

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: David A. Bobardt, Community Development Director 

DATE: June 7, 2016 (CC Meeting of 6/15/2016)

SUBJECT: Consider Resolution Directing the Planning Commission to Study, Hold a Public Hearing, and Provide a Recommendation to the City Council on an Amendment to Section 17.24.020 (Open Space, Agriculture, and Residential Zone Development Requirements) of Chapter 17.24 (Development Requirements) of Title 17 (Zoning) of the Moorpark Municipal Code to Address Lot Size Standards for Affordable Housing and Determination That This Action Is Not a Project Approval Subject to the California Environmental Quality Act

BACKGROUND/DISCUSSION

On June 17, 2009, the City Council adopted Resolution No. 2009-2828, amending the Land Use Element of the General Plan to allow for density bonuses up to 100% to provide for affordable housing. Ordinance No. 376 was introduced on this date and adopted on July 1, 2009 to provide implementing language in the density bonus section of the Zoning Ordinance. A 75% density bonus would be allowed when 60% of the homes are affordable to lower income households, and a 100% density bonus would be allowed when 100% of the homes are affordable to lower income households, all implemented through a housing agreement with the City to guarantee the affordability. This is well above the State requirements for density bonuses.

One provision which was not included in Ordinance No. 376 was a provision to reduce required lot sizes in Chapter 17.24 of the Zoning Ordinance to correspond to the density bonuses, limiting density bonuses to primarily multi-family housing. A 50% reduction in lot sizes in certain residential zones, Single Family Estate (R-0), Rural Exclusive (R-E), and Single-Family Residential (R-1), would allow affordable housing to be subdivided and sold as owner-occupied housing. This would increase the flexibility of the density bonus provisions in providing affordable housing.

One area where such a reduced lot size could apply is the residential area along Walnut Canyon Road. These lots, averaging around 11,000 square feet, are in the R-E zone and have a 10,000 square foot minimum lot size. Several of these lots had been developed with second units before this zoning was established. The successor agency owns a number of these lots and is working with the developer of Vesting Tentative Tract No. 5130 on creating affordable housing on some of these lots. A reduction in this zone to a minimum 5,000 square foot lot could help in the creation of affordable owner-occupied housing. A resolution is attached that initiates a Zoning Ordinance Amendment to address this issue. Proposed text changes are shown in legislative format and are in the "Notes" section of Table 17.24.020.

ENVIRONMENTAL DETERMINATION

The action of the City Council at this time is not a "project approval" subject to the California Environmental Quality Act as it is only seeking the recommendation of the Planning Commission. The level of environmental review on such an ordinance will be determined prior to Planning Commission recommendation.

FISCAL IMPACT

None.

STAFF RECOMMENDATION

Adopt Resolution No. 2016-_____.

Attachment:
Resolution No. 2016-_____

RESOLUTION NO. 2016-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, DIRECTING THE PLANNING COMMISSION TO STUDY, HOLD A PUBLIC HEARING, AND PROVIDE A RECOMMENDATION TO THE CITY COUNCIL ON AN AMENDMENT TO SECTION 17.24.020 (OPEN SPACE, AGRICULTURE, AND RESIDENTIAL ZONE DEVELOPMENT REQUIREMENTS) OF CHAPTER 17.24 (DEVELOPMENT REQUIREMENTS) OF TITLE 17 (ZONING) OF THE MOORPARK MUNICIPAL CODE TO ADDRESS LOT SIZE STANDARDS FOR AFFORDABLE HOUSING AND DETERMINATION THAT THIS ACTION IS NOT A PROJECT APPROVAL SUBJECT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, Section 17.44.050 of the Municipal Code provides that the City Council may initiate proceedings to consider amendments to the Zoning Ordinance by the adoption of a resolution of intent; and

WHEREAS, the City Council wishes to initiate proceedings to consider a Zoning Ordinance Amendment that would amend Section 17.24.020 (Open Space, Agriculture, and Residential Zone Development Requirements) of Chapter 17.24 (Development Requirements) of Title 17 (Zoning) of the Moorpark Municipal Code to address lot size standards for affordable housing; and

WHEREAS, the Community Development Director has determined that the initiation of proceedings for a Zoning Ordinance Amendment is not a project approval subject to the California Environmental Quality Act.

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

SECTION 1. ENVIRONMENTAL DETERMINATION: The City Council concurs with the determination of the Community Development Director that the initiation of proceedings for a Zoning Ordinance Amendment is not a project approval subject to the California Environmental Quality Act.

SECTION 2. INITIATION OF PROCEEDINGS: The City Council hereby authorizes the initiation of proceedings to consider a Zoning Ordinance Amendment that would amend Section 17.24.020 (Open Space, Agriculture, and Residential Zone Development Requirements) of Chapter 17.24 (Development Requirements) of Title 17 (Zoning) of the Moorpark Municipal Code to address lot size standards for affordable housing as shown in Exhibit A, attached.

SECTION 3. DIRECTION TO PLANNING COMMISSION: The Planning Commission is hereby directed to study, hold a public hearing, and provide a recommendation to the City Council on this matter.

SECTION 4. CITY CLERK CERTIFICATION AND FILING: The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this _____ day of June, 2016.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk

EXHIBIT A

17.24.020 Open space, agriculture and residential zone development requirements.

Table 17.24.020 indicates the minimum development requirements for buildings and accessory structures in the open space, agricultural and residential zones with respect to lot area, setback, height and building coverage unless indicated otherwise. Maximum density and minimum lot dimensions (A through D) only apply to the creation of new lots by subdivision or the amendment of existing lots by lot line adjustment and do not otherwise restrict the use of the lot. Lot areas and dimensions (B through D) do not apply to lots created for public or public utility uses. All setbacks shall be landscaped except for required walkways and driveways. No parking shall be permitted in any setback area except when on a driveway or as allowed by Chapter 17.32 (Parking, Access and Landscaping Requirements). Additional development requirements are given in the sections following Table 17.24.020. Development in any of the zones shall follow the requirements of this title including but not limited to parking, lighting, landscaping, signing, operation and entitlement. All construction must be performed within the hours allowed by Chapters 15.26 and 17.53.

**Table 17.24.020
DEVELOPMENT REQUIREMENTS FOR O-S, A-E AND R-ZONES**

General Requirements	O-S	A-E	R-A	R-O	R-E	R-1	R-2	SP, RPD, TPD
A. Density— Maximum dwelling units per gross acre ¹	1 du/10 acres	1 du/40 acres	1.0	2.0	4.0	7.0	15.0	By permit
B. Net lot area (in square feet unless noted) ¹	10 acres	40 acres	1 acre	20,000	10,000	6,225	6,500	By permit
C. 1. Lot width (in feet)	110	110	100	80	80	60	60	By permit
C. 2. Cul-de-sac or odd-shaped lot width (in feet)	30	30	30	30	30	30	30	By permit
C. 3. Flag lot "pole" front setback (in feet)	20	20	20	20	20	20	20	By permit
D. Lot depth (in feet)	150	150	100	100	100	100	100	By permit
E. Front yard and setback, (in feet) ²	20	20	20	20	20	20	20	By permit
F. Side yard setback, interior side (in feet) ³	10	10	5	5	5	5	5	By permit
G. Side yard setback, street side (in feet) ³	10	10	10	10	10	10	10	By permit
H. Rear yard setback (in feet) ³	15	15	15	15	15	15	15	By permit
I. Lot coverage, maximum (in percentage)	20	10	35	35	35	50	50	By permit
J. Building and structure height, maximum (in feet)	35, with no limitation as to the number of stories so long as the height is not exceeded							By permit
K. Parking shall meet the requirements of Chapter 17.32	-							
L. Signage shall meet the requirements of Chapter 17.40								
M. Lighting shall meet the requirements of Chapter 17.30								

Notes:

1. Zone suffix may establish different minimum lot area. Required net lot areas in the R-O, R-E, and R-1 zones are reduced by 50% when lots provide housing guaranteed to be affordable to very low or lower income households or to senior citizens through the execution of a Housing Agreement between the developer and City in accordance with the provisions of Chapter 17.64 of this title.
2. See Section 17.24.025(D)(6) for exception.
3. Two (2) story residences with windows facing the adjacent property shall have a minimum ten (10) foot side yard setback (second (2nd) story only) and a twenty (20) foot rear yard setback (second (2nd) story only) from the adjacent property line.

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