

ORDINANCE NO. 1291

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SIMI VALLEY APPROVING A CHANGE OF ZONING CLASSIFICATION (Z-S-732); AND ADOPTING THE NEGATIVE DECLARATION FOR PROPERTY LOCATED AT NORTHEAST CORNER OF BUYERS STREET AND SHOPPING LANE

WHEREAS, pursuant to the provisions of Simi Valley Municipal Code Titles 9-56, and 9-73, the applicant, Efrain Sandoval, has requested approval of a Zone Change (Z-S-732); for a 0.41-acre site located at northeast corner of Buyers Street and Shopping Lane, known as Ventura County Assessor's Parcel Nos. 626-0-342-090; and 626-0-342-105, and by the legal description attached hereto as Exhibit A, to change the site's Zoning designation from Commercial Planned Development-Business Park [CPD (BP)] to Residential Very High Density-Conditional Zoning [RVH (CZ)], restricting development to 10 units; and to adopt the project's Negative Declaration; and

WHEREAS, on August 15, 2018, the Planning Commission of the City of Simi Valley held a public hearing and recommended approval of Z-S-732 with the inclusion of conditional zoning for up to 10 units, and adoption of the project's Negative Declaration; and

WHEREAS, on October 29, 2018, the City Council considered evidence and public testimony on the project.

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

SECTION 1. The findings for adoption of the Negative Declaration, contained in Exhibit 2 of the City Council staff report, dated October 29, 2018, and incorporated herein by reference, are hereby adopted.

SECTION 2. The Negative Declaration contained in the City Council staff report Exhibit 2, dated October 29, 2018, and incorporated herein by reference, is hereby adopted.

SECTION 3. The findings for Zone Change No. Z-S-732 contained in the City Council staff report Exhibit 2, dated October 29, 2018, and incorporated herein by reference, are hereby adopted.

SECTION 4. Zone Change No. Z-S-732, amending Zoning Map Sheets 191 SVMC Section 9-20.030, contained in Exhibit B attached hereto, is hereby approved.

SECTION 5. Severability. If any provision of this ordinance is declared invalid by a court of competent jurisdiction, adjudicated to a final determination, the City Council finds that said voided part is severable, that the City Council would have adopted the remainder of this Ordinance without the severed and voided part, and that the remainder of this Ordinance shall remain in full force and effect.

SECTION 6. 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 7. 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 19th day of November 2018.

Attest:



Ky Spangler, City Clerk



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

Approved as to Form:



Lonnie J. Eldridge, City Attorney

Approved as to Content:



Eric J. Levitt, City Manager



Ted Drago
Interim Environmental Services Director

CERTIFICATION

I, City Clerk of the City of Simi Valley, California, do hereby certify that the foregoing is a full, true, and correct copy of Ordinance No. 1291 which was introduced on October 29, 2018 and adopted by the City Council of the City of Simi Valley, California, at a regular meeting thereof held on the 19th day of November 2018 by the following vote of the City Council:

- AYES: Council Members Cavanaugh, Mashburn, Judge, Mayor Pro Tem Becerra and Mayor Huber
- NAYS: None
- ABSENT: None
- ABSTAINED: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Simi Valley, California, this 30th day of November 2018.



 Ky Spangler
 City Clerk

LEGAL DESCRIPTION

The land referred to in this Commitment is situated in the City of Simi Valley, County of Ventura, State of California, and is described as follows:

PARCEL 1: (APN: 626-0-342-105)

LOTS 13 AND 14 OF BLOCK 2 OF THE AMENDED MAP OF THE TOWN OF SANTA SUSANA, IN THE CITY OF SIMI VALLEY, COUNTY OF VENTURA, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 12, PAGE 43 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES IN AND UNDER SAID LAND, BUT WITHOUT THE RIGHT TO ENTER THE SURFACE OF SAID LAND OR THE SUBSURFACE THEREOF TO A DEPTH OF 500 FEET BENEATH THE SUBSURFACE FOR THE REMOVAL OF SAID SUBSTANCES, AS CONVEYED TO LOU C. WRIGHT, A WIDOW, RECORDED JANUARY 10, 1962 IN BOOK 2094, PAGE 230 OF OFFICIAL RECORDS.

PARCEL 2: (APN: 626-0-342-090)

LOT 12 OF BLOCK 2 OF THE AMENDED MAP OF THE TOWN OF SANTA SUSANA, IN THE CITY OF SIMI VALLEY, COUNTY OF VENTURA, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 12, PAGE 43 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES IN AND UNDER SAID LAND, BUT WITHOUT THE RIGHT TO ENTER THE SURFACE OF SAID LAND OR THE SUBSURFACE THEREOF TO A DEPTH OF 500 FEET BENEATH THE SUBSURFACE FOR THE REMOVAL OF SAID SUBSTANCES, AS CONVEYED TO LOU C. WRIGHT, A WIDOW, RECORDED JANUARY 10, 1962 IN BOOK 2094, PAGE 230 OF OFFICIAL RECORDS.

Zone Change No. Z-S-732

A Zone Change from Commercial Planned Development - Business Park [CPD (BP)] to Residential Very High Density-Conditional Zoning [RVH (CZ)] for the property located at the NE corner of Buyers Street and Shopping Lane, as described as follows:

APN: 626-0-342-090 and 626-0-342-105

Zoning Map Book Change from Commercial Planned Development – Business Park to Residential Very High Density – Conditional Zoning [RVH (CZ)], restricting development of the site to a maximum of 10 units.

