

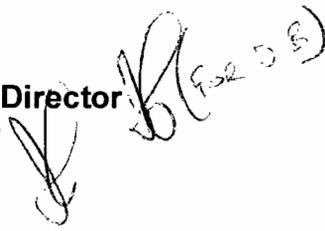
**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** Honorable City Council

**FROM:** David A. Bobardt, Community Development Director  
Prepared By: Joseph Fiss, Principal Planner

**DATE:** January 19, 2012 (CC Meeting of 2/1/2012)

**SUBJECT:** Consider Resolution Directing the Planning Commission to Study, Hold a Public Hearing, and Provide a Recommendation on Amending Chapter 17.20.050, Permitted Uses in Open Space, Agricultural, Residential and Special Purpose Zones; Chapter 17.20.060, Permitted Uses in Commercial and Industrial Zones; and Chapter 17.28, Standards for Specific Uses; of Title 17 Zoning, of the Moorpark Municipal Code Regarding Motion Picture, Television, and Photographic Production

Handwritten signature and initials in black ink, appearing to be 'JF' and 'DB' with some scribbles.

**BACKGROUND/DISCUSSION**

The amendment of the zoning ordinance is a legislative act. Proposals to amend the zoning ordinance may be initiated by the adoption of a resolution of intent by the City Council either directly or upon the recommendation of either the Planning Commission or the Community Development Director.

The City's current film permit process consists of several uncodified resolutions addressing procedures and fees, along with limited references within the Municipal Code. Enforcement of these requirements has been implemented through department level policies and practices. In the past, this has not been a major issue because there were very few requests for motion picture, television, and photographic production, and the majority of those have been minor productions of no more than a few hours or a single day, and typically wholly on private property. More recently, a major television production on High Street has proven to be more challenging for both staff and the production company, primarily as a result of right-of-way encroachment and the use of City-owned property.

Staff has contacted the California Film Commission (CFC) to discuss ways to improve the City's review process for film permits. To provide more certainty in the film permit review process and ensure protection of residents and businesses during filming activities, staff is recommending the preparation of a comprehensive film ordinance, along with a resolution containing standard conditions of approval for film production. It is anticipated that the standard conditions will include conditions unique to residential areas as well as to High Street. California Government Code Section 14999.21(b) requires the City to submit a draft of a film ordinance or amendment to the CFC at least 30 days prior to the adoption of or an amendment to any written filming policy. The City shall consider the CFC's findings prior to final adoption of the ordinance or amendment, but any and all findings made by the commission pursuant to this section are only advisory. A draft resolution to initiate the film ordinance is attached for Council consideration. Upon adoption, the City must provide the commission with a copy of any filming ordinance or amendments.

#### **FISCAL IMPACT**

None.

#### **STAFF RECOMMENDATION**

Adopt Resolution No. 2012-\_\_\_\_ directing the Planning Commission to study, hold a public hearing, and provide a recommendation on amending Chapter 17.20.050, Permitted Uses in Open Space, Agricultural, Residential and Special Purpose Zones; Chapter 17.20.060, Permitted Uses in Commercial and Industrial Zones; and Chapter 17.28, Standards for Specific Uses; of Title 17 Zoning, of the Moorpark Municipal Code regarding motion picture, television, and photographic production.

#### **ATTACHMENTS:**

1. Draft Resolution

RESOLUTION NO. 2012-\_\_\_\_\_

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 ON AMENDING CHAPTER 17.20.050, PERMITTED USES IN OPEN SPACE, AGRICULTURAL, RESIDENTIAL AND SPECIAL PURPOSE ZONES; CHAPTER 17.20.060, PERMITTED USES IN COMMERCIAL AND INDUSTRIAL ZONES; AND CHAPTER 17.28, STANDARDS FOR SPECIFIC USES; OF TITLE 17 ZONING, OF THE MOORPARK MUNICIPAL CODE REGARDING MOTION PICTURE, TELEVISION, AND PHOTOGRAPHIC PRODUCTION

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 an Ordinance amending Chapters 17.20.050, Permitted Uses in Open Space, Agricultural, Residential and Special Purpose Zones; Chapter 17.20.060, Permitted Uses in Commercial and Industrial Zones; and Chapter 17.28, Standards for Specific Uses; of Title 17 Zoning, of the Moorpark Municipal Code regarding motion picture, television, and photographic production.

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

SECTION 1. INITIATION OF PROCEEDINGS: The City Council hereby authorizes the initiation of proceedings to consider an ordinance amending Chapters 17.20.050, Permitted Uses in Open Space, Agricultural, Residential and Special Purpose Zones; Chapter 17.20.060, Permitted Uses in Commercial and Industrial Zones; and Chapter 17.28, Standards for Specific Uses; of Title 17 Zoning, of the Moorpark Municipal Code regarding motion picture, television, and photographic production.

SECTION 2. 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 3. 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 1<sup>st</sup> day of February, 2012.

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Janice S. Parvin, Mayor

ATTEST:

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Maureen Benson, City Clerk