 American Community Survey showed the percentage of

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households with at least one child under 18 years old was 49.1% for Moorpark, compared to 40.7% for all of Ventura County, and the number of households with at least one resident over 65 years old was 4.8% for Moorpark, compared to 8.3% for all of Ventura County. These demographics demonstrate the need for family housing in Moorpark, which should include two and three-bedroom apartments without age restrictions.

**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, provided that a multi-use trail improvement is shown on the development plan as described in this report, and that a Development Agreement be required.

**ATTACHMENT:**

July 20, 2011 CEDC Report w/o attachments

**COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE  
AGENDA REPORT**

**TO:** Community and Economic Development Committee  
(Councilmember Mikos and Councilmember Pollock)

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

**DATE:** July 8, 2011 (C&EDC Meeting of 7/20/2011)

**SUBJECT:** Consider General Plan Amendment Pre-Screening No. 2009-01 to Change the Land Use Designation on 67.96 Acres West of Gabbert Road and North of the North Hills Parkway/North Hills Industrial Park from Rural Low Density Residential to Rural Low Density Residential, Very High Density Residential, High Density Residential, and Open Space on the Application of James Rasmussen, for Moorpark Property 67 LLC.

**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 31<sup>st</sup> and November 30<sup>th</sup>. 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 February 5, 2009, a GPA Pre-Screening application was filed to amend the land use designation on this site from Rural Low Density Residential to Rural Low Density Residential, Very High Density Residential, and Open Space, to allow 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. At its January 20, 2010 meeting, the Community and Economic Development Committee recommended that the City Council authorize the filing of a General Plan Amendment application. At a public hearing on February 17, 2010, the City Council allowed the applicant to withdraw his application and re-file an application after meeting with local residents and landowners.

James Rasmussen, for Moorpark Property 67 LLC, filed an application on May 20, 2010 for a General Plan Amendment (GPA) Pre-Screening to change the land use designation on 67.96 acres west of Gabbert Road and north of the North Hills Parkway/North Hills Industrial Park from Rural Low Density Residential to Rural Low Density Residential, Very High Density Residential, High Density Residential, and Open Space I, to allow for the filing of a GPA application along with other entitlement applications for a proposed residential development.

Staff has been working with the applicant over the last year to come up with a design that reduced the proposed density, while still meeting housing needs and long-term planning goals. Independently, the applicant met with some of the Gabbert Road residents, to obtain their input on the project.

## **DISCUSSION**

### **Project Setting**

The site is a former estate property that has several flat pad areas developed on the northern section of the site. Otherwise, the site is very hilly. A caretaker's residence and a small storage building are located on the site. Other buildings previously on the site, including a large estate home, were at the request of the owner, vacated and burned in place during exercises by the Fire Protection District. The site has dozens of Carrotwood Trees, as well as other ornamental landscaping that have not been maintained in recent years. The outlying areas of the site have native landscaping. The site is bounded by an equestrian ranch on the north, the Ventura County Watershed Protection debris basin on the west, the Gabbert Road neighborhood on the east, the AB Properties future industrial development on the south, and the future Hitch Ranch development on the east and south. Attachment 1 to this report shows an aerial view of the project site and vicinity with current General Plan designations.

### **Previous Applications**

In 2003, a GPA Pre-Screening application was filed to amend the General Plan land use designation on this site from Rural Low Residential (one (1) dwelling unit per 5 acres) to Very High Density Residential (fifteen (15) dwelling units per acre) to allow for the construction of five (5) estate lots and 183 "courtyard" homes. In 2005, staff recommended that the Affordable Housing/Community Development Committee recommend that the City Council not allow the filing of a General Plan Amendment application primarily because the design of North Hills Parkway was not finalized and appropriate secondary access did not exist for that number of dwelling units. The application was withdrawn by the applicant at the Affordable Housing/Community Development Committee meeting.

On February 5, 2009, a GPA Pre-Screening application was filed to amend the land use designation on this site from Rural Low Density Residential to Rural Low Density Residential, Very High Density Residential, and Open Space, to allow 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. At its January 20, 2010 meeting, the Community and Economic Development Committee recommended that the City Council authorize the filing of a General Plan Amendment application. At a public hearing on February 17, 2010, the City Council allowed the applicant to withdraw his application and re-file an application after meeting with local residents and landowners.

**General Plan Land Use Designation**

The Very High Density Residential, Rural Low Density Residential, and Open Space land use designations requested for the site would allow the proposed development of 5, five-acre residential lots, 100 apartment units in 6 two-story buildings, 36 two-story attached condominium units, and 66 two-story single family units. The proposed development includes a common recreation area and open space.

| GENERAL PLAN/ZONING |                                     |   |   |
|---------------------|-------------------------------------|---|---|
| Direction           | General Plan                        | Zoning  | Land Use  |
| Site                | RL (Rural Low Density Residential)  | AE (Agricultural Exclusive)                           | Caretaker residence and abandoned building pads |
| North               | RL (Rural Low Density Residential)  | RE-5ac (Rural Exclusive – Five Acre Minimum Lot Size) | Equestrian Ranch and Home                       |
| South               | I-2 (Medium Industrial)             | M-2 (Limited Industrial)                              | Future Industrial Development                   |
|                     | Specific Plan # 1 (Hitch Ranch)     | AE (Agricultural Exclusive)                           | Unimproved                                      |
| East                | RL (Rural High Density Residential) | RE-1ac (Rural Exclusive – One Acre Minimum Lot Size)  | Residential                                     |
|                     | Specific Plan # 1 (Hitch Ranch)     | AE (Agricultural Exclusive)                           | Unimproved                                      |
| West                | Agriculture (County)                | AE (Agricultural Exclusive) (County)                  | Agriculture/Drainage                            |

This project has been designed with the five-acre lots on the ridge between the Gabbert neighborhood and the higher density components of this project, so that the higher density housing, at 40 to 60 feet below the ridge, and the North Hills Parkway, at 60 to 100 feet below the ridge, would not be visible from the Gabbert neighborhood. A three-dimensional model of the development will be required as part of the project application to demonstrate potential visual impacts, if the Council decides to accept an application for this project.

The revised plan includes some characteristics of the originally reviewed plan and some changes that would make the plan more appropriate as a transitional land use between industrially zoned property and rural property. Transitional land use is a commonly accepted planning method used to buffer lower density uses from high intensity uses.

The concerns in February of 2010 centered on land use compatibility with the rural character of the Gabbert Road neighborhood. Although the project still includes a higher density residential component, the number of units within that component has been reduced to mitigate potential impacts on public roads and services. Originally, 271 units were proposed overall. The current plan proposes a total of 207 units within a well balanced mix of rural residential, small lot single family residential, and multi-unit family housing, with a mix of one, two, and three bedroom units, to accommodate a variety of family types and sizes. As part of the multi-unit component, the applicant is proposing six 6-unit buildings. These 36 units, if individually owned, may not provide the necessary economies of scale to provide for long-term maintenance of common areas, especially if the units are rented out and. It is recommended that these 36 units be maintained as a single residential rental project as part of the 100 unit apartment project. These housing types have been identified as being those mostly needed within the City of Moorpark.

### **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 Designation, this property could be developed with up to thirteen (13) five-acre lots, consistent with the development to the north, likely without any dedicated open space preservation or significant affordable housing provision. This proposed GPA, when accompanied by an appropriate development proposal, could further a number of the General Plan goals and policies stated above better than lower density residential use of the site as currently planned. At the density ranges contemplated, this project could be a source of additional affordable housing in the City.

The highest density designation in the General Plan is VH - Very High Density Residential. This designation allows a maximum density of 15 dwelling units per acre (up to 20 dwelling units per acre with affordable housing provisions).

As mentioned above, in 2005, unresolved issues with the proposal were primarily due to grading concerns, the design of North Hills Parkway not being finalized, and the lack of appropriate secondary access. The concerns in February of 2010 centered on land use compatibility with the rural character of the Gabbert Road neighborhood. At this time, the plan would have grading balance on site (no import or export), and a large, highly visible knoll on the southeast corner of the site would be preserved as open space. The development proposal includes five-acre lots on its north and east perimeter, buffering the higher density development from the Gabbert Road neighborhood.

The connection of the development road network to Gabbert Road provides a safe second means of access for both the proposed development as well as the existing Gabbert Road neighborhood. The access would need to be designed in a sensitive manner to maintain the rural feel of the Gabbert Road neighborhood, and this would have to be carefully studied as part of the review of this project application. With the

finalization of the design of North Hills Parkway, the provision of North Village Drive as an improved road for access, and the connection of the development's road network to Gabbert Road, circulation issues could be resolved and it is appropriate to allow for the processing and consideration this project at this time. One additional public benefit that should be provided with any development of this property would be the extension of a multi-use trail through this development from the Hitch Ranch property to the proposed residential development to the north.

In order to ensure that a project involving a General Plan Amendment as proposed for this site furthers the General Plan goals 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 General Plan Amendment application on this project, an initial study will be prepared to determine the proper environmental documentation or further studies.

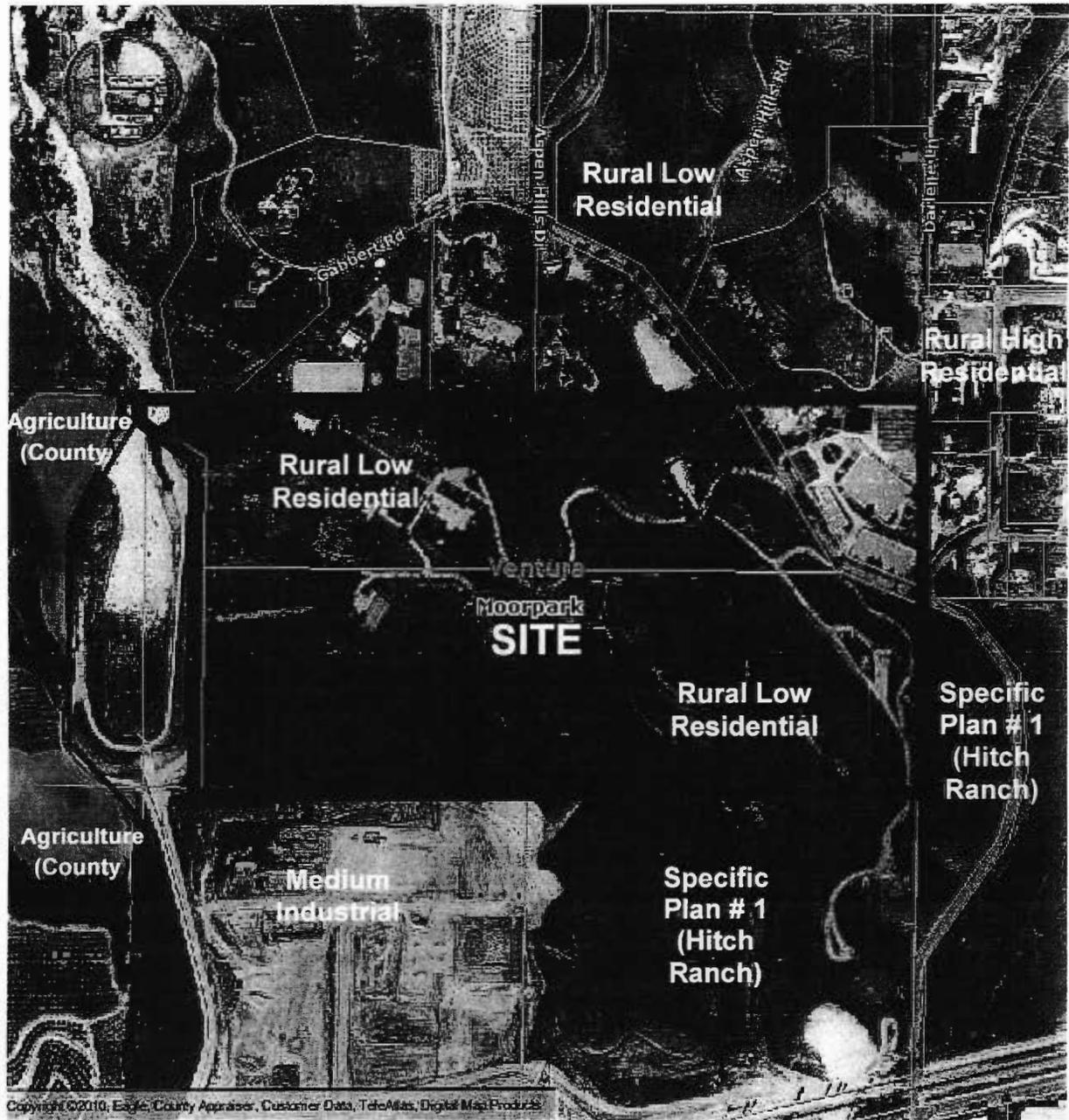
#### **STAFF RECOMMENDATION**

It is recommended that the Community and Economic Development Committee recommend that the City Council authorize the filing of a General Plan Amendment application, provided that a multi-use trail improvement is shown on the development plan as described in this report, and that a Development Agreement be required.

#### **ATTACHMENTS:**

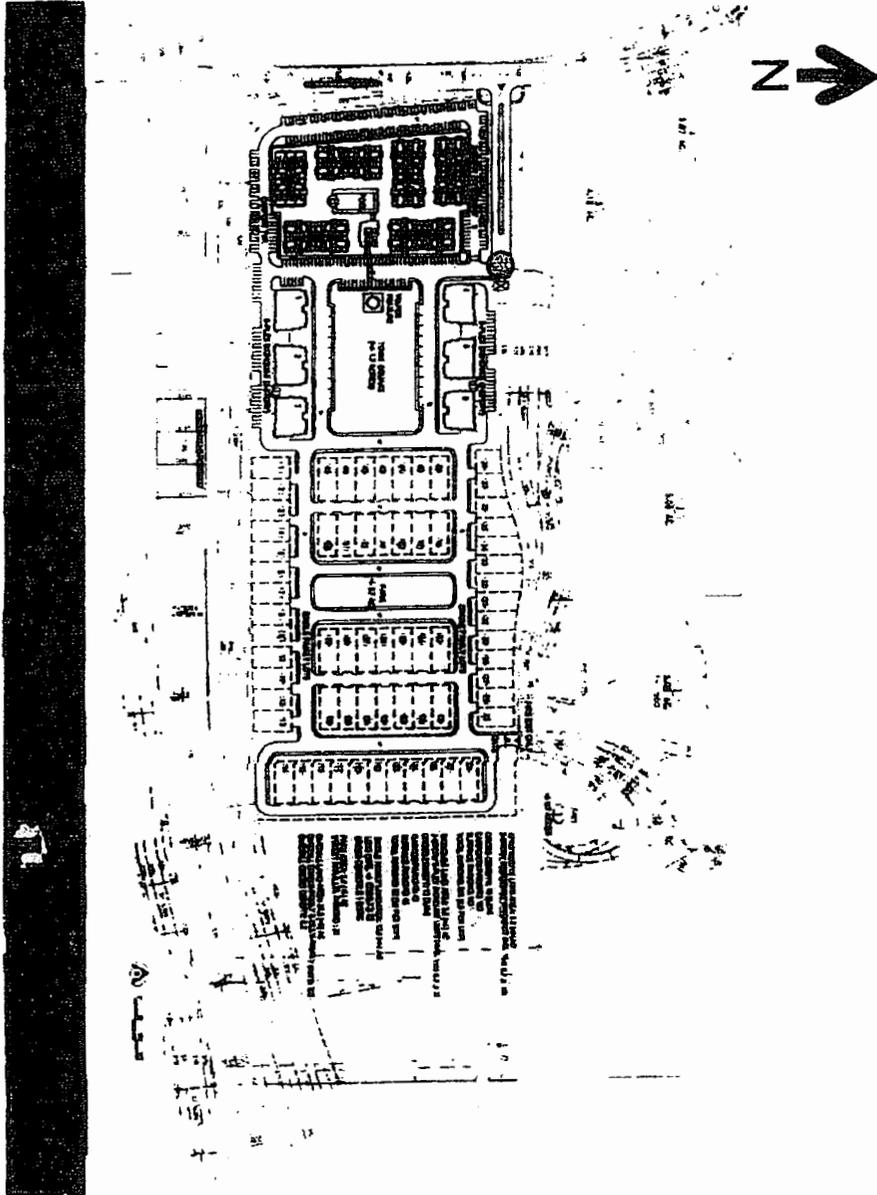
1. Aerial Photograph of Project Site
2. Conceptual Site Plan

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



## CEDC ATTACHMENT 1

### Conceptual Site Plan



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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF A GENERAL PLAN AMENDMENT APPLICATION FOR REVIEW CONSISTENT WITH GENERAL PLAN AMENDMENT PRE-SCREENING NO. 2010-01 TO CHANGE THE LAND USE DESIGNATION ON 67.96 ACRES WEST OF GABBERT ROAD AND NORTH OF THE NORTH HILLS PARKWAY/NORTH HILLS INDUSTRIAL PARK FROM RURAL LOW DENSITY RESIDENTIAL TO RURAL LOW DENSITY RESIDENTIAL, HIGH DENSITY RESIDENTIAL, AND OPEN SPACE ON THE APPLICATION OF JAMES RASMUSSEN, FOR MOORPARK PROPERTY 67 LLC. AND MAKING A DETERMINATION THAT THIS IS NOT A PROJECT APPROVAL SUBJECT TO CEQA

WHEREAS, Section 17.44.050(C) of the Moorpark Municipal Code requires the pre-screening of General Plan Amendment applications requested by property owners before an application can be accepted for review; and

WHEREAS, Resolution No. 2013-3178 establishes the process for the review of General Plan Amendment Pre-Screening applications; and

WHEREAS, on May 20, 2010, James Rasmussen, For Moorpark Property 67 LLC, submitted an application for General Plan Amendment Pre-Screening No. 2010-01, requesting a change in the land use designation on 67.96 acres West of Gabbert Road and north of The North Hills Parkway/North Hills Industrial Park from Rural Low (RL) Density Residential to Rural Low Density Residential, High (H) Density Residential, and Open Space (OS) to allow development of a proposed 145 dwelling units in three building types; and

WHEREAS on April 17, 2013, the Community and Economic Development Committee reviewed General Plan Amendment Pre-Screening No. 2010-01 and recommended that the City Council allow the acceptance for review of a General Plan Amendment application for this proposal; and

WHEREAS, at a duly noticed public hearing held on October 16, 2013, the City Council 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 determined that action on a General Plan Amendment Pre-Screening application is not a project approval subject to the California Environmental Quality Act of 1970, as amended (CEQA), per Section 15352 of the CEQA Guidelines, in that it only allows for the filing of an application for a General Plan Amendment and does not commit the City to a definite course of action in regard to a project intended to be carried out by any person. Environmental review will be required when an application is received. It will be part of the review process for the application, and will be completed prior to any decision on the application.

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

SECTION 1. ENVIRONMENTAL DOCUMENTATION: The City Council concurs with the determination of the Community Development Director that action on a General Plan Amendment Pre-Screening application is not a project approval subject to the California Environmental Quality Act of 1970, as amended (CEQA), per Section 15352 of the CEQA Guidelines, in that it only allows for the filing of an application for a General Plan Amendment and does not commit the City to a definite course of action in regard to a project intended to be carried out by any person. Environmental review will be required when an application is received. It will be part of the review process for the application, and will be completed prior to any decision on the application.

SECTION 2. AUTHORIZATION TO ACCEPT APPLICATION: Staff is hereby authorized to accept for review a General Plan Amendment application consistent with General Plan Amendment Pre-Screening No. 2010-01, provided that all other necessary entitlement applications for the proposed development project, including an application for a development agreement, are filed concurrently.

SECTION 3. 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 16th day of October, 2013.

\_\_\_\_\_  
Janice S. Parvin, Mayor

ATTEST:

\_\_\_\_\_  
Maureen Benson, City Clerk

RESOLUTION NO. 2014-\_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF A GENERAL PLAN AMENDMENT APPLICATION FOR REVIEW CONSISTENT WITH GENERAL PLAN AMENDMENT PRE-SCREENING NO. 2010-01 TO CHANGE THE LAND USE DESIGNATION ON 67.96 ACRES WEST OF GABBERT ROAD AND NORTH OF THE NORTH HILLS PARKWAY/NORTH HILLS INDUSTRIAL PARK FROM RURAL LOW DENSITY RESIDENTIAL TO RURAL LOW DENSITY RESIDENTIAL, HIGH DENSITY RESIDENTIAL, AND OPEN SPACE ON THE APPLICATION OF JAMES RASMUSSEN, FOR MOORPARK PROPERTY 67 LLC. AND MAKING A DETERMINATION THAT THIS IS NOT A PROJECT APPROVAL SUBJECT TO CEQA

WHEREAS, Section 17.44.050(C) of the Moorpark Municipal Code requires the pre-screening of General Plan Amendment applications requested by property owners before an application can be accepted for review; and

WHEREAS, Resolution No. 2013-3178 establishes the process for the review of General Plan Amendment Pre-Screening applications; and

WHEREAS, on May 20, 2010, James Rasmussen, for Moorpark Property 67 LLC, submitted an application for General Plan Amendment Pre-Screening No. 2010-01, requesting a change in the land use designation on 67.96 acres West of Gabbert Road and north of the North Hills Parkway/North Hills Industrial Park from Rural Low (RL) Density Residential to Rural Low Density Residential, High (H) Density Residential, and Open Space (OS) to allow development of a proposed 145 dwelling units in three building types; and

WHEREAS on April 17, 2013, the Community and Economic Development Committee reviewed General Plan Amendment Pre-Screening No. 2010-01 and recommended that the City Council allow the acceptance for review of a General Plan Amendment application for this proposal; and

WHEREAS, at a duly noticed public hearing held on October 16, 2013, the City Council 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 remanded General Plan Amendment Pre-Screening No. 2010-01 back to the Community and Economic Development Committee; and

WHEREAS on June 18, 2014, the Community and Economic Development Committee reviewed a revised proposal for General Plan Amendment Pre-Screening No. 2010-01 and recommended that the City Council allow the acceptance for review of a General Plan Amendment application for this proposal; and

WHEREAS, at a duly noticed public hearing held on September 17, 2014, the City Council 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; and continued the public hearing to November 5, 2014; and

WHEREAS, at a continued public hearing held on November 5, 2014, the City Council considered the agenda report and any supplements thereto and written public comments; took and considered public testimony both for and against the proposal; closed the public hearing and reached a decision on the matter; and

WHEREAS, the Community Development Director has determined that action on a General Plan Amendment Pre-Screening application is not a project approval subject to the California Environmental Quality Act of 1970, as amended (CEQA), per Section 15352 of the CEQA Guidelines, in that it only allows for the filing of an application for a General Plan Amendment and does not commit the City to a definite course of action in regard to a project intended to be carried out by any person. Environmental review will be required when an application is received. It will be part of the review process for the application, and will be completed prior to any decision on the application.

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

SECTION 1. ENVIRONMENTAL DOCUMENTATION: The City Council concurs with the determination of the Community Development Director that action on a General Plan Amendment Pre-Screening application is not a project approval subject to the California Environmental Quality Act of 1970, as amended (CEQA), per Section 15352 of the CEQA Guidelines, in that it only allows for the filing of an application for a General Plan Amendment and does not commit the City to a definite course of action in regard to a project intended to be carried out by any person. Environmental review will be required when an application is received. It will be part of the review process for the application, and will be completed prior to any decision on the application.

SECTION 2. AUTHORIZATION TO ACCEPT APPLICATION: Staff is hereby authorized to accept for review a General Plan Amendment application consistent with General Plan Amendment Pre-Screening No. 2010-01, provided that all other necessary entitlement applications for the proposed development project, including an application for a development agreement, are filed concurrently.

SECTION 3. 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 5th day of November, 2014.

\_\_\_\_\_  
Janice S. Parvin, Mayor

ATTEST:

\_\_\_\_\_  
Maureen Benson, City Clerk