

ORDINANCE NO. 354

AN ORDINANCE OF THE CITY OF MOORPARK, CALIFORNIA, APPROVING ZONE CHANGE NO. 2004-04, FOR A CHANGE OF ZONING ON 10.57 ACRES SOUTH OF CASEY ROAD AND WEST OF WALNUT CANYON ROAD AND MOORPARK AVENUE, ON THE APPLICATION OF ESSEX PORTFOLIO, L.P.

WHEREAS, on June 26, 2007, the Planning Commission adopted Resolution No. PC-2007-518, recommending approval to the City Council of Zone Change No. 2004-04, for a change of zoning from Rural Exclusive (RE) to Residential Planned Development – 19.0 units per acre (RPD-19.0u) on 10.57 acres located south of Casey Road and west of Walnut Canyon Road and Moorpark Avenue, on the application of Essex Portfolio, L.P.; and

WHEREAS, at a duly noticed public hearing on July 18, 2007, the City Council considered the agenda report for Zone Change No. 2004-04 and any supplements thereto and written public comments; opened the public hearing and took and considered public testimony both for and against the proposal, closed the public hearing and reached a decision on this matter; 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. 2004-04 is consistent with the General Plan as amended by General Plan Amendment No. 2004-05.

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 18th day of July, 2007.

Patrick Hunter, Mayor

ATTEST:

Deborah S. Traffenstedt, City Clerk

Attachments:

Exhibit A: Zone Change Map

EXHIBIT A
ZONE CHANGE NO. 2004-04

