

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: David A. Bobardt, Community Development Director



DATE: September 26, 2012 (CC Meeting of 10/3/2012)

SUBJECT: Consider Adopting an Ordinance Amending a Development Agreement with A-B Properties for Approximately 34.53 Acres, North of the Union Pacific Railroad Right-of-Way, West of Gabbert Road

BACKGROUND/DISCUSSION

On April 18, 2012, the City Council directed the Planning Commission to study, hold a public hearing, and provide a recommendation on an Amendment to a Development Agreement between the City and A-B Properties for Approximately 34.53 Acres, North of the Union Pacific Railroad Right-of-Way, West of Gabbert Road. The intent of the Amendment is to address the impact on the original Development Agreement of a Settlement Agreement between A-B Properties, SCE, and the Hitch Ranch owners related to access rights to the property from Gabbert Road. On July 24, 2012, the Planning Commission considered a draft Ordinance amending the Development Agreement and recommended its approval.

A public hearing for this draft Ordinance has been advertised for this City Council meeting. On September 26, 2012, the applicant's representative contacted City staff and requested a continuance of this matter until October 17, 2012 to allow for further discussion of the terms of the Development Agreement with staff. As the adoption of an Ordinance for the Development Agreement is a legislative act, time limits under the Permit Streamlining Act do not apply.

STAFF RECOMMENDATION

1. Open the public hearing and accept public testimony.
2. Continue the item with the public hearing open to October 17, 2012 with no further advertising.