

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: Barry K. Hogan, Deputy City Manager *BKH*

DATE: January 3, 2008 (CC Meeting of 1/16/2008)

SUBJECT: Consider an Ordinance Amending Section 17.44.050.C, Pre-screening, of Chapter 17.44.050.C of Title 17, Zoning, and a Resolution Rescinding Resolution No. 99-1578, and Adopting New Procedures for Pre-Screening of General Plan Amendments, Specific Plan Amendments, Zoning Map Amendments, and Zoning Ordinance Amendments, and Suspending the Processing of Pre-Screening Applications for the Next Two Cycles

BACKGROUND/DISCUSSION

At its December 5, 2007 meeting, the City Council considered a proposal by staff to amend review procedures for privately-initiated Zoning Map and Zoning Ordinance Amendment applications to be consistent with the review procedures for privately-initiated General Plan Amendment applications. At the present time, General Plan Amendments require a pre-screening process with review by the Community and Economic Development Committee and a hearing by the City Council to determine if there is sufficient merit to process an application. Zoning Map and Zoning Ordinance Amendments do not require this pre-screening. At the meeting, staff raised some concerns on the consistency of the proposal with State law and the City Council continued this item to the January 16, 2008 meeting. After further consideration and research by staff, it was found that the procedures for Zoning Map and Zoning Ordinance Amendments are prescribed by State law, and that our current procedures were consistent with this law.

While there is no change needed to the review procedures for Zoning Map and Zoning Ordinance Amendments, the current review procedure resolution for General Plan Amendment pre-screening applications is in need of updating. Two filing periods per year are still proposed, but the time frames between the filing periods need to be adjusted to give staff more time to analyze the requests and schedule them before the Community and Economic Development Committee for recommendation to the City

Council. With the change in the dates, there is no need to consider a suspension of any current pre-applications.

ENVIRONMENTAL DETERMINATION

This is not a project under the California Environmental Quality Act.

FISCAL IMPACT

None.

STAFF RECOMMENDATION

1. Concur with staff's revised recommendation that an ordinance amending Title 17 and the suspending processing of pre-screening applications are not required.
2. Adopt Resolution No. 2008-____ revising and updating the General Plan Amendment Pre-Screening Application review process.

ATTACHMENT:

1. Resolution No. 2008-_____.

RESOLUTION NO. 2008-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, RESCINDING RESOLUTION NO. 99-1578, AND ADOPTING AN UPDATED PROCEDURE FOR THE PRE-SCREENING OF GENERAL PLAN AMENDMENTS

WHEREAS, on March 17, 1999, the City Council adopted Resolution No. 99-1578 establishing the procedures for pre-screening of general plan amendments; and

WHEREAS, at its meeting of January 16, 2008, the City Council considered an update to the pre-screening process for general plan amendments, and reached a decision on the matter; and

WHEREAS, it is desirable to establish a procedure for pre-screening all applications for general plan amendments and to provide public notice to the adjacent properties and a public hearing in accordance with Section 17.44.070.

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

SECTION 1. Resolution 99-1578 is hereby rescinded.

SECTION 2. PRE-SCREENING PROCEDURE: The City Council hereby establishes a pre-screening procedure for the processing of general plan amendments as shown in Exhibit A, attached.

SECTION 3. CERTIFICATION OF ADOPTION: 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 January, 2008.

Patrick Hunter, Mayor

ATTEST:

Deborah S. Traffenstedt
City Clerk

Attachment Exhibit A: Pre-Screening Procedures

EXHIBIT A

**GENERAL PLAN AMENDMENT PRE-SCREENING APPLICATION
REVIEW PROCEDURE**

PURPOSE:

To provide a pre-screening review procedure for property owners or their agents to present information to the City Council related to proposals for amendments to the General Plan.

APPLICATION:

An application for pre-screening must be submitted to the Community Development Department on the Universal Application form along with appropriate accompanying maps and materials required by the Community Development Department and a deposit to process the application consistent with the adopted Council resolution. Application materials may be obtained from the Community Development Department, Moorpark City Hall, 799 Moorpark Avenue, Moorpark, California, 93021 or on the City's website at www.ci.moorpark.ca.us.

SUBMITTAL CYCLES:

Two application submittal cycles are established in November and May for each calendar year.

ACTION	CYCLE 1	CYCLE 2
Application Cycle Deadline (Application must be deemed complete by this date)	November 30 th	May 31 st
Community and Economic Development Committee (CEDC) Recommendation	Not later than the following March regular meeting	Not later than the following September regular meeting
City Council Public Hearing and Decision	Not later than the second regular meeting in May	Not later than the second regular meeting in November

All complete pre-screening applications are reviewed by the standing City Council Community and Economic Development Committee. The Committee recommendation regarding the requested amendment shall be forwarded to the full Council for a decision on whether or not to accept an application for amendment. A duly advertised and noticed public hearing shall be held by the City Council on the pre-screening application to determine whether the Council decides to approve or deny the filing of a formal application for amendment. In accordance with Section 17.44.060(D) of the Zoning Ordinance, no resubmittal of a similar application may be made for one (1) year after a denial decision.