CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO. 2781

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING ZONE CHANGE (NO. PZ 07-570-08) FOR 934 AND 936 WEST FIFTH STREET AND 501 HOBSON WAY (APN's 202011028 AND 202011033) TO COMMERCIAL OFFICE. FILED BY GRACE BIBLE CHURCH AND SYNERGY DEVELOPMENT SERVICES (ON BEHALF OF T-MOBILE), 7146 VALJEAN AVENUE, VAN NUYS, CA 91406.

WHEREAS, on June 19, 2008, the Planning Commission approved Resolution No. 2008-41 recommending that the City Council adopt a resolution approving Planning and Zoning Permit No. 07-570-08 (Zone Change) filed by Grace Bible Church and Synergy Development Services; and

WHEREAS, Section 15061 of Title 14 of the California Code of Regulations exempts the project from the requirement for the preparation of environmental documents imposed by the California Environmental Quality Act; and

WHEREAS, the City Council held a public hearing and received and reviewed written and oral comments related to proposed Zone Change No. 07-570-08; and

WHEREAS, the City Council finds after due study and deliberation that the public interest and general welfare require the adoption of Zone Change No. 07-570-08; and

WHEREAS, the documents and other material that constitute the record of proceedings are located in the Planning Division, and the custodian of the record is the Planning Manager; and

WHEREAS, the applicant agrees, as a condition of adoption of this resolution, at applicant’s own expense, to indemnify, defend, and hold harmless City and its agents, officers, and employees from and against any claim, action or proceeding to attack, review, set aside, void, or annul the approval of this resolution or any proceedings, acts, or determination taken, done, or made prior thereto that were part of the approval process.

WHEREAS, the Applicant agree as a condition of approval of this resolution and at their own expense, to indemnify and defend the City of Oxnard and its agents, officers and employees from and against any claims, actions or proceedings to attack, set aside, void or annul the approval of this resolution or any actions or proceedings, acts or determinations taken, done or made before the approval of this resolution that were part of the approval process.

WHEREAS, the zone change is consistent with the 2020 General Plan.
NOW, THEREFORE, the City Council of the City of Oxnard does ordain as follows:

Part 1. The zoning governing 934 and 936 West Fifth Street and 501 Hobson Way (APN’s 202011028 and 202011033), as shown on the map attached hereto as Exhibit A, incorporated herein by reference and on file with the City Clerk, is changed to Commercial Office (CO).

Part 2. Within 15 days after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation published and circulated in the City. Ordinance No._______ was first read on ____, 2008, and finally adopted on ______, to become effective thirty (30) days thereafter.

PASSED AND ADOPTED this 19th day of July, 2008, by the following vote

AYES:

NOES:

ABSENT:

______________________________
Dr. Thomas E. Holden, Mayor

ATTEST:                         APPROVED AS TO FORM:

Daniel Martinez, City Clerk      __________________________
                                   Gary L. Gillig, City Attorney
Zone Change from Single Family Residential (R-1), High-Rise Residential (R-4), and Multiple-Family Residential (R-2) to Commercial Office (CO)