

**CITY OF OJAI
ORDINANCE NO. 863**

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF OJAI, CALIFORNIA, APPROVING THE ESTABLISHMENT OF A
HISTORIC DISTRICT FOR THE TAORMINA COMMUNITY**

WHEREAS, On, October 13, 2015, the applicant submitted an application (MISC 15-21) to establish a historic district for the Taormina Community in the City of Ojai.

WHEREAS, On April 29, 2016, the Community Development Department found the application to be complete; and

WHEREAS, a public hearing was held by the Historic Preservation Commission on July 14, 2016, to consider the proposed Taormina Historic District with notice of said hearing sent to all property owners within the proposed district and with 300 feet, 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 and the applicant, the Historic Preservation Commission found, pursuant to the findings included in its' resolution and subject to the standards for implementation of the Historic District, that the proposed district is consistent with the City's General Plan and City's Municipal Code; and

WHEREAS, the applicants have provided evidence and the City has confirmed that at least 51% of the property owners within the District boundaries support the proposed district, and

WHEREAS, based upon the foregoing facts and findings for the Taormina Community Historic District, the City Council hereby determines as follows:

- a. Seven of the criteria required to be present in order to establish a historic district have been met as required by the City of Ojai Cultural and Historic Preservation Ordinance.
- b. The architectural integrity of the District will be maintained by application of design standards that apply to all new and existing structures in the District.
- c. Any lighting shall be so arranged as to be directed away from adjoining properties. All proposed lighting is conditioned to be Dark Sky compliant without spill of light off the subject site(s).
- d. The proposed project has been reviewed in compliance with the provisions of CEQA and the City's environmental review procedures.

WHEREAS, based upon the proposed historic district is exempt from the California Environmental Quality Act (CEQA) based on Section 15331, Conservation of Historic Resources, as it is an action that can be seen with certainty to have no significant effect on the environment.

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

SECTION 1. The above set forth recitals and findings are true and correct and incorporated herein by reference, as if set forth herein in full.

SECTION 2. After taking public testimony and hearing evidence from the City staff and the applicant, community members, and other interested parties the City Council finds, pursuant to the findings included in this Ordinance and subject to the standards and requirements of HPC Resolution No.16-01 that the proposed Taormina Community Historic District is consistent with the City's General Plan and complies with the City's Municipal Code; and

SECTION 3. The City Council finds that the nominated historic district meets Criteria (a), (b), (e), (h), (i), (j), and (k) of the Cultural and Historic Preservation Law of the City of Ojai, Ojai Municipal Code section 4-8.07, specifically as follows:

(a). The Taormina Community represents a significant aspect of religious and spiritual development in the City of Ojai and the Ojai Valley, particularly as it relates to the Krotona Institute and the Theosophical movement.

(b). The Taormina Community's founder, Ruth Wilson, worked with numerous individuals in the Theosophical Society and the Ojai Valley for an extended time to realize the vision of a Theosophically-based retirement community.

(e). The originally constructed homes in the Taormina Community incorporated elements of French Norman architectural style, particularly roof structural elements.

(h). The majority of original homes retain elements of the French Norman architectural characteristics.

(i). The Taormina Community has historic, aesthetic, or special character and interest for the general public and is not limited in interest to a special group or person. The Taormina Community is a significant element of the City of Ojai and Ojai Valley's spiritual and religious development, an aspect of the community for which it is nationally known.

(j). The designation does not require the expenditure by the City of any amount of money not commensurate with the value of the object to be preserved.

(k). The designation does not infringe upon the rights of a private owner thereof to make any and all reasonable uses thereof which are not in conflict with the purposes of Chapter 8 of Title 4 of the Ojai Municipal Code.

SECTION 4. The Taormina Community Historic District consists of Tracts 1956-1, -2, -3, and Tract 2446.

SECTION 5. That the City Council determines that the above set forth findings are true and correct in regards to application for the Taormina Community Historic District.

SECTION 6. Based on the architectural standards stated in this section and the further specific standards incorporated in Exhibit “A”, Objects of Record, which will apply to new development in the Taormina Community Historic District as well as modifications to existing structures in the District, the integrity of the criteria that is the basis for establishing the district will be preserved.

SECTION 7. The following Historic Preservation Standards and Procedures for the Taormina Community Historic District are hereby adopted for the area of the Taormina Community Historic District and shall apply to all development projects within this area, with the exceptions and limitations as stated below: **HISTORIC PRESERVATION STANDARDS AND PROCEDURES FOR THE TAORMINA COMMUNITY HISTORIC DISTRICT**

APPLICATION OF STANDARDS:

- These standards shall apply to all new construction as well as modifications to existing structures in the Taormina Community Historic District as specified herein.
- A Work Permit, applied for and issued under the procedures and regulations governing work permits in Chapter 8 of Title 4 of the Ojai Municipal Code, shall be required and approved under those regulations before the execution of improvements subject to these standards. In the event of any conflict between these Historic Preservation Standards and Procedures for the Taormina Community Historic District and the provisions of Chapter 8 of Title 4 of the Ojai Municipal Code, the more restrictive standard shall govern unless otherwise ordered by the City Council.
- Exemptions: The following modifications to existing structures are exempt from the requirement for a Work Permit:
 - Interior improvements, alterations, and modifications
 - Installation and repair of paved surfaces and permitted walls and fences.
 - Maintenance and modifications to landscape areas and materials.
 - Exterior improvements not visible from the street.
- Non-conforming Structures: Modular homes existing as of the date of the City Council’s ordinance designating the Taormina Community Historic District, which do not meet the architectural criteria of the original Taormina Community, are considered “grand-fathered” and shall not be required to conform to the architectural elements required herein, unless a new structure or modifications to the non-conforming structure are

proposed, other than modifications deemed exempt from the work permit requirement above.

- Modifications other than modifications deemed exempt from the work permit requirement above: Any modification involving expansion of a non-conforming structure requires compliance with the provisions of these standards to the area of expansion. Changes to non-structural elements such as windows and the like require compliance with these provisions as they apply to that improvement.

ARCHITECTURAL STANDARDS (further detailed in Exhibit A, Objects of Record, incorporated herein by reference)

EXTERIOR COLORS

Exterior paint colors for homes in the Taormina Community Historic District shall be selected from the color palette on file with the City of Ojai Community Development Department. Paint colors are selected earth tones from Benjamin Moore Company. Match colors and equivalents from other paint companies may be approved by the Community Development Director.

ROOF ELEMENTS

- Roof Line

The roof lines for homes in the Taormina Community Historic District shall conform to the diagrams included as Exhibit A.

- Roof Vent Gables

Conforming roofs must include a roof vent gable as shown in exhibits on file with the City of Ojai. Where gables are intended to provide light into the living space below, the vertical material shall be glass skylight materials.

STREET LAMPS

Decorative street lamps in a gas lamp style were permitted by the City of Ojai in lieu of typical tall street lights as a condition of the original Taormina subdivision. Each home in the Taormina Community Historic District shall have an operating street lamp. Lamps may be powered by gas, electricity, or solar power at an illumination level of approximately 2200 lumens. Parcels not having such lamps will be required to provide them as a condition of any work permit required herein. There is no manufacturer specification for the required street lamps. The style shall be that of a traditional gas lamp as exist throughout the neighborhood and examples of which are included in Exhibit A.

WINDOWS AND SHUTTERS

There is no manufacturer specification for new or replacement windows in the Taormina Community Historic District. Frame materials may be of wood, metal, vinyl, or other material of similar appearance, conforming shape, and with conforming shutters. Windows on front home elevations that are openable shall be horizontally rectangular in shape and dimension and at least one window shall have vertical shutter accents. Shutters shall extend the height of the window and shall consist of two or three nominal 2-inch thick pine or similar boards as shown in Exhibit A.

LANDSCAPES

Maintenance and modifications to home landscapes are exempt from the requirements for a work permit, provided that all other applicable provisions of the Ojai City code relating to the maintenance of trees, hedges, landscaping, and drought conservation standards are complied with. The planting of trees and the landscape palate were integral to the establishment of the initial Taormina community identity. Therefore, homeowners shall maintain properties, particularly front yards, in good order, to the satisfaction of the Community Development Director, to help preserve the intent of the Taormina Community Historic District.

SECTION 8. The City Council hereby approves the establishment of the Taormina Community Historic District.

SECTION 9. Environmental Determination. The City Council determines that the following findings and conclusions reflect the independent judgment of the City Council. The City Council finds that the adoption of the foregoing amendments to the Ojai Municipal Code is exempt from the California Environmental Quality Act (CEQA) for the following independent reasons:

(a) Under CEQA Guidelines Section 15331, CEQA review is not required because this ordinance adopts requirements governing new construction and certain modifications of existing structures within the Taormina Community Historic District, and is thus an action taken to preserve historic resources. Further, no new development or construction is authorized by this ordinance. As a result, nothing in this ordinance permits any expansion of land use beyond that level of land uses already existing in the City as this ordinance does not directly permit any change in land uses.

(b) Under CEQA Guidelines Section 15061(b)(3), CEQA review is not required because there is no possibility that the adoption of this ordinance, declaring a historic district and adopting requirements governing new construction and certain modifications of existing structures within the Taormina Community Historic District, would have a significant effect upon the environment. Under CEQA Guidelines Section 15061(b)(3), a project is exempt when there is no possibility that it may have a significant effect on the environment. No new development or construction is authorized by this ordinance. The proposed amendments do not directly authorize any new construction or development of new structures. Instead this ordinance adopts regulations and standards that will govern future projects consisting of new construction and certain modifications to existing structures, which will require further CEQA review when proposed.

The adoption of this ordinance is therefore exempt from CEQA review pursuant to Sections 15301 and 15061(b)(3) of the CEQA Guidelines.

SECTION 10. 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 11. 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 its certification, together with proof of publication, to be entered in the Book of Ordinances of the City.

SECTION 12. 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 13th day of September, 2016.

AYES: BLATZ, CLAPP, HANEY, LARA, WEIRICK
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE




Paul Blatz, Mayor

ATTEST:



Cynthia Burrell, Deputy City Clerk

APPROVED AS TO FORM:

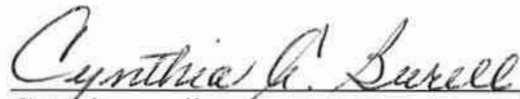


Matthew T. Summers, City Attorney

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

I, Cynthia Burrell, 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 August 30, 2016 and adopted at a regular meeting held on September 13, 2016 by the following vote:

AYES: BLATZ, CLAPP, HANEY, LARA, WEIRICK
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE


Cynthia Burrell
City Clerk for the City of Ojai