

**CITY OF OJAI  
ORDINANCE NO. 897**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY  
OF OJAI, CALIFORNIA, AMENDING OJAI MUNICIPAL  
CODE SECTION 10-2.503, TABLE 2-4, TO  
CONDITIONALLY PERMIT SPECIFIED ON-SITE  
ALCOHOLIC BEVERAGE SALES AT LEGALLY  
EXISTING TRANSIENT OCCUPANCY AND LODGING  
USES IN THE M-1 ZONE AND FINDING THAT THE  
ADOPTION OF THIS AMENDMENT IS EXEMPT FROM  
THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

WHEREAS, Table 2.4 of Ojai Municipal Code section 10-2.503 titled “Allowed Uses and Permit Requirements for Commercial and Manufacturing Zoning Districts” identifies and regulates the uses of land which are permitted, conditionally permitted, and, if not permitted or conditionally permitted, prohibited, in the City’s commercial and manufacturing zoning districts; and

WHEREAS, the Ojai City Council intends to amend Table 2.4 of Ojai Municipal Code section 10-2.503 to conditionally permit on-site sales of beer and wine at legally existing transient occupancy and lodging uses in the M-1 zone; and

WHEREAS, the Ojai City Council has considered all of the evidence before it regarding this ordinance including, but not limited to, the Planning Commission’s recommendation, staff reports and attachments, and public testimony at its April 23, 2019 public hearing and January 8, 2019 and December 11, 2018 meetings, and at the Planning Commission’s February 6, 2019 public hearing; and,

WHEREAS, the proposed text amendment conditionally allows alcoholic beverage sales, limited to beer and wine, solely to registered guests at legally existing transient occupancy and lodging uses in the M-1 zone and thus will not authorize land uses that adversely affect the public’s health, safety, or welfare, maintains existing protections in the Ojai Municipal Code against the maintenance of any land use that constitutes a public nuisance, and is consistent with the existing General Plan.

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

**SECTION 1. Recitals.** The above set forth recitals and findings are true and correct and incorporated herein by reference, as if set forth herein in full.

**SECTION 2. Text Amendment.** Table 2.4 of Ojai Municipal Code section 10-2.503 is hereby amended to conditionally allow alcoholic beverage sales, limited to beer and wine, solely to registered guests at legally existing transient occupancy and lodging uses in the M-1 zone by replacing the existing entry in Table 2-4 under the “M-1 zone” column for the “Alcoholic beverage sales, on-site” row with an entry that reads: “CUP(7).”

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**SECTION 3. Text Amendment.** Table 2.4 of Ojai Municipal Code section 10-2.503 is hereby amended to add a new Footnote #7 to read as follows:

“(7) Limited to conditionally permitted on-site sales of beer and wine to guests of legally existing transient occupancy and lodging uses.”

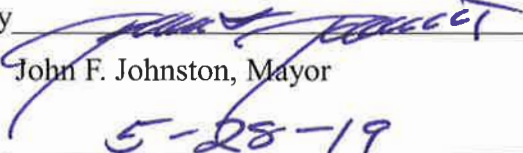
**SECTION 4. Environmental Determination.** The City Council determines that the following findings and conclusions reflect the independent judgment of the City Council. The City Council finds that the adoption of the foregoing proposed text amendment is exempt from review under the California Environmental Quality Act under California Code of Regulations, Title 14, Section 15301 of the CEQA Guidelines and is also exempt from review because it does not meet the definition of a project under CEQA Guidelines sections 15002(j)(1) and 15061, subdivision (b)(3) and section 15378, subdivision (a) and subdivision (b)(5). The proposed changes to allowed uses in the M-1 zone have no potential for resulting in physical changes in the environment because the allowed additional alcoholic beverage sales opportunities are limited to legally existing transient occupancy and lodging uses in the M-1 zone, thus conditionally allowing only minor additional uses at an existing facility. The ordinance does not directly or indirectly approve any applications for particular projects or expansions. Any particular proposed expansion of use under the authority of this ordinance will be required to obtain a conditional use permit and undergo appropriate review under CEQA.


**SECTION 5. Severability.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the final decision of 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 or portion thereof, irrespective of the fact that any one or more sections, subsections, phrases or portions might be declared invalid or unconstitutional.


**SECTION 6. Certification.** The City Clerk shall cause this Ordinance to be published once, within fifteen (15) calendar days after its passage, in the *Ojai Valley News*, a newspaper of general circulation, printed, published and circulated in the City, and shall cause a copy of this Ordinance and its certification, together with proof of publication, to be entered in the Book of Ordinances of the City.

**SECTION 7. Effective Date.** This Ordinance shall take effect 30 days after its passage and adoption pursuant to California Government Code Section 36937, shall supersede any conflicting provision of any City of Ojai ordinance, and shall continue in effect until terminated by further action of the City Council in accord with applicable law.

CITY OF OJAI, CALIFORNIA

By   
John F. Johnston, Mayor  
5-28-19  
Date signed


ATTEST:  
  
Gail Davis, Deputy City Clerk

APPROVED AS TO FORM:  
  
Matthew T. Summers, City Attorney

CITY OF OJAI )  
COUNTY OF VENTURA )  
STATE OF CALIFORNIA )

I, Gail Davis, Deputy City Clerk of the City of Ojai do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Ojai held on April 23, 2019 and adopted at a regular meeting held on May 14, 2019 by the following vote:

- AYES: Blatz, Francina, Haney, Johnston, Weirick
- NOES: None
- ABSTAIN: None
- ABSENT: None

  
Gail Davis  
Deputy City Clerk for the City of Ojai