

ORDINANCE NO. 335

AN ORDINANCE OF THE CITY OF MOORPARK, CALIFORNIA, APPROVING ZONE CHANGE NO. 2004-02, FOR A CHANGE OF ZONE FROM RURAL EXCLUSIVE – 5 ACRE MINIMUM LOT SIZE (RE-5ac) TO RESIDENTIAL PLANNED DEVELOPMENT (RPD-1u) AND OPEN SPACE ON 42.4 ACRES, LOCATED EAST OF WALNUT CANYON ROAD AT CHAMPIONSHIP DRIVE, ON THE APPLICATION OF BIRDSALL GROUP MOORPARK, LLC.

WHEREAS, on November 22, 2005, the Planning Commission adopted Resolution No. PC-2004-493 recommending approval to the City Council of Zone Change No. 2004-02, for a change of zone from Rural Exclusive – 5 acre minimum lot size (RE-5ac) to Residential Planned Development (RPD-1u) and Open Space on 42.4 acres, located east of Walnut Canyon Road at Championship Drive; and

WHEREAS, at a duly noticed public hearing on May 17, 2006, the City Council considered the agenda report for Zone Change No. 2004-02 and any supplements thereto and written public comments; opened and closed the public hearing and took and considered public testimony both for and against the proposal and reached a decision on this matter; and

WHEREAS, General Plan Amendment No. 2004-03 was adopted for this project, changing the planned land use to Rural High Residential (RH) and Open Space 1 (OS-1); and

WHEREAS, the City Council has read, reviewed, considered and adopted a Mitigated Negative Declaration prepared for the project referenced above.

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

SECTION 1. Zone Change No. 2004-02 is consistent with the General Plan as amended by General Plan Amendment No. 2004-03.

SECTION 2. 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 3. 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 4. This Ordinance shall become effective thirty (30) days after its passage and adoption.

SECTION 5. 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, within fifteen (15) days after the passage and adoption thereof, cause the same to be published once in the Moorpark Star a newspaper of general circulation, as defined in Section 6008 of the Government Code, for the City of Moorpark, and which is hereby designated for that purpose.

PASSED AND ADOPTED this 7th day of June, 2006.

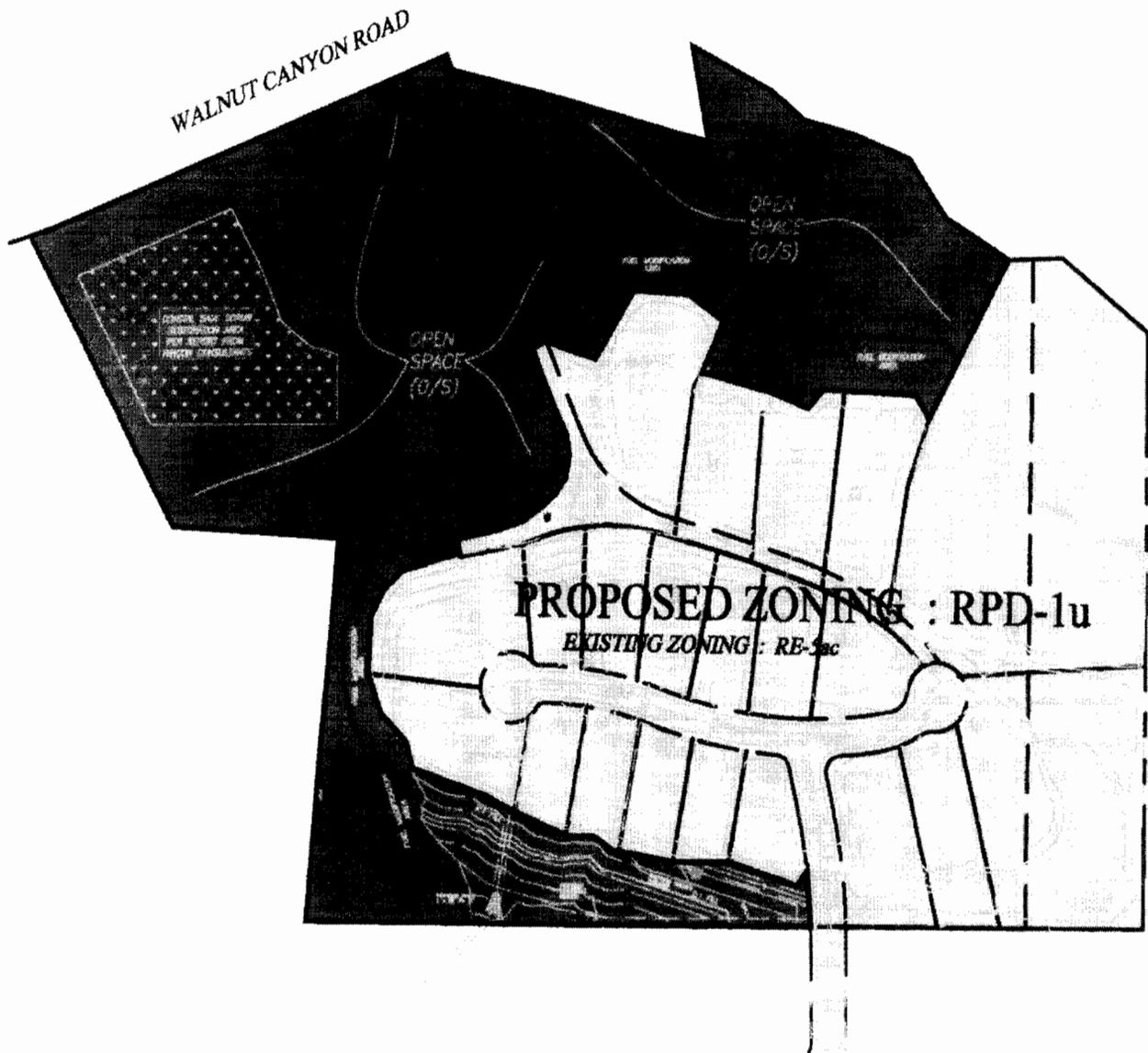
Patrick Hunter, Mayor

ATTEST:

Deborah S. Traffenstedt, City Clerk

Attachment: Exhibit A: Zone Change Map – Zone Change 2004-02

EXHIBIT – A
ZONE CHANGE MAP – ZONE CHANGE 2004-02



ZONE CHANGE MAP

TR 5437

SCALE: 1" = 300'

000360