

**ORDINANCE NO. 508**

**AN ORDINANCE OF THE CITY OF RANCHO PALOS VERDES AMENDING SECTION 17.80.050(C) AND SECTION 17.80.070(C) OF CHAPTER 17.80 (HEARING NOTICE AND APPEAL PROCEDURES) TO ESTABLISH A 90-DAY DEADLINE TO SCHEDULE A PUBLIC HEARING FOR APPEALS (CASE NO. ZON2009-00375).**

WHEREAS, Chapter 17.80 of Title 17 of the Rancho Palos Verdes Municipal Code (the "Municipal Code") established a procedure for appeals of decisions made pursuant to Title 17; and,

WHEREAS, on September 15, 2009, the City Council directed Staff to initiate and bring forth a Code Amendment that establishes deadlines for scheduling appeal hearings; and,

WHEREAS, on February 18, 2010, a 1/8 page public hearing notice for these code amendments was published in the Palos Verdes *Peninsula News*; and

WHEREAS, after notice was issued pursuant to the provisions of the Rancho Palos Verdes Municipal Code, the Planning Commission conducted a public hearing on March 9, 2010, at which time all interested parties were given an opportunity to be heard and present evidence regarding said amendments to Chapter 17.80; and,

WHEREAS, on March 9, 2010, the Planning Commission adopted P.C. Resolution No. 2010-10 recommending approval of the proposed amendments to Chapter 17.80 to the City Council;

WHEREAS, on March 25, 2010, a 1/8 page public hearing notice for these code amendments was published in the *Peninsula News*;

WHEREAS, after notice was issued pursuant to the provisions of the Rancho Palos Verdes Municipal Code, the City Council conducted a public hearing on April 20, 2010, at which time all interested parties were given an opportunity to be heard and present evidence regarding said amendments to Chapter 17.80 as set forth in the City Council staff report of that date; and,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO PALOS VERDES DOES HEREBY ORDAIN AS FOLLOWS:

**Section 1:** The Planning Commission has reviewed and considered the amendments to Chapter 17.80 (Hearing Notice and Appeal Procedures) of Title 17 of the City's Municipal Code.

**Section 2:** The Planning Commission finds that the amendments to Title 17 of the Municipal Code are consistent with California Government Code Section 65853, zoning amendment procedures.

**Section 3:** The Planning Commission finds that the amendments to Title 17 are consistent with the Rancho Palos Verdes General Plan and Coastal Specific Plan in that they uphold, and do not hinder, the goals and policies of those plans.

**Section 4:** The Planning Commission finds that the amendments to Title 17 are necessary to preserve the public health, safety, and general welfare in the area.

**Section 5:** The amendments to Title 17 of the Rancho Palos Verdes Municipal Code as identified herein shall apply to all uses appeals that are filed after the effective date this ordinance.

**Section 6:** Paragraph C of Section 17.80.050 of Chapter 17.80 (Hearing Notice and Appeal Procedures) of Title 17 of the Rancho Palos Verdes Municipal Code is hereby amended to read as follows:

- C. Hearing and Notice. The director shall set a hearing on the appeal within 90 days of the filing of the appeal, which shall be conducted as provided in Section 17.80.060 of this chapter. Notice of the hearing shall be given as specified in Section 17.80.090 of this chapter.

**Section 7:** Paragraph C of Section 17.80.070 (Appeal to city council) of Chapter 17.80 (Hearing Notice and Appeal Procedures) of Title 17 of the Rancho Palos Verdes Municipal Code is hereby amended to read as follows:

- C. Hearing Date. The city manager or city clerk shall fix the time for hearing the appeal within 90 days of the filing of the appeal.

**Section 8:** Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

**Section 9:** The City Clerk shall cause this Ordinance to be posted in three (3) public places in the City within fifteen (15) days after its passage, in accordance with the provisions of Section 36933 of the Government Code. The City Clerk shall further certify to the adoption and posting of this Ordinance, and shall cause this Ordinance and its

certification, together with proof of posting, to be entered in the Book of Ordinances of the Council of this City of Rancho Palos Verdes.

**Section 10:** This Ordinance shall go into effect and be in full force and effect at 12:01 AM on the 31<sup>st</sup> day after its passage.

PASSED, APPROVED and ADOPTED this 4<sup>th</sup> day of May 2010.

/s/ Stefan Wolowicz  
Mayor

ATTEST:

/s/ Carla Morreale  
City Clerk

STATE OF CALIFORNIA                    )  
COUNTY OF LOS ANGELES            )ss  
CITY OF RANCHO PALOS VERDES        )

I, Carla Morreale, City Clerk of the City of Rancho Palos Verdes, do hereby certify that the whole numbers of the City Council of said City is five; that the foregoing Ordinance No. 508 passed first reading on April 20, 2010, was duly and regularly adopted by the City Council of said City at a regular meeting thereof held on May 4, 2010, and that the same was passed and adopted by the following roll call vote:

AYES:            Campbell, Misetich, Stern, Long and Wolowicz  
NOES:            None  
ABSENT:         None  
ABSTAINED:    None

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City Clerk