

ITEM 11.A.

ORDINANCE NO. 404

AN ORDINANCE OF THE CITY OF MOORPARK, CALIFORNIA, APPROVING ZONE CHANGE NO. 2011-01, CHANGING THE ZONING FROM LIMITED INDUSTRIAL (M-2) TO AGRICULTURAL EXCLUSIVE (AE) ON 8.79 ACRES LOCATED 1,300 FEET WEST OF GABBERT ROAD, IMMEDIATELY NORTH OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY, ON PROPERTY OWNED BY SOUTHERN CALIFORNIA EDISON

WHEREAS, on February 16, 2011, the City Council adopted Resolution No. 2011-3002, directing the Planning Commission to study, hold a public hearing, and provide a recommendation on amendments to the General Plan Land Use Designation and Zoning Map for the 8.79 acres owned by Southern California Edison located 1,300 feet west of Gabbert Road, immediately north of the Union Pacific railroad right-of-way; and

WHEREAS, on May 24, 2011, the Planning Commission adopted Resolution No. PC-2011-565, recommending approval of Zone Change No. 2011-01, changing the zoning from Limited Industrial (M-2) to Agricultural Exclusive (AE) on 8.79 located 1,300 feet west of Gabbert Road, immediately north of the Union Pacific railroad right-of-way (APN No. 511-0-200-055); and

WHEREAS, at its meeting of July 6, 2011, 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 reached a decision on this matter; and

WHEREAS, the City Council concurs with the Community Development Director's determination as outlined in the July 6, 2011, staff report that this qualifies for a General Rule Exemption in accordance with Section 15061 of California Code of Regulations (CEQA Guidelines). No further environmental documentation is required.

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

SECTION 1. The Zoning Map described and referenced in Chapter 17.12 of Title 17, Zoning, of the Municipal Code of the City of Moorpark is hereby amended as shown in Exhibit "A" attached hereto.

SECTION 2. If any section, subsection, sentence, clause, phrase, part or portion of this ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council declares that it would have adopted this

ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses, phrases, parts or portions be declared invalid or unconstitutional.

SECTION 3. This ordinance shall become effective thirty (30) days after its passage and adoption.

SECTION 4. The City Clerk shall certify to the passage and adoption of this ordinance; shall enter the same in the book of original ordinances of said City; shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council at which the same is passed and adopted; and shall publish notice of adoption in the manner required by law.

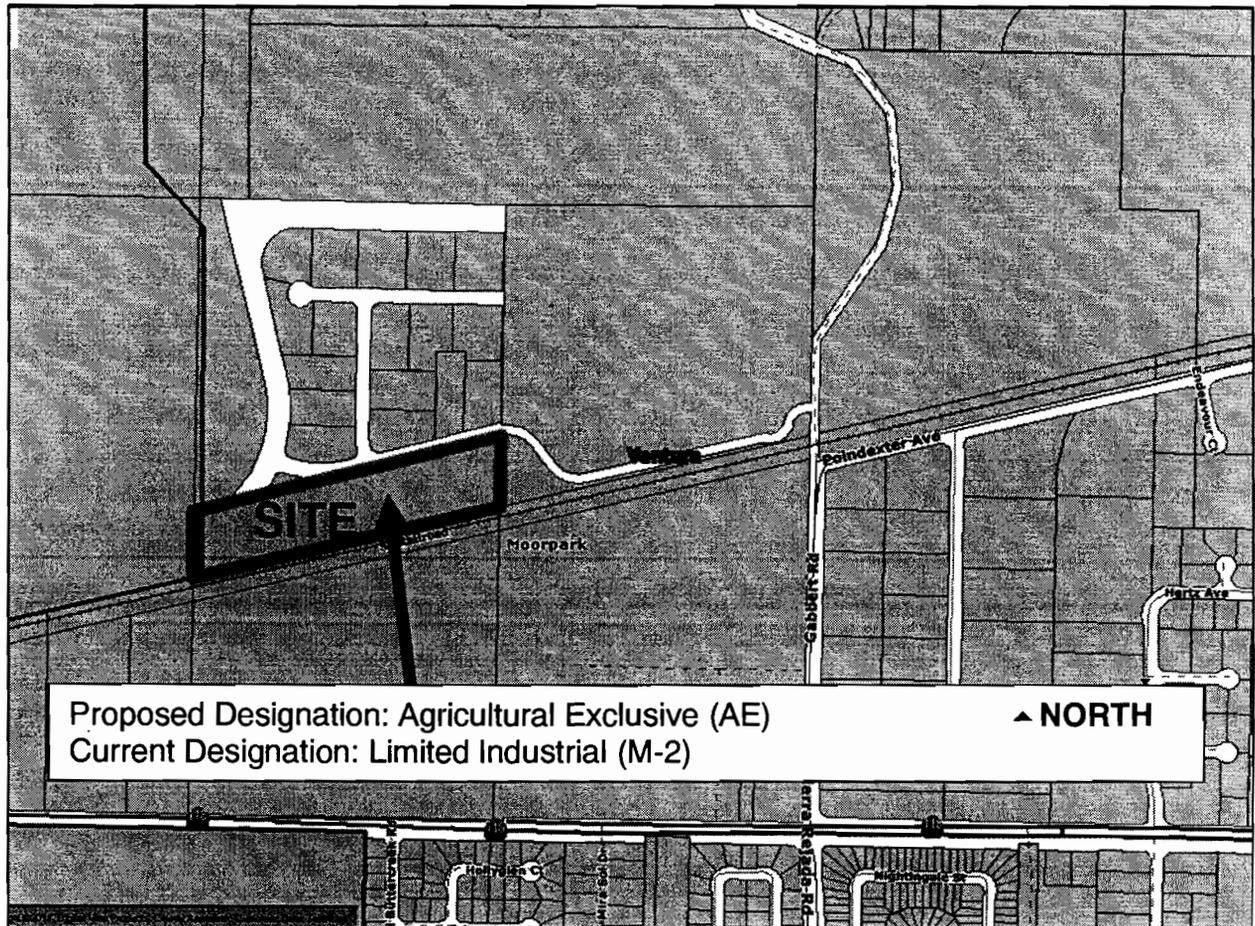
PASSED AND ADOPTED this 20th day of July, 2011.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk

Exhibit A: Zone Change Map



ZONE CHANGE MAP

EXHIBIT A