

**CITY OF OJAI  
CITY COUNCIL RESOLUTION NO. 17-40**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OJAI, CALIFORNIA  
DENYING TENTATIVE TRACT MAP 5695 (TTM 17-01)  
FOR THE SUBDIVISION OF ONE EXISTING PARCEL INTO EIGHT (8)  
CONDOMINIUM PARCELS AND ONE COMMON AREA PARCEL  
FOR CRAFTSMAN VILLAGE  
COMMONLY ADDRESSED AS 611 PEARL STREET  
ASSESSOR'S PARCEL NUMBER: 023-0-141-430**

**WHEREAS**, the Property Owner, Craftsman Village Ojai, LLC, on April 4, 2017, submitted an application for a Tentative Tract Map Application (TTM 17-01) for the subdivision of one existing parcel into eight (8) condominium parcels and one common area parcel, at 611 Pearl Street, Assessor's Parcel Number: 023-0-141-430; and

**WHEREAS**, on June 20, 2017, the Tentative Tract Map (TTM 17-01) application was deemed complete; and,

**WHEREAS**, the original project underwent environmental review pursuant to the California Environmental Quality Act (CEQA). The City Council adopted a Mitigated Negative Declaration (MND) for the project on December 13, 2005, in conjunction with the project's original approvals, including a General Plan land use amendment from Commercial Manufacturing (CM) to Village Mixed Use (VMU) and a Zone Change from Light Manufacturing Industrial (M-1) to Village Mixed Use (VMU).

**WHEREAS**, a public hearing was held by the Planning Commission on July 19, 2017, for consideration of the Tentative Map (TTM 17-01), with notice of said hearing sent to all property owners within a 300' radius of the subject property and published in the *Ojai Valley News* at least 10 days prior to the public hearing; and

**WHEREAS**, after taking public testimony and hearing evidence from the City staff, the public, and the applicant, the Planning Commission adopted PC Resolution 17-14, that recommended approval to the City Council of Tentative Map (TTM 17-01) as consistent with the City's General Plan and City's Municipal Code; and

**WHEREAS**, on September 12, 2017, the City Council duly considered all evidence, including the testimony of the applicant, interested parties, and the evaluation and recommendations by staff, presented at said public hearing, deliberated regarding the proposed Tentative Map (TTM 17-01) and directed staff to prepare this resolution denying approval because the proposed condominium subdivision is not consistent with the City's General Plan and City's Municipal Code; and

**WHEREAS**, under CEQA Guidelines section 15270, the California Environmental Quality Act does not apply to projects which are denied.

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

**SECTION 1. Recitals.** That the City Council determines that the above set forth recitals are true and correct and incorporated herein.

**SECTION 2. Findings.** The City Council hereby determines as follows:

- A) The Craftsman Village Project was originally approved by the City Council on December 13, 2005 as an 8 units mixed-use project, with five live/work units, one residential unit, and two commercial units. The City Council approvals included a General Plan land use amendment from Commercial Manufacturing (CM) to Village Mixed Use (VMU) and a Zone Change from Light Manufacturing Industrial (M-1) to Village Mixed Use (VMU), allowing these mixed-use units and the overall development. The project was presented to and approved by the City Council as a rental project, providing rental units in the VMU zoning district and thereby helping to meet the City's Regional Housing Needs Allocation requirements, as VMU units are presumed to be affordable to moderate-income households.
- B) With this application, the property owner seeks to convert the project from a rental units into a condominium, subdividing the project into eight units and a common-area parcel.
- C) Under Government Code sections 66473.5 and 66474, subdivision (a), the City Council finds that the proposed subdivision and conversion of the project into a condominium project from the previously approved rental project is not consistent with the City of Ojai General Plan's Housing Element. The General Plan's Housing Element defines dwellings in the VMU as presumed to be affordable to moderate-income households. (2014-2021 Housing Element, Housing Action Plan, p. 60.) The project as approved, with the change in zoning from M-1 to VMU, thus provided six new rental residential units at the moderate income level. These new residential rental units contributed to the City's compliance with the Housing Element and were part of the City's existing compliance with its Regional Housing Needs Allocation obligations. The City Council, in approving the project as originally proposed with rental residential units, was cognizant of the City's then and now existing housing shortage and of the necessity in facilitating additional rental housing development, where appropriate, via targeted rezoning and project approvals. Therefore the City Council approved the project as originally proposed and accepted the loss of potential community employment opportunities inherent in the site's previous manufacturing and light industrial zoning in return for the significant community benefits inherent in new rental residential housing at the moderate income level. The current proposal for a condominium conversion of the existing approved project defeats this basis for the City Council's approval of the original project and its rezoning and General Plan amendment and is thus inconsistent with the Housing Element's promotion of the VMU zone as an opportunity for development of rental residential housing.

D) Under Government Code sections 66473.5 and 66474, subdivision (a), the City Council further finds that the proposed subdivision and conversion of the project into a condominium project from the previously approved rental project is not consistent with the City of Ojai General Plan's Land Use Element. Policy LU-3 requires the City to maintain a diverse inventory of land uses, providing a range of economic opportunities. The project as originally approved was consistent with this policy because it provided new residential rental units, ensuring that the City's existing constrained housing stock would be augmented by new rental units affordable to moderate income residents, including residents interested in taking advantage of rental live/work units in a small-scale mixed income, mixed use community. The proposed condominium conversion is not consistent with Land Use Element Policy LU-3 because it does not maintain these rental units as available for diverse uses in a mixed-income, mixed use community, meeting the City's existing need for new rental residential units. The proposed condominium conversion is also inconsistent with Land Use Element Policy LU-5 because the replacement of the rental units under construction with condominium units would replace needed rental residential units affordable to moderate income residents with additional for-sale housing stock, expected to be sold at market rate, failing to alleviate the community's need for rental housing that is affordable by design. Additionally, Land Use Element Policy LU-5 requires the City to protect the City's existing character by ensuring new residential development is appropriate to the City's existing residential character by providing adequate housing for all economic segments of the community. The proposed condominium conversion is inconsistent with this policy because the originally proposed rental residential units would be new housing stock available to the moderate income economic segment of the community, while the proposed for-sale housing is expected to be sold at market rates and thus effectively only provides a housing opportunity for the above-moderate income economic segment of the City's community.

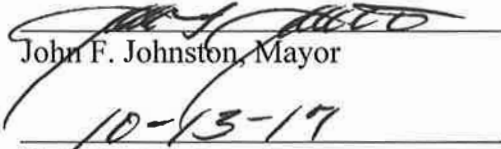
**SECTION 3. Denial.** The City Council hereby denies without prejudice approval of the requested Tentative Tract Map (TTM 17-01). The project, as originally approved by DRP 13-18 and as modified by DRP 17-02, remains approved as stated in the resolutions associated with those Design Review Permit approvals, subject to all existing conditions of approval.

City of Ojai  
Resolution No. 17-40

**PASSED AND ADOPTED** THIS 10<sup>th</sup> day of October 2017, by the following roll call vote:

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

CITY OF OJAI, CALIFORNIA

  
\_\_\_\_\_  
John F. Johnston, Mayor

10-13-17  
\_\_\_\_\_  
Date signed

ATTEST:

  
\_\_\_\_\_  
Gail Davis, Deputy City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Matthew Summers, City Attorney