

**CITY OF OJAI**

**ORDINANCE NO. 922**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OJAI, CALIFORNIA, AMENDING OJAI MUNICIPAL CODE SECTION 10-6.1301 TO EXTEND THE TERM OF THE CITY OF OJAI'S GROWTH MANAGEMENT PLAN AND FINDING THAT THE ADOPTION OF THIS AMENDMENT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**WHEREAS**, in order to implement the City of Ojai's General Plan, and comply with the provisions of the Clean Air Act and the Ventura County (the "County") Air Quality Management Plan (the "AQMP"), on March 27, 1979, the City Council enacted Ordinance No. 571, commonly known as the Growth Management Plan; and

**WHEREAS**, the purpose of the Residential Growth Management Plan is to preserve the quality of life in the City by maintaining the following qualities regarding healthy environment, natural environment, small town atmosphere, strong community identification, aesthetic quality, cultural advantages, protecting the open space of the City, and ensure the balanced economic development of the City; and

**WHEREAS**, the current Residential Growth Management Plan, as adopted by Ordinance No. 828, is to expire on October 1, 2021; and

**WHEREAS**, the City Council now seeks to extend the current term of the Residential Growth Management Plan to keep in place the environmental protection elements referenced at the time of adoption, including not but not limited to air quality and noise impacts reductions, fire hazard mitigation and reduction of associated environmental impacts, and mitigation of the impact of additional construction and travel emissions on climate change; and

**WHEREAS**, the City Council recognizes state law, as enacted by Housing Crisis Act of 2019 (Senate Bill 330) and Senate Bill 8, limits the ability of the City to implement the Residential Growth Management Plan, and intends that the Residential Growth Management Plan shall apply to the fullest extent permitted by applicable law; and

**WHEREAS**, the City Council still desires to extend the Residential Growth Management Plan so it remains enforceable to extent permitted under applicable law, and to the maximum extent possible within the City when and if state law changes;

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

**SECTION 1. Recitals.** 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. Text Amendment.** Ojai Municipal Code section 10-6.1301 is hereby amended to read as follows, with deletions noted by ~~striketrough~~ and additions underlined:

**Section 10-6.1301. Expiration date.**

The provisions of this chapter shall expire on ~~October 1, 2021~~ October 1, 2025.

(§ 1, Ord. 769, eff. January 8, 2004, amended by § 4, Ord. No. 828, eff. July 11, 2013)

**SECTION 3 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 amendment to the Ojai Municipal Code is exempt from the California Environmental Quality Act (CEQA) for the following reasons:

- a. The adoption of the proposed ordinance does not meet the definition of a project under CEQA Guidelines section 15061, subdivision (b)(3) and section 15378, subdivision (a) and subdivision (b)(5). Under Section 15378, subdivision (b)(5), project for purposes of CEQA does not include organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment. This ordinance is administrative in nature and will not result in any direct or indirect physical changes in the environment. The adoption of this ordinance is therefore exempt from CEQA review pursuant to California Code of Regulations, Title 14, Sections 15060 and 15378, subdivision (b)(5) of the CEQA Guidelines.

**SECTION 4. 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 5. 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.

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**SECTION 6. Effective Date.** This Ordinance shall take effect 30 days after its passage and adoption pursuant to California Government Code Section 36937, shall supersede any conflicting provision of any City of Ojai ordinance, and shall continue in effect until terminated by further action of the City Council in accord with applicable law.

CITY OF OJAI, CALIFORNIA

By Betsy Stix  
Betsy Stix, Mayor  
Oct 19, 2021  
Date signed

ATTEST:

Gail Davis  
Gail Davis, Deputy City Clerk

APPROVED AS TO FORM:


Matthew T. Summers  
Matthew T. Summers, City Attorney

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

I, Gail Davis, Deputy 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 September 28, 2021 and adopted at a regular meeting held on October 12, 2021 by the following vote:

**AYES:** Blatz, Francina, Haney, Stix, Weirick  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None

  
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Gail Davis  
Deputy City Clerk for the City of Ojai