

**CITY OF OJAI**  
**ORDINANCE NO. 894**

**AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF OJAI, CALIFORNIA AMENDING TITLE 10,  
CHAPTERS 1 AND 2 OF THE OJAI MUNICIPAL CODE  
RELATING TO THE PLANNING COMMISSION.**

**THE CITY COUNCIL OF THE CITY OF OJAI CALIFORNIA DOES ORDAIN  
AS FOLLOWS:**

**SECTION 1. Code Amendment.** Ojai Municipal Code Section 10-1.01 is hereby amended to read as follows, with additions denoted by underlined text and deletions denoted by ~~struck-through text~~:

There is hereby established in the City a Planning Commission consisting of ~~seven (7)~~ five (5) members. ~~to be appointed by the Mayor with Each Councilmember shall appoint one Commissioner, ratified by the approval of a majority of the full Council and the Redevelopment Agency. Four (4) Three (3) members of the Commission shall constitute a quorum, and no quorum shall consist of a majority of nonresidents of the City. At least one of the members shall have a current license to practice in the field of architecture and at least one two members shall be chosen from persons having distinctly separate training and experience from the fields of in architecture, art, building construction, civil engineering, land use planning, land use law, urban planning, or landscape design. While it is preferred that all members of the Commission have primary residence and be domiciled within the City, a minimum of three (3) members of the Commission must have primary residence and be domiciled within the City. No more than a minimum of three (3) members of the Commission shall be nonresidents of the City. All members must live within the Ojai Area of Interest, as defined by the Ventura County Local Agency Formation Commission.~~

**SECTION 2. Code Amendment.** Ojai Municipal Code Section 10-1.02 is hereby amended to read as follows, with additions denoted by underlined text and deletions denoted by ~~struck-through text~~:

Except as otherwise provided in this section, the members of the Planning Commission shall be appointed for terms of four (4) years, expiring at the first regular City Council meeting in May, as provided below. Members shall hold office until their successors have been appointed and qualified. A person who has been appointed to fill a vacancy shall hold office for the remainder of the unexpired term. Any member of the Commission may be removed by the Mayor, subject to the approval of the Council ~~and the Redevelopment Agency~~ or by a majority

City of Ojai  
Ordinance No. 894

~~vote of both the Council and the Redevelopment Agency. The first Planning Commission seat to become vacant after passage of Ordinance No. 894 amending this section shall not be filled. The second seat to become vacant shall be filled by the Mayor, and the third shall be filled by the Councilmember representing City Council District 4. Subsequent appointments shall be made in the following order: City Council District 1, City Council District 2, City Council District 3, City Council District 4, and the Mayor, repeating as terms expire such that the five Planning Commission members correspond to the Mayor and four City Council Districts. If a Planning Commission member resigns before the end of their term, the City Councilmember for the Voting District that appointed that member shall appoint their replacement, and the Redevelopment Agency. For those members whose terms are scheduled to expire on December 31, 2015, their terms shall expire at the second regular City Council meeting of May 2016 and for those members whose terms expire on December 31, 2017, their terms shall expire at the second regular City Council meeting of May 2018. Thereafter, appointments will be for four (4) years.~~

**SECTION 3. Code Amendment.** Ojai Municipal Code Section 10-2.104 is hereby amended to read as follows, with additions denoted by underlined text and deletions denoted by ~~struck through text~~:

These zoning regulations shall be administered by the Ojai City Council (the “Council”), the Ojai Planning Commission (the “Commission”), the Community Development Director (the “Director”), the Historic Preservation Commission, and the Community Development Department (the “Department”). The participation of these groups and individuals in the development review process is as follows:

- (a) Commission. The Commission shall:
  - (1) Consist of ~~seven (7)~~ five (5) members who are appointed by the Mayor, with the approval of the Council, and who and serve in compliance with according to the provisions of Chapter 1 of Title 10 of the Municipal Code;
  - (2) Adopt rules for the transaction of business and keep a public record of its actions in compliance with Section 10-1.03 of the Municipal Code. ~~Four (4)~~ Three (3) commissioners shall constitute a quorum of the Commission, and no quorum shall consist of a majority of nonresidents of the City. All meetings shall be open and public;
  - (3) Perform the duties and functions prescribed in these zoning regulations, and in compliance with Section 10-1.04 of the Municipal Code. The Commission shall recommend adoption, implement, and periodically review and recommend revisions to the General Plan and these zoning regulations for the desired physical development of the City, and any land within its sphere of influence;
  - (4) Have the following authority:
    - (A) The Commission has the authority to grant final approval for the following:
      - (i) Design review permits;
      - (ii) Conditional use permits;
      - (iii) Planned development;
      - (iv) Sign programs;

- (v) Variances; and
  - (vi) Certification and approval of appropriate environmental documentation in compliance with the California Environmental Quality Act (“CEQA”).
- (B) All of the above-listed determinations are subject to appeal to the Council in compliance with Article 30 of this chapter.
- (C) The Commission shall also make recommendations to the Council for final determinations regarding the following:
- (i) Development agreements;
  - (ii) General Plan amendments;
  - (iii) Specific plans;
  - (iv) Tentative Tract Maps;
  - (v) Zoning Map amendments;
  - (vi) Zoning Ordinance amendments; and
  - (vii) Other applicable ordinances or regulations which are zoning in nature.
- (b) Director. The Director shall:
- (1) Be appointed by the City Manager;
  - (2) Perform the duties and functions prescribed in these zoning regulations, in addition to the day-to-day and long range management of the Department;
  - (3) Have the following authority:
    - (A) The Director has the authority to grant final approval for the following:
      - (i) Minor architectural review exemptions;
      - (ii) Home occupation permits;
      - (iii) Interpretation/definition of “allowed uses” in compliance with Article 33 of this chapter;
      - (iv) Lot line/boundary adjustments, where no increase in density would result;
      - (v) Minor conditional use permits;
      - (vi) Minor variances and modifications;
      - (vii) Sign permits, except signs for arcade storefronts;
      - (viii) Temporary use permits;
      - (ix) Tree permits, except where more than five (5) oak, sycamore or heritage trees, or a combination thereof, are to be cut down, removed, or relocated upon a single parcel. Unusual cases where less than five (5) trees are involved may be referred to the Commission by the Director;
      - (x) Zoning clearances.
      - (xi) Administrative exemption from exterior lighting standards in compliance with Article 16.5 of this chapter.

- (B) All of the above-listed “powers” are subject to referral/appeal to the Commission in compliance with Article 30 of this chapter.
- (d) Historic Preservation Commission. The Historic Preservation Commission shall:
- (1) Be appointed by the Council;
  - (2) Perform the duties and functions specified in Municipal Code Title 4, Chapter 8; and
  - (3) Review and approve any alteration, rehabilitation, or restoration; construction or reconstruction; demolition; relocation affecting a landmark and all signs for arcade storefronts.

**SECTION 4. 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 independent reasons:


Under California Code of Regulations, Title 14, Section 15061, subdivision (b)(3), of the CEQA Guidelines, CEQA review is not required if an activity is not a project as defined in California Code of Regulations, Title 14, Section 15378, of the CEQA Guidelines. 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 5. 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 6. 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 7. Effective Date.** This Ordinance shall take effect 30 days after its passage and adoption pursuant to California Government Code Section 36937.

CITY OF OJAI, CALIFORNIA

By   
John F. Johnston, Mayor  
6-10-2019  
Date signed

ATTEST:  
  
Gail Davis, Deputy City Clerk


APPROVED AS TO FORM:  
  
Matthew T. Summers, City Attorney

City of Ojai  
Ordinance No. 894

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 March 12, 2019 and adopted at a regular meeting held on March 26, 2019 by the following vote:

AYES: Blatz, Francina, Haney, Johnston, Weirick  
NOES: None  
ABSTAIN: None  
ABSENT: None

  
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Gail Davis  
Deputy City Clerk