ITEM 10. H.

MOORPARK CITY COUNCIL
AGENDA REPORT

TO: Honorable City Council

FROM: Barry K. Hogan, Community Development Director
Prepared By: David A. Bobardt, Planning Manager

DATE: March 8, 2007 (CC Meeting of 3/21/2007)

SUBJECT: Consider the City of Moorpark 2006 General Plan Annual Report Including the Housing Element Progress Report

BACKGROUND

Government Code Section 65400 requires the planning agency of each local government to provide an annual report to the legislative body on the status of the General Plan and progress in its implementation. Also included in the annual report is information about progress in meeting the community's share of regional housing needs with information concerning City efforts to remove local governmental constraints to the maintenance, improvement, and development of housing. This annual report must be provided to the City Council, the Governor's Office of Planning and Research, and the California Department of Housing and Community Development (HCD) by April 1st of each year. Up until this year, this report was due by October 1st. The last annual report considered by the City Council covered the period from September 2005 to August 2006. Annual reports beginning with this one will cover activities in the prior calendar year. The following information is provided in compliance with the current Government Code provisions.

DISCUSSION

STATUS OF GENERAL PLAN AND IMPLEMENTATION PROGRESS

Land Use Element

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

Development Department has been working on a comprehensive update to this element, along with the Circulation Element, with hearings expected in 2007.

During the 2006 annual reporting period, the most significant action related to the General Plan has been the consideration by the Moorpark electorate of the North Park Village and Nature Preserve Specific Plan project, which would have amended the Land Use Element by extending the Moorpark City Urban Restriction Boundary and designating 3,544 acres of land outside the City for a combination of residential, open space, and commercial uses. On February 28, 2006, voters rejected the project proposal.

Amendments to the Land Use Element Approved in 2006

- General Plan Amendment No. 2004-03 – On May 17, 2006, the City Council adopted Resolution No. 2006-2462, approving a Land Use Element amendment request by Birdsall Construction to increase planned residential density on forty-one (41) acres at the north end of the City, east of Walnut Canyon Road. The approval changed the planned density from "Rural Low Density Residential" (one (1) unit per five (5) acres) to "Rural High Density Residential" (one (1) unit per one (1) acre) and "Open Space-1" to allow development of twenty-one (21) housing units.
- General Plan Amendment No. 2003-04 – On November 15, 2006, the City Council adopted Resolution No. 2006-2537, approving a Land Use Element Map amendment requested by Toll Brothers, Inc. for two sites adjacent to the Moorpark Country Club Estates development along Championship Drive. The amendment changed the land use designation on both sites from "Rural Low Density Residential" (one (1) unit per five (5) acres) to "Medium-Low Density Residential" (two (2) units per acre). This General Plan amendment application was part of a number of entitlement requests approved to permit the construction of thirty-six (36) houses on a 23-acre site and forty-nine (49) houses on a 40-acre site.

Land Use Element Amendment Applications in Process in 2006 that have Completed Pre-Screening

- General Plan Amendment No. 2004-02 – Centex Homes had requested to redesignate forty-eight (48) acres north of Casey Road and west of Walnut Canyon Road, from "Rural Low Density Residential" (one (1) unit per five (5) acres) to "Medium Density Residential" (four (4) units per acre) to permit the construction of one hundred and ten (110) houses. In 2006, Centex stopped pursuing this project, and transferred it to Charles Rim and Ernie Mansi, who are in the process of preparing a new application.
- General Plan Amendment No. 2004-05 – Essex Portfolio, L.P. is requesting the redesignation of the planned land use on approximately eleven (11) acres of land currently in the Specific Plan No. 9 area, south of Casey Road and west of Walnut Canyon Road. The land, currently designated "Specific Plan

9" (eighty (80) units on approximately twenty-five (25) acres total) with "School" overlay is proposed to be amended to "Very-High Density Residential". This would permit the construction of two-hundred (200) apartment units on the site, with twenty percent (20%) of the units affordable to very low and low income households. This amendment application is anticipated to be reviewed by the Planning Commission and City Council in Spring 2007.

Pre-Screening Applications for Land Use Element Amendments

City Council Resolution No. 99-1578 requires pre-screening of requests for General Plan amendments, based on adopted criteria, prior to submittal of formal General Plan amendment applications. The following pre-screening applications have been filed with the City:

- PS 2003-04 – This request from John C. Chiu is to add a new residential density category to the General Plan: "Downtown Very-High Density Residential" which would allow up to twenty-five (25) units per acre. This density category does not currently exist in the General Plan, as the highest planned density currently is "Very-High Density Residential", which allows up to fifteen (15) units per acre or twenty (20) units per acre with a density bonus for affordable housing. This request is part of a request to amend the Downtown Specific Plan on two (2) acres on the north side of Everett Street just east of Walnut Canyon Road within the Downtown Specific Plan area from "High to Very High Density Residential" (seven (7) to fifteen (15) units per acre) to "Downtown Very-High Density Residential" (twenty-five (25) units per acre). The applicant would like to construct fifty (50) attached condominium units on the site. The City Council has authorized the filing of a General Plan amendment application for this project, however; an application has not yet been submitted for review.
- PS 2004-04 – This was a request from Centex Homes to redesignate approximately 6.8 acres on Spring Road, south of Los Angeles Avenue, from "General Commercial" to "Very-High Density Residential" (fifteen (15) units per acre) and "Floodway" to permit the construction of sixty-six (66) duplex housing units. The City Council has authorized the filing of a General Plan amendment application for this project. An application was submitted, but was deemed withdrawn by the City due to lack of response from the applicant to address incomplete items.
- PS 2006-01 – Centex Homes proposed to change 127 acres along the northeastern side of Gabbert Road north of Elwin Street (34 acres) and west of the terminus of Gabbert Road (93 acres) from Rural Low Density Residential to Medium Density Residential to allow construction of sixty-seven (67) houses. In 2006, this pre-screening application was found to be

incomplete, and later deemed withdrawn by the City due to lack of response from the applicant to address incomplete items.

Circulation Element

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

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

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

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

Amendments to the Circulation Element Approved in 2006

None.

Circulation Element Amendment Applications in Process in 2006 that have Completed Pre-Screening

- General Plan Amendment No. 2004-01 – Hitch Ranch Partners had requested an amendment to the General Plan Circulation Element to eliminate the planned connection of the Casey Road local collector from its current western terminus to Gabbert Road. This request for a Circulation Element amendment was obviated by the submittal of a revised plan that included this connection as part of a 281-acre, 620-home Specific Plan project.

Pre-Screening Applications for Circulation Element Amendments

None.

Noise Element

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

Amendments to the Noise Element Approved in 2006

None.

Noise Element Amendment Applications in Process in 2006 that have Completed Pre-Screening

None.

Pre-Screening Applications for Noise Element Amendments

None.

Open Space, Conservation, and Recreation (OSCAR) Element

The OSCAR Element is a combined element, meeting State mandates for an Open Space Element and Conservation Element, and providing an optional Recreation Element. The City adopted the OSCAR Element in August 1986. Implementation Measure No. 2 in the Land Use Element requires an update of the OSCAR Element to ensure consistency of open space and park designations and policies with the Land Use Element.

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

Amendments to the Open Space, Conservation, and Recreation Element Approved in 2006

None.

Open Space, Conservation, and Recreation Element Amendment Applications in Process in 2006 that have Completed Pre-Screening

None.

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

None.

Safety Element

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

Amendments to the Safety Element Approved in 2006

None.

Safety Element Amendment Applications in Process in 2006 that have Completed Pre-Screening

None.

Pre-Screening Applications for Safety Element Amendments

None.

Housing Element

The current Housing Element was approved by the City in December 2001, and subsequently certified by the California Department of Housing and Community Development. The City's progress to date in implementing the Housing Element is discussed below. The City will be preparing an updated Housing Element to meet new housing needs targets that are expected to be adopted by HCD later this year. While this report addresses the current draft of the Regional Housing Needs Assessment targets, the targets may be revised prior to adoption. HCD is also expected to release a new annual report format for cities to follow later this year. Future annual reports will be prepared in accordance with any adopted requirements.

Amendments to the Housing Element Approved in 2006

None.

Housing Element Amendment Applications in Process in 2006 that have Completed Pre-Screening

None.

Pre-Screening Applications for Housing Element Amendments

None.

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

Share of Regional Housing Needs - The City's fair share for affordable housing units under the 1998-2005 Regional Housing Needs Assessment (RHNA) requirements is shown in Table 1. The 1998-2005 Housing Element cycle has been completed, and information related to this cycle will not be presented in future annual reports. The Southern California Association of Governments (SCAG) has developed new draft RHNA numbers for the January 1, 2006 to June 30, 2014 Housing Element cycle, which are also shown in this table. It should be noted that these numbers have not yet been adopted. SCAG is projecting to complete the new RHNA by June, 2007. The new RHNA would then need to be adopted by HCD, with an updated Housing Element that addresses the new RHNA due from each City in the SCAG region by June 30, 2008.

TABLE 1: LOCAL SHARE OF REGIONAL HOUSING NEEDS

	1998-2005 RHNA		2006-2014 Draft RHNA	
Income Group	**Number**	**Percentage**	**Number**	**Percentage**
Very Low	269	21.4%	363	22.4%
Low	155	12.4%	292	18.1%
Moderate	383	30.5%	335	20.7%
High	448	35.7%	627	38.8%
TOTAL	**1,255**	**100.0%**	**1,617**	**100.0%**

Progress in Meeting Local Share - Table 2 is a list of housing units in new subdivisions and apartment complexes that have been completed from January 1, 1998 to December 31, 2005, the end of the last RHNA reporting period. This table includes the number of units affordable by households with incomes categorized as Very Low (less than 50 percent of County median income), Low (50-80 percent of County median income), Moderate (80-120 percent of County median income), or High (greater than 120 percent of County median income), based on estimated original sales or rental price. Units affordable to very-low and low-income residents were all secured through development agreements with the City. Moderate income units include both market rate units and units restricted through development agreements. It should also be noted that during this RHNA period, the City also participated in mobile home park revenue bond financing that enabled a restriction on the rents of twenty-four (24) spaces to be affordable for very-low income households.

TABLE 2: NEW HOUSING UNITS COMPLETED JANUARY 1998 – DECEMBER 2005

Tract Map No. / (Developer)	Affordability				
	Very Low	Low	Mod.	High	Total
Tr. 4340 (Deauville)	-	-	-	15	15
Tr. 4637 (Mirabella)	-	-	-	23	23
Tr. 4975 (Greystone/Lyon)	-	-	-	127	127
Tr.4976 (Greystone)	-	-	-	160	160
Tr. 4977 (Richmond American)	-	-	-	109	109
Tr. 4980 (Western Pacific)	-	-	-	138	138
RPD 97-01 (Archstone)	29	21	262	-	312
Tr. 4928 (Toll Brothers)	-	-	-	152	152
Tr. 5161 (Cabrillo)	4	11	44	-	59
Tr. 5201 (Wilshire Builders)	-	-	-	10	10
Tr. 5307 (Colmer)	2	4	-	19	25
Vintage Crest Senior Apts.	48	142	-	-	190
Tr. 5181 (TR Partners)	-	1	7	-	8
Total Units Completed	**83**	**179**	**313**	**753**	**1,328**
1998-2005 RHNA Share	**269**	**155**	**383**	**448**	**1,255**
(% RHNA Share Met)	**(31%)**	**(115%)**	**(82%)**	**(168%)**	**(106%)**

Table 3 shows the housing units completed since January 1, 2006. Beginning in 2006 on Table 3, new units that are not a part of a recent subdivision are also being tracked, including second units. Since the State's second unit law is intended to provide an additional source of affordable housing, these units are counted as affordable to moderate income households, even though their rents are not regulated. This assumption is based on the smaller size of the second units and that land does not need to be purchased for their construction, reducing costs. In addition, this table is now tracking units lost. The four (4) units lost this year were due to the December 3 Shekell fire incident. As these were all older mobile homes units without income restrictions, they are being counted as a loss of moderate-income housing units

TABLE 3: NEW HOUSING UNITS COMPLETED JANUARY 2006 – DECEMBER 2006

Tract Map No. / (Developer)	Affordability				
	Very Low	Low	Mod.	High	Total
Tr. 4928 (Toll Brothers)	-	-	-	22	22
Tr. 5045 (Pardee)	-	-	-	103	103
Tr. 5187/5405 (William Lyon)	-	-	-	3	3
Tr. 5133 (Shea)	-	1	-	18	19
Miscellaneous Units (Including 2nd Dwellings)	-	-	1	3	4
Units Lost	-	-	(-4)	-	(-4)
Total Units Completed	**0**	**1**	**(-3)**	**149**	**147**
2006-2014 Draft RHNA Share	**363**	**292**	**335**	**627**	**1,617**
(% Draft RHNA Share Met)	**(0.0%)**	**(0.3%)**	**(-0.9%)**	**(23.8%)**	**(9.1%)**

Table 4 shows units in various stages of construction at the end of the reporting year.

TABLE 4: NEW HOUSING UNITS UNDER CONSTRUCTION DECEMBER 31, 2006

Tract Map No. / (Developer)	Expected Affordability				
	Very Low	Low	Mod.	High	Total
Tr. 4928 (Toll Brothers)	-	-	-	35	35
Tr. 5045 (Pardee/KB Home)	-	25	77	347	449
Tr. 5187/5405 (William Lyon)	4	4	9	245	262
Tr. 5133 (Shea)	-	1	-	6	7
PM No. 5371 (Sun State)	-	-	-	2	2
Total Units to be Built	**4**	**31**	**86**	**749**	**870**

Table 5 shows residential projects that have been approved but are not yet under construction, with expected affordability by household income.

TABLE 5: APPROVED RESIDENTIAL PROJECTS NOT UNDER CONSTRUCTION

Tract	Units	Applicant	Expected Inc. Category Served
5053	247	Pacific Communities	225 High (Market Rate) plus 22 Low plus fee for 15 Very Low
5130	110	Moorpark 150 LLC	110 High (Market Rate) plus 7 Low and 5 Very Low off-site
5133	51	Shea Homes	46 High (Market Rate) plus 5 Low
5204	37	Pacific Communities	High (Market Rate)
5425	102	Shea Homes	82 High (Market Rate) plus 5 Moderate, 9 Low, and 6 Very Low
5347	21	Birdsall	High (Market Rate) plus 1 Low and 1 Very Low off-site
5463	49	Toll Brothers	49 High (Market Rate) plus 4 Low and 4 Very Low off-site
5464	36	Toll Brothers	36 High (Market Rate) plus 2 Low and 2 Very Low off-site
Total	568	-	-

Program No. 3 in the Housing Element calls for a monitoring of progress toward compliance with RHNA by the end of 2002, and rezoning if necessary. It should be noted, most of the recently approved residential development projects have been approved as a result of rezoning, either through the upzoning of land planned from lower residential densities or through the rezoning of commercial land to allow residential uses, as called for in the City's Housing Element. After all these projects were approved, only relatively small areas of land remain within the City to provide additional opportunity for rezoning for additional residential development. Nonetheless, the City continues to seek opportunities to rezone or upzone land to provide for housing, where possible.

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

1. Continued implementation of the City's General Plan, as discussed previously in this report.

2. Continued processing of development agreements and other entitlements with inclusionary affordable housing components.
3. Continued revisions to the Zoning Ordinance to allow more flexibility in affordable housing projects.
4. Compliance with the affordable housing provisions of the Community Redevelopment Law.
5. Use of Community Development Block Grant (CDBG) funds for housing services in lower income neighborhoods.
6. Provision of priority processing to projects that include affordability components.
7. Support of changes in planned land uses from non-residential to residential uses with high to very-high densities under Residential Planned Development provisions.
8. Support of upzoning of land planned for lower residential densities.
9. Support of density bonuses for residential projects that provide an affordability component within the project.
10. Preparation and adoption of an amendment to Second Unit Ordinance to make permits for second units ministerial in compliance with AB 1866.
11. Participation in mobile home park revenue bond financing to provide for reserved spaces and affordable rents for very low income households.

STAFF RECOMMENDATION

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