

Open Space Element



INTRODUCTION

BACKGROUND AND PURPOSE OF THE ELEMENT

The Open Space Element of the City of Ojai General Plan was prepared in conformance with State law and pursuant to overall City goals, objectives and policies. It is consistent with other Elements of the Ojai General Plan.

The purpose of the Open Space Element is to incorporate resource, conservation, recreational, aesthetic and safety goals, policies, and programs into a comprehensive Open Space Plan for the City.

This Element was created in conjunction with the formation of the Conservation and Recreation Elements of the Ojai General Plan (1986). The Conservation and Open Space Element may be adopted as one Element or separately under General Plan Law. The Ojai Open Space Element has been developed separately from the Ojai Conservation Element. This has occurred because of the unique character of the Ojai area and the importance of open space to the community.

The Open Space Element is a product of research conducted for the Ojai General Plan Master Environmental Assessment (MEA) and the Conservation and Recreation Elements and field work in the Ojai community. The Element is based in part on data contained in the Ojai MEA. From the MEA inventory of important resources of the City, various goals, policies and programs were set forth in the Conservation Element. These were formulated to ensure the sound management and proper conservation and utilization of all resources of the City and to preserve Ojai's unique living environment.

Recreational resources and opportunities are also identified in the MEA. The Recreation Element identifies existing and potential future Parks, Trails, Specialized Facilities and Preserves. The Recreation Element also establishes goals, policies and programs to meet the long-term recreational needs of the community. These needs include recreational open space. The Recreation Element's concepts have therefore been incorporated into the General Plan Open Space Element.

In summary, resource conservation goals from the Conservation Element were incorporated into the Open Space Plan and long-term recreational goals were derived from the Recreation Element. Other relevant open space issues pertaining to aesthetics and public safety were considered and evaluated. A series of open space geographical overlays were then created, incorporating the identification of natural, cultural and aesthetic resources, recreational opportunities and safety hazards. This work effort resulted in the product of the City's Open Space Element Plan. The combined purpose of these Elements is to guide the long-term

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management of the City's resources and establish City policy guidelines in the Ojai Planning Area to reserve natural, recreational and scenic resources and amenities.

ASSUMPTIONS/DEFINITIONS

The Ojai Open Space Element is a product of the conservation, recreational, safety and aesthetic concerns of the Ojai community. Definitions, explanations and inventories of data pertaining to open space issues are provided in various section of the General Plan and MEA. Within the Introduction section of the General Plan and Index Matrix references sections within General Plan documents (i.e., MEA, various General Plan Elements) where specific information regarding open space may be obtained. Definitions and categorization unique to the Open Space Element are provided below and on the following pages under "Legal Authority".

California State General Plan law generally defines Open Space as any parcel or area of land or water that is essentially unimproved and devoted to an open space use, and that is designated on a local, regional or state open space plan.

The categories of Open Space in Ojai that are referenced throughout this Element and illustrated on the Open Space Element Plan are listed below.

Agricultural Open Space

Land currently used as, or available for, farmland production is classified and given various value by the California Department of Conservation. These lands are categorized and considered for agricultural preservation in the Department's "Important Farmland Inventory". The Ojai MEA (Geology and Soils sections) and Conservation Element identify these "Important Farmlands" in Ojai that are utilized for agriculture and which possess prime or important soils for agricultural production. Important Farmlands are defined in detail in the MEA Soils section and in the Conservation Element under "Important Farmland". They are depicted as Conservation Open Space on the Open Space Element Plan.

Another type of open space related to agricultural land use is rangeland. Rangeland is land used for grazing by ranch animals, usually cattle. Policies and conservation of open space set forth in this Element are reflective of community desires to preserve important rangeland.

Biological Open Space

As discussed in the Ojai MEA and Conservation Element, certain biological habitats are identified with "high" or "moderate" biological significance. These biologically "significant" areas are precisely defined in the MEA and Conservation

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Element under "Biological Resources" and are shown on the Open Space Element Plan as Conservation Open Space. Open space and conservation policies reflect the preservation of these important habitats.

Cultural Open Space

Archaeological and historical resources are also defined and identified in the MEA and Conservation Elements. (See "Cultural Resources" sections.) They pertain to properties that were, are, or may be significant in local and American history, regional architecture, archaeology, and/or culture. Policies for their preservation are set forth in the Conservation Element. Historical resources are designated on the Open Space Element Plan.

Recreational Open Space

Recreational Open Space is defined as an open parcel of natural or landscaped land that is intended for outdoor recreation and the enjoyment of nature. Parks, Trails, Specialized Recreation Facilities and Preserves defined in the Recreation Element are applied in this Element and shown on the Open Space Element Plan as Recreational Open Space.



Scenic Open Space

Scenic Open Space is defined as those areas that establish the aesthetic and visual character of the community. It relates to every aspect of the City of Ojai and its associated views of natural scenery. This type of open space is difficult to specifically identify and is considerably subjective. Within this Element, Scenic Open Space pertains to views of and from the Ojai, the aesthetic quality of the Valley's ridgelines illustrated in Exhibit OS-1 of the City of Ojai MEA, and areas valued to protect and enhance the scenic character of the Ojai. Open space values may relate to community identity, "entrance" themes or the appearance at City perimeters or any portion of land which may otherwise portray "The Ojai". Scenic Open Space is illustrated on the Open Space Element Plan.

Public Safety Open Space

Open space retention is necessary for certain land that has characteristics hazardous to public health and safety. Such public safety risks primarily consist of geologic hazards (e.g., seismic faults, landslides, etc.), hydrological hazards (e.g., flooding) and fire hazards. Public safety definitions and evaluations are provided in the Ojai MEA under the specific topical sections: Traffic/Circulation; Geology; Hydrology/Flooding; and Public Services.

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LEGAL AUTHORITY

Under State Law (Section 65302) a City is required to adopt an open space plan for the "comprehensive and long-range preservation and conservation of open space within its jurisdiction".

As established under State Law, open space may be designated on an Open Space Plan as any of the following:

1. Open space for the preservation of natural resources, including but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays, and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.
2. Open space used for the managed production of resources, including but not limited to, forest lands, rangeland, agricultural lands, and areas of economic importance for the production of food or fiber; areas required for recharge of ground water basins; bays, estuaries, marshes, rivers, and streams that are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.
3. Open space for outdoor recreation, including but not limited to, areas that have outstanding scenic, historic, and cultural value; areas particularly suited for park and recreation purpose, including access to lake shore, beaches, rivers and streams; and areas which serve as links between major recreation and open space reservations, including utility easements, banks of rivers and streams, trails and scenic highway corridors.
4. Open space for public health and safety, including but not limited to, areas that require special management or regulation because of hazardous or special conditions such as earthquake fault zones unstable soils areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality.

The Index Matrix within the Introduction of this General Plan provides an index/reference of State General Plan requirements and under which sections of the Ojai General Plan each State requirement is fulfilled.

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ISSUES AND NEEDS

OVERVIEW

Open Space issues in Ojai are numerous, complex and overlapping with other General Plan issues. Categories of Open Space have been established within the Element to clarify and simplify complex issues. In this manner the reader may easily find and reference a specific concern whether it relates to preservation of agricultural farmland, seismic safety open space, biological habitat, or parkland issues among others.

The Ojai Master Environmental Assessment (MEA) provides a data base for this Element. The Conservation and Recreation Elements further explain reasoning and substantiation behind policies, programs and geographical open space overlays of the Open Space Element Plan. The Introduction Index Matrix of the General Plan provides a section reference within the General Plan where various open space-related terms and issues are explained.

Major issues pertaining to each Open Space category of this Element are briefly discussed below.

AGRICULTURAL OPEN SPACE

"Important Farmlands" identified in the Ojai MEA and Conservation Element are utilized in agriculture and have "Prime" or "Important" soils for agricultural production. Rangeland utilized in grazing is also considered valuable under this open space category. Retention of these areas for open space and agricultural production is a significant issue in Ojai City Policy.

BIOLOGICAL OPEN SPACE

Biologically significant areas identified in the MEA and Conservation Element are also shown on the Open Space Element Plan. Biological open space/conservation and associated preservation policies for these important biological habitats are of major concern in the Ojai community.

CULTURAL OPEN SPACE

Issues pertaining to cultural open space primarily relate to areas with known or potential existence of archaeological and historical resources. Goals, Policies, and Programs of the Conservation Element are established to preserve these resources. These policies have been applied to the Open Space Element to herein reflect conservation goals.

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RECREATIONAL OPEN SPACE

Recreation is an important aspect of Ojai's living environment. The Recreation Element establishes Goals, Policies and Programs to ensure the longevity of Ojai's recreational opportunities. Components of the Recreation Element (Parks, Trails, Specialized Recreation Facilities and Preserves) are identified in this Element as Recreational Open Space.

SCENIC OPEN SPACE

Scenic Open Space in Ojai is highly valued to protect and enhance the scenic character of Ojai. Major community issues include the protection of major surrounding ridgelines, establishment of buffer zones between other open space and urban areas, coordination of Scenic Corridors with Scenic Highways adopted with the Circulation Element, and most importantly, the preservation of views to and from the Ojai Valley.

Scenic Open Space is the most difficult open space in Ojai to define and address objectively. Areas within or surrounding the City that are characterized with a feeling of "community identity" or are associated with the aesthetic, natural character of Ojai are highly valued in the community. Policies within this Element reflect the desires of the community to retain these special places as open space.

PUBLIC SAFETY OPEN SPACE

State General Plan law requires cities to adopt a Public Safety Element. The City of Ojai has adopted the County of Ventura Public Safety Element. This Open Space Element's Public Safety Open Space is reflective of the Ventura County Public Safety Element and public safety/hazard issues addressed in the Ojai MEA. The need to create an Ojai Public Safety Element or updated County Element should be considered in the near future. The Element would establish specific Ojai City and County of Ventura combined Policy, define acceptable levels of public safety risks and would adopt mitigation methods to reduce these hazards to the established, acceptable levels.

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GOALS, POLICIES AND IMPLEMENTING PROGRAMS

INTRODUCTION

This section of the Open Space Element sets forth City Goals, Policies, and Implementing Programs for the long-term retention of open space in Ojai. As previously mentioned, open space issues in Ojai are numerous and complex and involve other Elements of the Ojai General Plan. The Open Space Element has been organized in a format providing easy reference to other General Plan sections.

Where necessary and appropriate, all or a portion of an open space category's Goals, Policies and Programs are cross referenced to another General Plan Element (i.e., Conservation, Recreation Elements). In such cases the referenced Element's Goals, Policies, and Programs are incorporated in the Open Space Element by reference and by their application to the Open Space Plan.

The first category ("GENERAL") provides overall open space Goals, City Policies and Implementing Programs. The GENERAL section is then followed by specific open space issue sections.

GENERAL

IT SHALL BE THE INTENTION OF THE CITY OF OJAI TO PROVIDE FOR THE LONG-TERM RETENTION OF IDENTIFIED AND POTENTIALLY SIGNIFICANT OPEN SPACE IN OJAI SO AS TO MAINTAIN AND ENHANCE THE QUALITY OF THE ENVIRONMENT. SUCH OPEN SPACE INCLUDES BUT IS NOT LIMITED TO THOSE AREAS IDENTIFIED AS SIGNIFICANT OR POTENTIALLY SIGNIFICANT IN THE OJAI GENERAL PLAN CONSERVATION AND RECREATION ELEMENTS.

Policy: The City shall formally recognize open space areas in Ojai and shall establish measures to preserve the identified open space.

Program: Data contained in the Ojai Master Environmental Assessment (MEA) shall be utilized to the maximum extent feasible in formulation of an Open Space Plan for the Ojai General Plan. As the MEA data is periodically updated and refined, any changes in the MEA will be considered for possible implications to the Open Space Element.

Program: Any data that is not within the MEA but is considered relevant by the City in open space planning shall be considered and utilized in

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preparation of the Open Space Plan and associated policies.

Program: Appropriate standards and criteria will be established by the City for the preservation and use of open space lands. Specifically, pursuant to State law the following provisions for consistency with the Ojai Open Space Plan are hereby adopted by the City of Ojai.

“65566. Any action by a county or city by which open space land or any interest therein acquired or disposed of or its use restricted or regulated, whether or not pursuant to this part, must be consistent with the local open-space plan.

“65567. No building permit may be issued, no subdivision map approved, and no open-space zoning ordinance adopted, unless the proposed construction, subdivision or ordinance is consistent with the local open space plan”.

Program: Community/neighborhood open space systems will be included in specific plans, planned residential districts and any other planned development where appropriate.

Program: The City shall adopt a resolution formally recognizing Article 13b, Section 8 of the California State Constitution which directs the assessor to consider open space so as to "preserve its use for food and fiber, use and enjoyment of natural resources and scenic beauty and recreation".

Program: Existing and potential new land use and zoning provisions shall be pursued by the City to regulate land use in Ojai as it relates to open space. Such planning tools include but are not limited to:

- o Agricultural zoning;
- o Flood plain zoning;
- o Subdivision for public open space;
- o Development fees for acquisition of land for recreational open space uses;
- o Overlay zones in special open space areas or critical areas of the community;

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- o Acquisition of tax deed lands; and
- o Private and public golf course for future security as permanent open space.

Policy: The Open Space Element and its Open Space Plan shall be recognized as an official and adopted policy document in the assessment of future development proposals in the City.

Program: The Open Space Element and Plan shall be used in initial environmental assessments and during subsequent environmental documentation in City planning.

Program: The Open Space Element and its base data shall be periodically reviewed to improve the content and effectiveness in guiding sound development policies and programs, and in soliciting maximum public input during community planning procedures.

Policy: The City shall consider cooperative programs with other involved agencies and organizations for the acquisition, improvement, maintenance and/or preservation of open space.

Program: The City shall actively pursue open space programs in cooperation with the Federal, State, Regional, County and special district agencies.

Program: The City shall encourage private and quasi-private landowners to provide open space for preservation of natural features, landscaping, recreation, and other appropriate open space uses where feasible. This will include city support for a land bank program.

Program: The State Code on Open Space Easements will be complied with and pursued by the City. The Code provides that a city or county having a General Plan may accept grants of open space easements in which the owner relinquishes to the public, in perpetuity or for a term of 20 years or more, the right to construct improvements on it. The easement agreement may also contain a covenant against the extraction of natural resources, cutting trees or growth except for preservation or other unfriendly activities. It must be consistent with the Open Space Element of the General Plan and must be in the best interest of the state/county/city and important to the public for the employment of scenic beauty, use of natural resources, recreation, or production of food and fiber.

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Policy: Open Space designations for preservation of all types of open space identified in this Element and throughout the General Plan shall be coordinated and integrated into a comprehensive, coordinated open space network through the City.

Program: Multiple use of open space and connecting open space areas shall be pursued by the City by combining appropriate compatible open space land uses (i.e., hiking and riding trails along flood control channels; picnic sites and view points along scenic highways; multiple use of school playfields).

Program: The selection and use of open space shall be coordinated with other public agencies (i.e., park and school sites; flood control storm drains and municipal water treatment facilities) to maximize the efficiency of open space uses.

Policy: The City shall establish conformity between the General Plan Open Space/Conservation Elements and zoning.

Program: The City will evaluate its zoning criteria for conformity with the Open Space and Conservation Elements. Conflicts in zoning will be resolved as expeditiously as possible, by revisions or additions of new and amended sections to the subdivision and other related ordinances.

Program: The City will establish an equitable process for resolving conflicting open space and related property uses by:

1. Reviewing all development proposals with consideration of the environmental review process (CEQA) and the relationship with the Open Space Element and all other General Plan Elements;
2. Public noticing, public discussions and making available text and maps depicting open spaces and open space issues;
3. Providing opportunity for comment on the Open Space Element prior to future revisions.

Policy: The City shall support provisions for open space via density transfers, development clustering, and open space dedications where considered appropriate and feasible for the City to conserve open space lands.

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Program: During development review processing, the City shall consider alternative methods to conserve important or significant open space lands. Such alternative actions would or would not be permitted at the City's discretion and may include development clustering, density transfers, open space dedications or easements and other similar actions.

Policy: Achieving open space amenities in the R-2 and R-3 zones in the City of Ojai shall be a high priority to the community.

Program: The City shall investigate land use element changes to establish small open space opportunities within these areas.

AGRICULTURAL, BIOLOGICAL AND CULTURAL OPEN SPACE

Goals, Policies, and Implementing Programs relating to agricultural preservation (Important Farmlands), biological resources, and cultural resources are presented in the Conservation Element of the General Plan. The intentions and measures of the Conservation Element are hereby incorporated into the Open Space Element. They are further included in this Element by application to the Open Space Plan (map) as Agricultural Open Space, Biological Open Space and Cultural Open Space.

RECREATIONAL OPEN SPACE

The Recreation Element of the General Plan sets forth Goals, Policies and Implementing Programs relating to Recreation in Ojai. Recreation issues in that Element are divided into the following topics: Parks, Trails, Specialized Recreation Facilities and Preserves. Each of the topical sections relate to recreational open space in various ways. The provisions of the Recreation Element as they pertain to recreational open space are hereby incorporated into the Ojai Open Space Element. Programs and provisions of the Recreation Element have further been incorporated into this Element by their application to the Open Space Plan (map) as Recreational Open Space.

SCENIC OPEN SPACE

The City of Ojai shall support the maintenance and enhancement of the scenic, natural quality of Ojai by preserving as open space any parcel of land, ridgeline, or other qualified scenic element of the city or its planning area, to provide for the short-and long-term aesthetic health of Ojai.

The City of Ojai shall support the preservation of any unique or aesthetically valued aspect or character of Ojai by retaining open space that illustrates or

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protects those unique and natural characteristics that make Ojai a desirable place to live.

Policy: The natural features and general environmental characteristics of Ojai's hillsides and ridgelines shall be permanently preserved.

Program: No development or alteration to the natural condition of prominent ridgelines or adjacent/nearby areas shall be permitted by the City of Ojai. This program shall apply to the areas identified on the Open Space Plan as "Scenic Open Space" or "Scenic Points of Interest".

Program: The City shall work with all appropriate jurisdictions to restrict all development visible from the valley on the south face of the slopes of Los Padres National Forest.

Program: The City shall work with all interested parties to prohibit development visible from the valley on the north face of the Black Mountain and Sulphur Mountain. Development not visible would be permitted consistent with the intent of the general plan, its policies and programs.

Program: The Open Space Plan shall formally designate open space areas that will maintain and enhance the hillsides and ridgelines and provide a buffer between development and open space or agriculture.

Program: The City shall formulate and adopt a Hillside Development Ordinance in keeping with the Goals and Policies of this Element and the Conservation Element. The Ordinance will protect valuable hillside lands from exposure to development. It should also provide for hillside grading, standards and other restrictions.

Program: Areas adjacent to open space and agricultural lands will be carefully scrutinized during any development proposal's review for compatibility with the open space. Buffer zones and screening of development are examples of provisions for appropriate blending in transition between land uses.

Program: The City shall pursue the creation of a "Greenbelt Agreement" with the County of Ventura, City of Santa Paula and LAFCO to preserve open space and agricultural between Ojai and surrounding communities.

Policy: In establishing City policy and in other decision making efforts,

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the City will consider and highly value any open, natural, or special open space characteristic of a particular area. That characteristic will bear more weight than potential economic or other values which may result from the development or alteration of the land.

Program: The City shall incorporate an aesthetic open space provision in its development processing review. The provision shall require formal consideration of the aesthetic qualities of a site or its surroundings during a project's review.

Program: The City shall review its zoning code and incorporate appropriate mandatory "findings" related to the preservation of Aesthetic Open Space in the City.

Program: The City shall establish specific "finding" requirements related to the future subdivision of all lands under its jurisdiction related to open space within and adjacent to the City.

PUBLIC SAFETY OPEN SPACE

The City of Ojai shall provide for the public health and safety by isolating hazardous or potentially hazardous areas in open space by providing open space buffers between hazardous or potentially hazardous areas and urban or rural neighborhoods.

Policy: The City shall identify and limit the extent and intensity of land uses and development in hazardous areas such as, but not limited to: steep slopes, streambeds, flood plains, fault zones and erosive or landslide areas.

Program: Data within the Ojai MEA and other sources will be utilized to officially identify areas hazardous to public safety in Ojai and to formulate a Public Safety Element for the Ojai General Plan. The Public Safety Element should be created and adopted as soon as a feasible.

Program: Areas such as but not limited to flood plains, flood control channels, fault zones and fire breaks will be identified in the Public Safety Element. These areas will be reserved under the Element for permanent open space or compatible non-risk uses to protect public safety in Ojai.

Policy: Areas currently or potentially under uses containing any public health or safety hazard shall be adequately buffered as expeditiously as feasible to protect public safety.

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Program: Industrial and other uses with potential for public health/safety hazards shall be located appropriately and be adequately buffered with open space to absorb noise and other nuisances or dangers. These buffer areas will be assessed and provided on a project-specific basis, as proposed development is reviewed by the City.

Program: The City, in preparing its Public Safety Element, will identify land uses that potentially threaten public health and/or safety. The Element will further disallow or restrict the identified uses as is appropriate and will require adequate open buffer areas to protect the public health and safety. These provisions will become policy within the Public Safety Element and applied to the Open Space Plan as Public Safety Open Space.