

**ORDINANCE NO. 1153**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAMARILLO, CALIFORNIA, ADDING CHAPTER 19.84 TO THE CAMARILLO MUNICIPAL CODE PERTAINING TO PUBLIC HEARING NOTICE PROCEDURES AND MAKING CONFORMING AMENDMENTS TO VARIOUS SECTIONS OF TITLE 18 (SUBDIVISIONS) AND TITLE 19 (ZONING) OF THE MUNICIPAL CODE**

The City Council of the City of Camarillo ordains as follows:

**SECTION 1. Findings.** The City Council finds as follows:

A. The City has reviewed its current practices concerning notices for public hearings on land use matters and desires to amend the Camarillo Municipal Code ("CMC") to add a new chapter that consolidates the City's procedures for such notices and expands both the scope and mediums utilized to notice the public of pending land use decisions.

B. This ordinance amends Title 19 (Zoning) of the CMC to add a new Chapter 19.84 (Public Hearing Notice Procedures) and amends certain existing sections of Title 18 and Title 19 of the CMC to incorporate these updated and expanded noticing procedures.

**SECTION 2. Environmental Findings.** The City Council exercises its independent judgment and finds that this ordinance is not subject to California Environmental Quality Act (CEQA) pursuant to the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, Section 15060(c)(2), because the proposed ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment; and Section 15061(b)(3), because the proposed ordinance is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The proposed ordinance updates procedures for public noticing, and will not result in any impact to the environment. As such, it can be seen with certainty that there is no possibility that the enactment of this ordinance may have a significant adverse effect on the environment. Therefore, the adoption of this ordinance is exempt from CEQA.

**SECTION 3. Addition of Chapter 19.84.** Title 19 (Zoning) of the CMC is amended to add a new Chapter 19.84 (Public Hearing Notice Procedures) as follows:

"Chapter 19.84 - PUBLIC HEARING NOTICE PROCEDURES

19.84.010 Contents.

The notice of a public hearing must contain the time and place of the hearing, a summary of the proposed action and use, and the location of the subject property.

19.84.020 Publication and posting.

- A. The notice must be published at least once in a newspaper of general circulation in the city not less than ten days before the hearing date.
- B. The notice must be posted on the city's website not less than ten days before the hearing date.

19.84.030 Mailing.

- A. As part of the application process, the applicant must provide the city with a list of property owners and their addresses within a radius of 600 feet of the exterior boundaries of the subject property, including properties outside of the city limits ("mailing list"). The mailing list must be certified as being from the most recent county equalized assessment roll.
- B. The city will mail the notice, postage prepaid, to the applicant and all property owners on the mailing list not less than ten days before the hearing date.
- C. The city will also mail the notice, postage prepaid, not less than ten days before the hearing date to all property owners associations and home owners associations on record with the city as having an interest in the subject property, as well as those associations that have an interest in properties that are within a radius of 600 feet of the exterior boundaries of the subject property to the extent such interests can be readily identified in existing city records, including any property located outside of the city limits.
- D. The city will also mail notice to any person who has filed a written request for such notices with the community development department. Such a request may be submitted at any time during the calendar year and will apply for the balance of such calendar year. The city may impose a reasonable fee on persons requesting such notice for the purpose of recovering the cost of such mailing.
- E. The date of mailing is the date of notice. The failure of any person to receive the mailed notice provided under this section will not affect or invalidate any action taken by the city on the application.

19.84.040 On-site public notice sign.

A sign providing notice of the public hearing must be posted on the subject project site not less than 10 days before the hearing date. The sign must conform to the city's public hearing notice administrative procedures prepared by and available at the community development department."

**SECTION 4. Miscellaneous Amendments.** The following provisions of CMC Title 18 and Title 19 are amended and restated as follows:

- A. Section 18.10.080 Notice of Public Hearings is amended to read as follows:
  - "A. Upon receipt of a complete application and completion of the development advisory conference, the community development department will set the matter for public hearing before the planning commission in accordance with Sections 19.84.010 to 19.94.030 of this code.
  - B. Mailed notice must also be sent to all local agencies expected to provide water, sewage, schools or other essential facilities whose ability to provide those facilities and services may be significantly affected.
  - C. In the case of a proposed conversion of residential real property to a condominium project, community apartment project or stock cooperative project, notice will be given as required by Government Code section 66451.3.
  - D. In the event that the proposed change has been requested by a person other than the property owner as such property owner is shown on the last equalized assessment roll,

the city will also give mailed notice to the owner of the property as shown on the last equalized assessment roll.”

B. Section 18.50.070 Public Hearing is amended to read as follows:

“In conjunction with tentative map and tentative parcel map approval, the planning commission and city council will hold a public hearing. Notice of each hearing will be provided in accordance with Sections 19.84.030 and 19.84.040 of this code.”

C. Section 19.12.200 Appeal to Planning Commission subparagraph C is amended to read as follows:

“C. The director will cause mailed notice of the hearing on the appeal to be provided in accordance with Section 19.84.030 of this code.”

D. Section 19.12.210 Appeal to City Council subparagraph F is amended to read as follows:

“F. Action of City Clerk. Upon the timely filing of an effective appeal or the adoption of a timely order of review, the city clerk will:

1. Set the matter for hearing at the next most convenient meeting of the city council; and
2. Give written mailed notice of the time and place of the hearing to the appellant, the applicant, and such other persons and entities in accordance with Section 19.84.030 of this code.”

E. Section 19.14.180 Appeal to Planning Commission subparagraph C is amended to read as follows:

“C. The director will cause mailed notice of the hearing on the appeal to be provided in accordance with Section 19.84.030 of this code.”

F. Section 19.14.190 Appeal to City Council subparagraph F is amended to read as follows:

“F. Action of City Clerk. Upon the timely filing of an effective appeal or the adoption of a timely order of review, the city clerk will:

1. Set the matter for hearing at the next most convenient meeting of the city council; and
2. Give written mailed notice of the time and place of the hearing to the appellant, the applicant, and such other persons and entities in accordance with Section 19.84.030 of this code.”

G. Section 19.16.290 Planned Development Permit - Public Hearing is amended to read as follows:

“A. When a completed application for a RPD permit, together with required data, is accepted by the planning department, a public hearing before the planning commission will be set following the development advisory committee meeting and compliance with the California Environmental Quality Act.

- B. Notice of the public hearing will be provided in accordance with Chapter 19.84.
- C. At the public hearing, the planning commission will consider all aspects of the RPD permit requested as provided for under this code. In addition, the planning commission will consider the necessary findings under Section 19.16.300."

H. Section 19.16.320 Planning Commission Decisions - Appeals - Council Review subparagraph F is amended to read as follows:

"F. Action of City Clerk. Upon the timely filing of an effective appeal or the adoption of a timely order of review, the city clerk will:

- 1. Set the matter for hearing at the next most convenient meeting of the city council; and
- 2. Give written mailed notice of the time and place of the hearing to the appellant, the applicant, and such other persons and entities in accordance with Section 19.84.030 of this code."

I. Section 19.20.185 Planning Commission Decisions - Appeals - Council Review subparagraph F is amended to read as follows:

"F. Action of City Clerk. Upon the timely filing of an effective appeal or the adoption of a timely order of review, the city clerk will:

- 1. Set the matter for hearing at the next most convenient meeting of the city council; and
- 2. Give written mailed notice of the time and place of the hearing to the appellant, the applicant, and such other persons and entities in accordance with Section 19.84.030 of this code."

J. Section 19.21.250 Planned Development Permit - Council Review subparagraph F is amended to read as follows:

"F. Action of City Clerk. Upon the timely filing of an effective appeal or the adoption of a timely order of review, the city clerk will:

- 1. Set the matter for hearing at the next most convenient meeting of the city council; and
- 2. Give written mailed notice of the time and place of the hearing to the appellant, the applicant, and such other persons and entities in accordance with Section 19.84.030 of this code."

K. Section 19.22.205 Planning Commission Decisions - Appeals - Council Review subparagraph F is amended to read as follows:

"F. Action of City Clerk. Upon the timely filing of an effective appeal or the adoption of a timely order of review, the city clerk will:

- 1. Set the matter for hearing at the next most convenient meeting of the city council; and

2. Give written mailed notice of the time and place of the hearing to the appellant, the applicant, and such other persons and entities in accordance with Section 19.84.030 of this code.”

L. Section 19.23.250 Planned Development Permit - City Council Review subparagraph F is amended to read as follows:

“F. Action of City Clerk. Upon the timely filing of an effective appeal or the adoption of a timely order of review, the city clerk will:

1. Set the matter for hearing at the next most convenient meeting of the city council; and
2. Give written mailed notice of the time and place of the hearing to the appellant, the applicant, and such other persons and entities in accordance with Section 19.84.030 of this code.”

M. Section 19.24.230 Planning Commission Decisions - Appeals - Council Review subparagraph F is amended to read as follows:

“F. Action of City Clerk. Upon the timely filing of an effective appeal or the adoption of a timely order of review, the city clerk will:

1. Set the matter for hearing at the next most convenient meeting of the city council; and
2. Give written mailed notice of the time and place of the hearing to the appellant, the applicant, and such other persons and entities in accordance with Section 19.84.030 of this code.”

N. Section 19.25.250 Planned Development Permit - City Council Review subparagraph F is amended to read as follows:

“F. Action of City Clerk. Upon the timely filing of an effective appeal or the adoption of a timely order of review, the city clerk will:

1. Set the matter for hearing at the next most convenient meeting of the city council; and
2. Give written mailed notice of the time and place of the hearing to the appellant, the applicant, and such other persons and entities in accordance with Section 19.84.030 of this code.”

O. Section 19.26.260 Planning Commission Decisions - Appeals - Council Review subparagraph F is amended to read as follows:

“F. Action of City Clerk. Upon the timely filing of an effective appeal or the adoption of a timely order of review, the city clerk will:

1. Set the matter for hearing at the next most convenient meeting of the city council; and
2. Give written mailed notice of the time and place of the hearing to the appellant, the applicant, and such other persons and entities in accordance with Section 19.84.030 of this code.

P. Section 19.27.250 Planning Commission Decisions - Appeals - City Council Review subparagraph F is amended to read as follows:

"F. Action of City Clerk. Upon the timely filing of an effective appeal or the adoption of a timely order of review, the city clerk will:

1. Set the matter for hearing at the next most convenient meeting of the city council; and
2. Give written mailed notice of the time and place of the hearing to the appellant, the applicant, and such other persons and entities in accordance with Section 19.84.030 of this code."

Q. Section 19.28.315 Planning Commission Decisions - Appeals - Council Review subparagraph F is amended to read as follows:

"F. Action of City Clerk. Upon the timely filing of an effective appeal or the adoption of a timely order of review, the city clerk will:

1. Set the matter for hearing at the next most convenient meeting of the city council; and
2. Give written mailed notice of the time and place of the hearing to the appellant, the applicant, and such other persons and entities in accordance with Section 19.84.030 of this code."

R. Section 19.30.246 Planning Commission Decisions - Appeals - Council Review subparagraph F is amended to read as follows:

"F. Action of City Clerk. Upon the timely filing of an effective appeal or the adoption of a timely order of review, the city clerk will:

1. Set the matter for hearing at the next most convenient meeting of the city council; and
2. Give written mailed notice of the time and place of the hearing to the appellant, the applicant, and such other persons and entities in accordance with Section 19.84.030 of this code."

S. Section "19.32.280 Planned Development Permit - Public Hearing is amended to read as follows:

"A. When a completed application for a planned development permit is accepted by the community development department, a public hearing before the planning commission will be set following the development advisory committee meeting and compliance with the California Environmental Quality Act.

B. Notice of the public hearing will be provided in accordance with Chapter 19.84.

C. At the public hearing, the planning commission will consider all aspects of the planned development permit requested as provided for under this code. In addition, the planning commission will consider the necessary findings under Section 19.32.290."

T. Section "19.32.310 Planning Commission Decisions - Appeals - Council Review subparagraph F is amended to read as follows:

"F. Action of City Clerk. Upon the timely filing of an effective appeal or the adoption of a timely order of review, the city clerk will:

1. Set the matter for hearing at the next most convenient meeting of the city council; and
2. Give written mailed notice of the time and place of the hearing to the appellant, the applicant, and such other persons and entities in accordance with Section 19.84.030 of this code. "

U. Section 19.62.070 Procedure - Planning Commission Public Hearing Date and Notice is amended to read as follows:

"A. The hearing date will be set by the community development department following compliance with the California Environmental Quality Act.

B. Notice of the public hearing will be provided in accordance with Chapter 19.84."

V. Section 19.62.090 Planning Commission Decisions - Appeals - Council Review subparagraph F is amended to read as follows:

"F. Action of City Clerk. Upon the timely filing of an effective appeal or the adoption of a timely order of review, the city clerk will:

1. Set the matter for hearing at the next most convenient meeting of the city council; and
2. Give written mailed notice of the time and place of the hearing to the appellant, the applicant, and such other persons and entities in accordance with Section 19.84.030 of this code. "

W. Section 19.66.060 Planning Commission Public Hearing Date and Notice is amended to read as follows:

"A. The hearing date will be set by the community development department for not less than ten nor more than thirty days after the filing of the verified application with the department.

B. Notice of the public hearing will be provided in accordance with Chapter 19.84."

X. Section 19.66.080 Planning Commission Decisions - Appeals - Council Review subparagraph F is amended to read as follows:

"F. Action of City Clerk. Upon the timely filing of an effective appeal or the adoption of a timely order of review, the city clerk will:

1. Set the matter for hearing at the next most convenient meeting of the city council; and
2. Give written mailed notice of the time and place of the hearing to the appellant, the applicant, and such other persons and entities in accordance with Section 19.84.030 of this code."

Y. Section 19.70.060 Notice of Planning Commission Public Hearing Date and Notice is amended to read as follows:

"A. The hearing date will be set by the community development department following compliance with the California Environmental Quality Act.

B. Notice of the public hearing will be provided in accordance with Chapter 19.84."

Z. Section 19.72.040 Notice of Planning Commission Public Hearing is amended to read as follows:

"A. The hearing date will be set by the community development department following compliance with the California Environmental Quality Act.

B. Notice of the public hearing will be provided in accordance with Chapter 19.84."

**SECTION 5. Severability.** If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

**SECTION 6. Effective Date.** This ordinance takes effect 30 days from the date of its adoption.

**SECTION 7. Publication.** The City Clerk is directed to certify this ordinance and cause it to be published in the manner required by law.

PASSED, APPROVED, AND ADOPTED May 23, 2018.

*Charlotte Craven*  
Mayor

Attested to on 5/25/18

*Jeffrie Madland*  
City Clerk

I, Jeffrie Madland, City Clerk of the City of Camarillo, certify Ordinance No. 1153 was introduced by the City Council at a meeting held May 9, 2018, and subsequently passed and adopted by the City Council at a regular meeting held May 23, 2018, by the following vote:

AYES: Councilmembers: Kildee, McDonald, Morgan, Trembley, Mayor Craven  
NOES: Councilmembers: None  
ABSENT: Councilmembers: None

*Jeffrie Madland*  
City Clerk

