

CITY OF OJAI

ORDINANCE NO. 928

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OJAI AMENDING THE OJAI MUNICIPAL CODE SECTION 10-2.202 CHANGING THE ZONE FROM PUBLIC, QUASI-PUBLIC (PL) TO MULTI-FAMILY MEDIUM HIGH DENSITY (R-2) FOR PROPERTY LOCATED AT 309 NORTH BLANCHE STREET; ASSESSOR'S PARCEL NUMBER 021-0-062-030 AS REFLECTED ON THE REVISED ZONING MAPS AND THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, Ojai is a community which recognizes the need to preserve its character, aesthetic value, and the unique quality of life; and

WHEREAS, as part of providing for housing and allowing appropriate transitions in land uses as the needs of the community change, the property owner has applied for a change in zoning and General Plan land use classifications for the property located at 309 N Blanche Street to account for a proposed change in use from institutional to residential; and

WHEREAS, on January 19, 2022, the Planning Commission held a noticed public hearing regarding this proposed change in zoning and General Plan land use classification and, notice of said hearing was sent to all property owners within a 300' radius of the subject properties and published in the *Ojai Valley News* at least 10 days prior to the public hearing; and

WHEREAS, on January 19, 2022 the Planning Commission received and considered all public testimony, documentary evidence and staff recommendations submitted at such public hearing, and recommended adoption of this ordinance and the related environmental review determination by the City Council, and

WHEREAS, on February 22, 2022, the City Council held a noticed public hearing regarding the proposed change in zoning classification and, notice of said hearing was sent to all property owners within a 300' radius of the subject properties and published in the *Ojai Valley News* at least 10 days prior to the public hearing.

THE CITY COUNCIL OF THE CITY OF OJAI, CALIFORNIA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The Ojai City Council determines that the above set forth recitals and findings are true and correct in regards to the proposed Municipal Code Amendment.

SECTION 2. Findings. As required by Ojai Municipal Code section 10-2.2707, the Ojai City Council finds that the following findings can be made as needed to approve the proposed Zoning Map Amendments:

a. The proposed Zone Change ensures and maintains internal consistency with the actions, goals, objectives, and policies of the General Plan and Zoning Ordinance, and would not create any inconsistencies. In the case of this amendment to the requested Zone Change from Public, Quasi-Public (PL) to Medium High Density Residential (R-2) to accommodate a new proposed residential use, and specifically single family use. The surrounding area is a mixed of residential and commercial uses, inclusive of multi-family residential uses, and allowing residential uses at the project site is compatible with the surrounding land uses and is consistent with the General Plan Land Use Element's Policy LU-5 as it promotes a mix of smaller sized, distributed residential land uses.

b. The zone change would not be detrimental to the public convenience, health, interest, safety, or welfare of the City as the project site is developed and the request is a Zone Change from Public, Quasi-Public (PL) to Medium High Density Residential (R-2) to convert an existing church to a single family residence, and allowing for limited additional multi-family residential density in the future, which promotes additional housing opportunities and allow for reasonable transitions in land uses as the community's needs change, thereby avoiding stagnant land uses and vacant buildings.

c. The proposed project has been reviewed in compliance with the provisions of CEQA and the City's environmental review procedures. The City Council determines that these findings reflect the independent judgment of the City Council. The City Council finds that the amendment to the Zoning Map is exempt from review under the California Environmental Quality Act (CEQA). The City Council has considered all of the evidence in the record, including the staff reports, the testimony received during the public hearing on the matter held by the City Council, and hereby determines that the proposed rezoning will not have a significant effect on the environment. Per CEQA Guidelines Section 15301 (Existing Facilities), Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The key consideration is whether the project involves negligible or no expansion of an existing use. As described above, the project does not involve an expansion of the existing use.

Pursuant to CEQA Guidelines Section 15300.2 (Exceptions), a categorical exemption is not allowed if the project would have one of the following impacts: 1) cumulative impact; 2) significant effect; 3) impact to scenic highways; 4) hazardous impact due to project being located on any hazardous materials list compiled pursuant to Section 65962.5 of the Government Code; and 5) impact on historical resources. The proposed project has been reviewed under Section 15300.2 for any characteristics or circumstances that might invalidate findings that the project is exempt under Section 15301. As substantiated and discussed in detail in the attached

supplemental information, the proposed project would not have a significant impact, and exceptions under Section 15300.2 would not prohibit the use of an exemption for this project.

d. The site is physically suitable (including access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designation and anticipated land use development because the site has been previously developed with a structure and all utilities as well as appropriate vehicular and pedestrian access as the structure was previously used as a church and is proposed to be a single family residence.

SECTION 3. Zoning Map Amendment. The Revised Zoning Map for the City of Ojai referred to in Section 10-2.202 is hereby amended as follows:

The boundaries for the Public, Quasi-Public (PL) zone and the Multi-Family Residential, Medium High Density (R-2) shall be adjusted so that the zoning designation for the property located at 309 North Blanch Street (APN 021-0-062-030) which is currently zoned Public, Quasi-Public (PL) shall hereafter be zoned Multi-Family Residential, Medium High Density (R-2); Exhibit A is attached.

SECTION 4. 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 5. 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 the City Clerk's certification, together with proof of publication, to be entered in the Book of Ordinances of the City.

SECTION 6. Effective Date. This Ordinance shall take effect 30 days after its passage and adoption pursuant to California Government Code Section 36937.

PASSED, APPROVED AND ADOPTED this 8th day of March, 2022.

CITY OF OJAI, CALIFORNIA

By Betsy Stix
Betsy Stix, Mayor

3/23/22
Date signed

ATTEST:

Gail Davis
Gail Davis, City Clerk

APPROVED AS TO FORM:

Matthew T. Summers
Matthew Summers, City Attorney

Attachment: Exhibit A: Zoning Map Change PL to R-2

City of Ojai
Ordinance No. 928

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

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 February 22, 2022 and adopted at a regular meeting held on March 8, 2022 by the following vote: /

AYES: Blatz, Francina, Haney, Stix, Weirick
NOES: None
ABSTAIN: None
ABSENT: None






























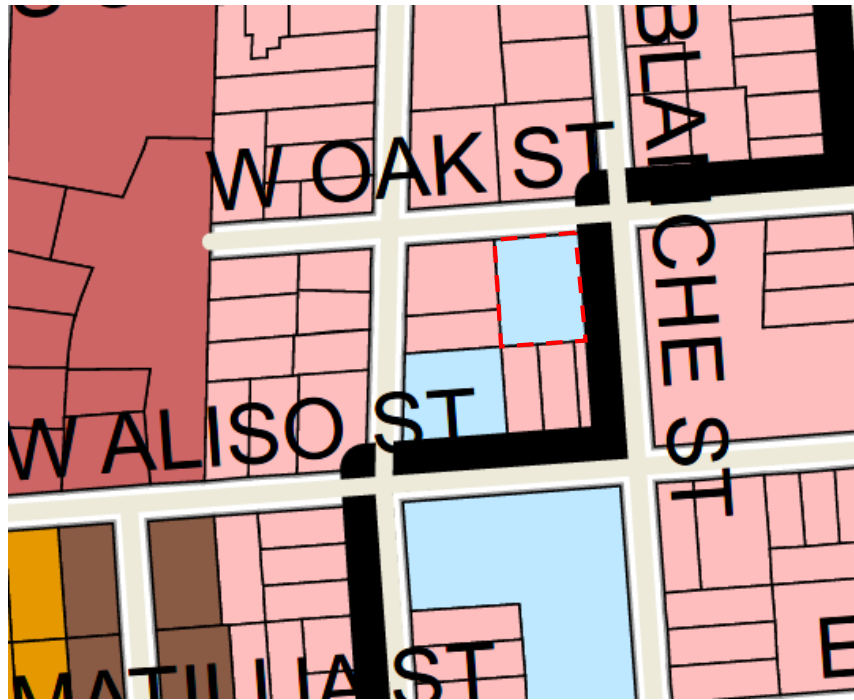
Gail Davis
Deputy City Clerk for the City of Ojai

Zoning Classification Change

EXISTING: P-L

ZONING CLASSIFICATION

-  1.5 FAR Overlay
-  Sphere of Influence
-  City Boundary
-  AG
-  OS
-  I-R-1
-  I-R-2
-  I-R-3
-  R-O-4
-  R-O-2
-  R-O-1
-  R-O-1/2
-  R-O
-  R-1
-  R-2
-  R-3
-  R-S
-  C-1
-  M-1
-  B-P
-  P-L
-  VMU
-  Parcels Outside City Boundary
-  Amendment Area (A)
-  Amendment Area (B)
-  Original Redev Area
-  Statement of Theme



NEW: R-2

