

ORDINANCE NO. 1248

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SIMI VALLEY APPROVING A SIMI VALLEY MUNICIPAL CODE TEXT AMENDMENT (Z-S-720) TO INCREASE THE ALLOWED PRINCIPAL STRUCTURE HEIGHT IN ALL INDUSTRIAL ZONES (SVMC 9-26.050), AND ADOPTION OF THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PLAN THEREFOR

WHEREAS, the applicant, Adams Bennett Investments, has requested approval of a Simi Valley Municipal Code Text Amendment (Z-S-720) to allow increased height for principal structures in Industrial Zones – General Industrial, Light Industrial, and Commercial Industrial; and

WHEREAS, based upon evidence and testimony at the public hearing on August 19, 2015, and the findings contained in the Planning Commission staff report dated August 19, 2015, the Planning Commission of the City of Simi Valley recommended approval of Z-S-720.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SIMI VALLEY DOES RESOLVE AS FOLLOWS:

SECTION 1. The findings for approval of the Mitigated Negative Declaration and Mitigation Monitoring Plan, contained in Exhibit 1 of the City Council Staff Report dated September 21, 2015, and incorporated herein by reference, are approved.

SECTION 2. The Mitigated Negative Declaration and Mitigation Monitoring Plan, contained in Exhibit 1 of the City Council Staff Report dated September 21, 2015, are adopted.

SECTION 3. The findings for approval of Simi Valley Municipal Code Text Amendment Z-S-720, contained in Exhibit 1 of the City Council Staff Report dated September 21, 2015, and incorporated herein by reference, are hereby adopted.

SECTION 4. Based upon the evidence and testimony at the public hearing on September 21, 2015, and on the findings contained in the staff report dated September 21, 2015, incorporated herein by reference, Simi Valley Municipal Code Text Amendment Z-S-720, to allow increased height for structures in Industrial Zones – General Industrial, Light Industrial, and Commercial industrial, as shown in Exhibit A attached hereto, is hereby approved.

SECTION 5. The City Clerk shall cause this ordinance or a summary hereof to be published in a newspaper of general circulation, published in the County of Ventura and circulated in the City, and if applicable, to be posted, in accordance with Section 36933 of the California Government Code; shall certify to the adoption of this ordinance and shall cause a certified copy of this ordinance, together with proof of publication, to be filed in the Office of the Clerk of this City.

SECTION 6. This ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the thirty-first (31st) day after its passage.

PASSED and ADOPTED this 12th day of October 2015.

Attest:

/s/
Ky Spangler, Deputy Director/City Clerk

/s/
Robert O. Huber, Mayor of the
City of Simi Valley, California

Approved as to Form:

Approved as to Content:

/s/
Lonnie J. Eldridge, City Attorney

/s/
Eric J. Levitt, City Manager

/s/
Peter Lyons, Director
Department of Environmental Services

ZONE CHANGE Z-S-720

**SIMI VALLEY MUNICIPAL CODE AMENDMENT
REGARDING HEIGHT LIMITS IN INDUSTRIAL
ZONES IS AMENDED AS SHOWN IN UNDERLINED
TEXT**

9-26.050 – Commercial and Industrial District Height Limit Exceptions

The height limits established for certain zoning district by Table 2-6 may be modified in compliance with this Section. See also Section 9-30.060 (Height Limits and Exceptions) for additional exceptions applicable to all zoning districts.

- A. **Principal structure in the CO-~~or~~, CPD-zone, or Industrial Zones – GI, LI, and CI.** A multi-story structure exceeding 48 feet or three stories in height, measured as defined by the California Administrative Code Title 19, shall comply with all of the following standards:
1. **Fire safety provisions.** The structure shall be equipped with a Fire Department communication system and an automatic fire sprinkler system.
 2. **Helistop.** A helistop shall be provided on a structure that exceeds 75 feet in height.
 3. **Setback requirements.** Independent front, rear, internal, and side yards shall be provided, each with a minimum depth equal to the structure height. The Commission may deviate from these setback standards through the Conditional Use Permit process subject to making appropriate findings relating to either Subsection (A)(3)(a) or (b), below. When deviation from setback requirements is based upon a finding under either Subsection (A)(3)(a) or (b), below, the setback directly related to the finding shall be varied. For example, if the finding is based upon the proximity of the structure to the freeway, only the setback from the freeway may be modified. Other applicable rear, front or side yards with minimum depth equal to the structure height shall apply:
 - a. Deviations from setback requirements may be allowed because of proximity of the structure to the Simi Valley-San Fernando Valley Freeway or another commercial/industrial building;

- b. Deviations from setback requirements may be allowed because of an unusual lot configuration if one of the following findings is made:
 - (1) Strict application of the setback requirements applicable to structures that exceed 48 feet or exceeding three stories is not possible due to the size or shape of the lot, however the structure has been designed so that the underlying purposes of the setback requirement, i.e., effect on neighboring structures with respect to light, shadows, visibility, solar energy, ventilation, air, noise, safety or privacy, have been satisfied.
 - (2) A lot configuration that is such that compliance with the setback standards would result in the owner of the property being unable to make a reasonable use of his property in the manner and for the purposes which other property of like character in the same vicinity and zone can be used.

- 4. **Traffic Study.** A site specific traffic study evaluating traffic impacts of the development on the surrounding street system shall be submitted. The study shall include daily and peak hour traffic generation characteristics of the proposed development, turning movement and peak directional traffic projections, and a traffic volume to roadway capacity comparison at the current traffic level and at traffic levels associated with ultimate General Plan development. The study shall also include potential mitigation measures for projected traffic service levels lower than desirable levels of traffic service.