



CITY OF MOORPARK

COMMUNITY DEVELOPMENT DEPARTMENT | 799 Moorpark Avenue, Moorpark, California 93021
Main City Phone Number (805) 517-6200 | Fax (805) 532-2540 | www.moorparkca.gov

General Plan and Zoning Code Update **2022-2023 Pre-Application Process**

Pursuant to City Council Resolution No. 2021-3987, the **General Plan Amendment (GPA) Pre-Screening** process outlined in Resolution No. 2015-3466 is currently **suspended** until the City Council adopts a new General Plan Land Use Element. Effectively, development applications that would require a legislative action to amend the General Plan cannot be accepted at this time, resulting in a slowing of development applications and review in the City. The City is currently actively working to develop the Draft General Plan Update. In addition, several projects that may take advantage of the future General Plan and Zoning Code Updates cannot be processed until the adoption of both documents. Lastly, the City of Moorpark currently has several existing and aging Development Agreements for projects that have yet to be constructed and pending development requests that would like to streamline the development review process, pending the adoption of the City's General Plan Update. New applications or some requests to adjust existing entitlements are currently required to apply for a GPA Pre-Screening.

At this time, it is estimated that the General Plan and Zoning Code Updates will be adopted by spring 2023. During this interim planning period, where staff, consultants, and City Council consider the revisions to the General Plan and Zoning Code, the City desires to support development requests and facilitate meaningful pre-application review. This will help to facilitate streamlined review processes following the adoption of new policies, maps, implementation standards, and guidance in the General Plan, Zoning Code, and zoning map. This process, outlined below, would not guarantee the development community with any pre-approvals, or guarantees of specific development rights. Rather, the process would help developers work through typical or expected development requirements in preparation for a formal application submittal following the adoption of the General Plan and Zoning Code Updates.

The City Council and Planning Commission will not be involved in the Pre-Application process nor will they provide comments.

Pre-Application Step-by-Step Process

Step 1 – Submit a Pre-Application to the Community Development Department

- **Universal Application**
 - Applicant completes the City's general application. Information that is not yet determined may be left blank.
 - Application shall be signed by the current property owner to initiate a pre-application process.
 - A separate form will be required that clarifies that a Pre-Application does not guarantee development rights or a suggestion of specific development standards.
- **Discretionary Permit Application Submittal Checklist**
 - Pre-Applications can include as many or as little of the relevant submittal documents as outlined in the Discretionary Permit Application Checklist. The more information that is provided with the application, the more comprehensive and complete responses can be prepared for the project.
- **Pre-Application Supplemental Acknowledgement**
 - Applicant and / or owner shall sign the acknowledgement to indicate that they understand the intent of the Pre-Application Review process.
- **Pre-Application Deposit \$1,400.00**
 - This deposit will be charged against for staff time to review the request and to schedule review with the Development Review Committee (DRC).
 - Further consultation with outside agencies may require submittal of additional fees or deposits.
 - In addition to staff time, additional deposits, fees, and costs may be associated with technical support or initiation of environmental analysis. Additional deposits may be discussed with staff prior to initiation of additional services.
- **Online Submittal**
 - Application and submittal materials shall be submitted via email to Planning@Moorparkca.gov
 - If larger files are submitted, a file share link may be provided.

Step 2 – Application Staff Review

- Staff will review the Pre-Application and the materials submitted.
- Staff will schedule a DRC Meeting within 4 weeks of the submittal.
- The DRC typically includes review of the following departments and agencies: Community Development/Planning, Public Works/Engineering, Parks, Recreation and Community Services, Waste Management, Air Pollution Control, Fire, Water and Sanitation, Watershed Protection, Police, and Southern California Edison.
- Two weeks prior to the DRC Meeting, staff will distribute the application materials to the DRC Committee for review.

Step 3 – Development Review Committee Meeting

- A virtual meeting will be convened with the DRC and the applicant's team.
- Staff and agencies will provide the applicant with comments and requirements to assist in the eventual submittal of a formal discretionary entitlement application.

Step 4 – Written Comments

- Planning staff will compile comments from the DRC departments and agencies.
- Staff will transmit the comments to the applicant within 1 week of the DRC meeting.

Step 5 – Proceed or Conclude Pre-Application Consultation

- Following the review of the DRC comments, staff and applicant will either proceed with further consultation with the DRC or will conclude the consultation. The applicant will determine their preference. Further consultation will result in additional billed staff time.

Step 5A - Proceed Should the consultation proceed, additional submittals may be required to address comments or concerns. Additional fees will be charged for each round of review and meeting of the DRC.

Step 5B – Conclude Should the consultation conclude, staff will resolve any remaining account balance or amounts due to close the Pre-Application Deposit Account.

Summary of Pre-Application Timeline

| Step | Estimated Timeline | Example Timeline |
|---|--------------------|------------------------|
| Step 1 - Application Submittal | Day 1 | June 1, 2020 |
| Step 2 – Application Staff Review | Day 30 | July 1, 2020 |
| Step 3 – Development Review Committee Meeting | Day 16 to 31 | July 2, 2020 |
| Step 4 – Written Comments to Applicant | Day 37 | July 9, 2020 |
| Step 5A – Proceed with Pre-Application Consult | Repeat Steps 2-4 | ~ July 31/ August 2020 |
| Step 5B – Conclude with Consultation | Day 37 | ~ July 9, 2020 |
| *Estimated timeline would be ~37 days | | |

Next Steps / Options:

- Submit a complete Discretionary Entitlement Application which conforms to current General Plan and Zoning Code. Should a request not conform to the updated GP, a Pre-Screening application shall be required to Amend the General Plan, pending the GP Update. The future General Plan Amendment Pre-Screening process may change with the GP Update.
- Await the adoption of the General Plan and Zoning Code Update, expected to be adopted in Spring 2023.
- Following the adoption of the GP and ZC, submit a Discretionary Entitlement Application.



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Pre-Application Review Supplemental Acknowledgement and Hold Harmless Agreement

2022-2023 General Plan and Zoning Code Update Process

Please submit this form with the Universal Application for a Pre-Application Review.
Pre-Application submittals will not be accepted without this form completed and signed.

The applicant _____ and / or property owner _____ requests the Pre-Application Review of a proposed development project. The applicant and / or owner acknowledges that the Pre-Application Review does not guarantee future development rights or approvals. The City of Moorpark is currently preparing a General Plan and Zoning Code Update which are expected to be adopted in 2023. The applicant and / or owner also acknowledges that the proposed development project may not conform to future General Plan or Zoning Code standards and revisions may be necessary to find a project consistent with future required standards. The purpose of the Pre-Application Review process is to expedite and streamline development review for projects that may submit formal discretionary entitlement applications following the adoption of the General Plan and Zoning Code Update. The undersigned also agrees that building construction cannot commence prior to issuance of required Zoning Entitlement(s) and building and Grading Permits. No At-Risk submittals for Building or Grading Permits can be submitted until adoption of the General Plan and Zoning Code Update.

The applicant shall defend, indemnify and hold harmless the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul any approval by the City or any of its agencies, departments, commissions, agents, officers, or employees concerning the permit, which claim, action or proceeding is brought within the time period provided by the California Code of Civil Procedure Section 1094.6 and Government Code Section 65009. The City will promptly notify the applicant of any such claim, action or proceeding, and if the City should fail to do so or should fail to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify and hold harmless the City or its agents, officers and employees pursuant to this condition.

- a. The City may, within its unlimited discretion, participate in the defense of any such claim, action or proceeding if both of the following occur:
 - i. The City bears its own attorney fees and costs;
 - ii. The City defends the claim, action or proceeding in good faith.
- b. The applicant shall not be required to pay or perform any settlement of such claim, action or proceeding unless the settlement is approved by the applicant. The applicant's obligations under this condition shall apply regardless of whether a building permit is issued pursuant to the permit or the use is inaugurated.

Said permits are granted or approved with the City’s designated approving body retaining and reserving the right and jurisdiction to review and to modify the permit—including the conditions of approval—based on changed circumstances. Changed circumstances include, but are not limited to, major modification of the business; a change in scope, emphasis, size, or nature of the business; the expansion, alteration, reconfiguration, or change of use; or the fact that the use is negatively impacting surrounding uses by virtue of impacts not identified at the time of application for the conditional use permit or impacts that are much greater than anticipated or disclosed at the time of application for the conditional use permit. The reservation of right to review any permit granted or approved under this chapter by the City’s designated approving body is in addition to, and not in lieu of, the right of the City, its Planning Commission, City Council and designated approving body to review and revoke or modify any permit granted or approved under this chapter for any violations of the conditions imposed on such permit.

Pre-Application No. _____

Brief Project Description _____

Signature of Applicant:

Signature of Property Owner:

Date

Date