

ITEM 11.A.

ORDINANCE NO. 438

AN ORDINANCE OF THE CITY OF MOORPARK, CALIFORNIA, APPROVING ZONE CHANGE NO. 2015-02 FOR A CHANGE IN ZONING FROM RURAL EXCLUSIVE, 1 ACRE MINIMUM LOT SIZE (RE-1AC) TO INDUSTRIAL PARK (M-1) TO CREATE LAND USE DESIGNATION AND ZONING CONSISTENCY FOR A SPECIFIC PARCEL LOCATED ON A 36-ACRE SITE ON THE WEST SIDE OF PRINCETON AVENUE, SOUTH OF STATE HIGHWAY 118, ON THE APPLICATION OF SUNBELT ENTERPRISES, LLC, AND MAKING A FINDING OF EXEMPTION FROM ENVIRONMENTAL REVIEW UNDER CEQA IN CONNECTION THEREWITH

WHEREAS, on September 29, 2015, an application for Zone Change No. 2015-02 was filed by Sunbelt Enterprises LLC for a request to change the Zoning Designation of one parcel from Rural Exclusive, 1 acre minimum lot size (RE-1ac) to Industrial Park (M-1) to create General Plan Land Use Designation and Zoning consistency for a specific parcel located on a 36-acre site on the west side of Princeton Avenue, South of Highway 118.; and

WHEREAS, at a duly noticed public hearing on May 24, 2016, the Planning Commission adopted Resolution No. PC-2016-609 recommending approval of Zone Change No. 2015-02, subject to a Deed Restriction Requiring a Specific Plan and Development Agreement for the undeveloped hilltop property and contribution of an initial deposit of \$20,000.00 toward the preparation of the Specific Plan prior to recordation of a lot line adjustment on this property; and

WHEREAS, at a duly noticed public hearing on June 1, 2016 the City Council considered the agenda report for Zone Change No. 2015-02 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 hearings and reached a decision on this matter; and

WHEREAS, the Community Development Director has determined that this project is Categorically Exempt from the provisions of CEQA pursuant to Section (15301) as a Class (1) exemption for Existing Facilities in that the Zone Change involves a small parcel that is part of a larger property already in use and would not change the use of the property and would provide consistency between the General Plan Land Use Designation and Zoning. In addition, the project is exempt from CEQA pursuant to State CEQA Guidelines Section 15305 as a minor change to a land use limitation in conjunction with a lot line adjustment.

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

SECTION 1. ENVIRONMENTAL DETERMINATION: The City Council concurs with the Community Development Director's determination that this project is Categorically Exempt from the provisions of CEQA pursuant to Section (15301) as a Class (1) exemption for Existing Facilities in that the Zone Change involves a small parcel that is part of a larger property already in use and would not change the use of the property and would provide consistency between the General Plan Land Use Designation and Zoning. In addition, the project is exempt from CEQA pursuant to State CEQA Guidelines Section 15305 as a minor change to a land use limitation in conjunction with a lot line adjustment.

SECTION 2. GENERAL PLAN CONSISTENCY: Zone Change No. 2015-02 is consistent with the General Plan in that the proposed Industrial Park (M-1) Zoning for the affected parcel is consistent with the existing Light Industrial (I-1) General Plan Land Use Designation.

SECTION 3. ZONE CHANGE APPROVAL: 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 4. 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 5. This ordinance shall become effective thirty (30) days after its passage and adoption, but passage and adoption shall not occur unless and until recordation by City of a Deed Restriction requiring a Specific Plan and Development Agreement for the development of the undeveloped hilltop property and contribution of an initial deposit of \$20,000.00 toward the preparation of the Specific Plan and Development Agreement.

SECTION 6. 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, 2016.

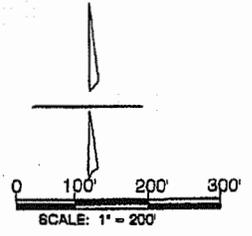
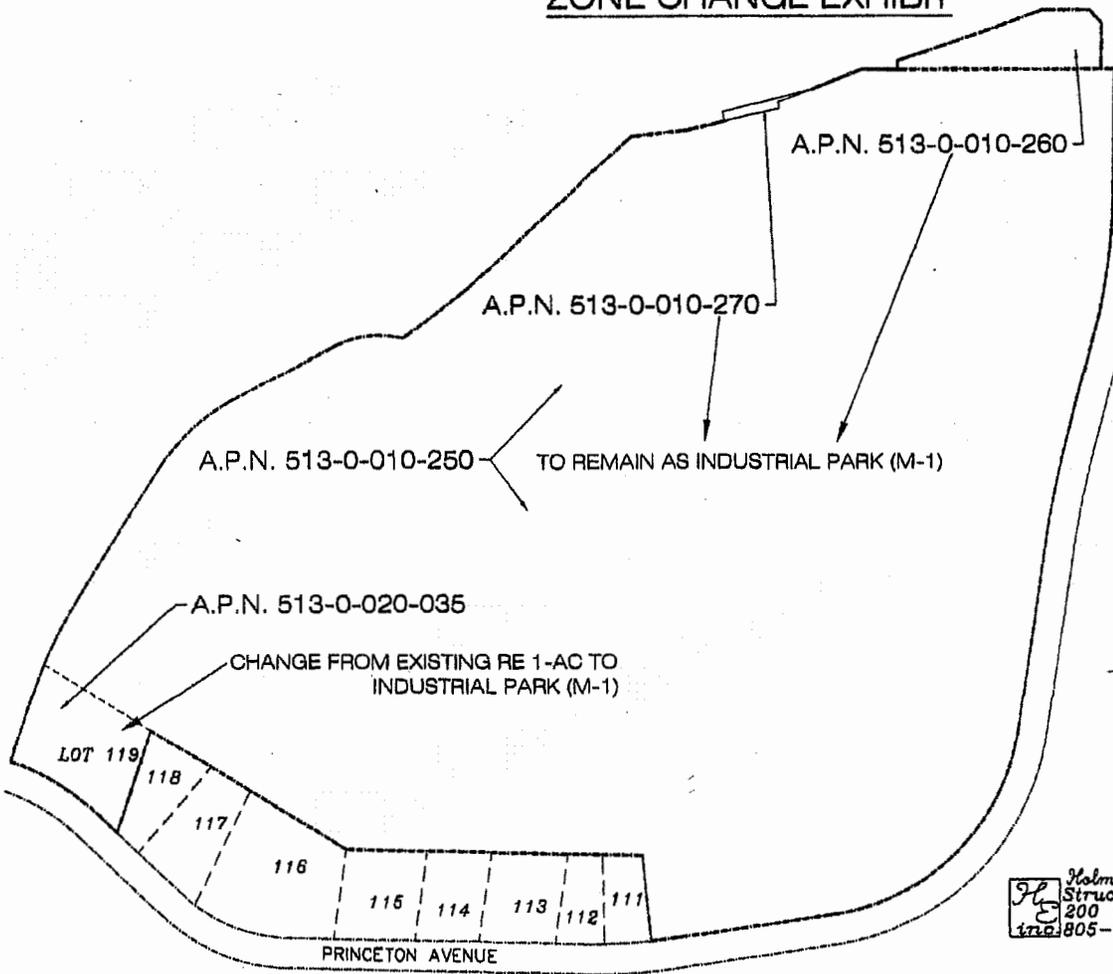
Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk

Exhibit A – Zone Change Map

ZONE CHANGE EXHIBIT



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EXHIBIT A