

Meeting Date: April 17, 2024 Continued from March 20, 2024

**TO:** LAFCo Commissioners

**FROM:** Kai Luoma, Executive Officer

SUBJECT: Sphere of Influence Review: LAFCo 23-16S City of Ojai

#### **Recommendation:**

Adopt Resolution LAFCo 23-16S (Attachment 4) making determinations and reviewing the sphere of influence for the City of Ojai (City) pursuant to Government Code Section 56425(g), including that a sphere of influence update is not necessary.

#### **City Information:**

The City of Ojai was incorporated in 1921, and is governed by a five-member city council. The City provides a variety of municipal services, including animal services, building and safety services, cemetery services, community development/planning services, parks and recreation services, police services, solid waste collection and disposal services, storm drain maintenance services, street maintenance services, and transit services. Depending on the service category, services are provided either directly or by contract with other public or private providers. The City's sphere of influence covers approximately 5,159 acres (about 8.06 square miles), and its jurisdictional area covers about 2,794 acres (Attachment 1).

#### **Background:**

Pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 et seq.), the Commission was required to determine and adopt a sphere of influence (or "sphere") for each city and special district on or before January 1, 2008. A sphere of influence is defined in Government Code Section 56076 as the probable physical boundary and service area of a local agency, as determined by the Commission. Every five years thereafter, the Commission must, as necessary, review and update each sphere of influence (Government Code Section 56425(g)).

#### COMMISSIONERS AND STAFF

COUNTY Jeff Gorell Janice S. Parvin	<b>CITY</b> Jenny Crosswhite, Chair John C. Zaragoza	<b>DISTRICT</b> Raul Avila, Vice-Chair Mary Anne Rooney	<b>PUBLIC</b> Pat Richards
Alternate	Alternate	Alternate	Alternate
Matt LaVere	Susan Santangelo	Mohammed A. Hasan	David J. Ross
Executive Officer	<b>Deputy Executive Officer</b>	<b>Office Manager/Clerk</b>	<b>Legal Counsel</b> Jeffrey Barnes
Kai Luoma	Andrea Ozdy	Richelle Beltran	

In compliance with Government Code Section 56425(g), the Commission accepted municipal service review (MSR) reports for the City in 2007, 2012, and 2018. The City's most recent MSR report, titled *City of Ojai Municipal Service Review,* was accepted by the Commission on February 21, 2018. All of the MSRs conducted by LAFCo for the City are available on the <u>LAFCo</u> website.

LAFCo's past sphere of influence reviews for the City are summarized as follows:

- 1. On May 16, 2007 (based on LAFCo's March 21, 2007, MSR prepared for the City), the Commission updated the City's sphere, adjusting it to ensure that the sphere more accurately aligned to existing parcel boundaries, and to exclude areas owned by the U.S. government within the Los Padres National Forest.
- 2. On November 14, 2012, (in conjunction with LAFCo's November 14, 2012, MSR prepared for the City), LAFCo reviewed (but made no changes to) the City's sphere of influence.
- 3. On February 21, 2018 (in conjunction with LAFCo's February 21, 2018, MSR prepared for the City), LAFCo reviewed (but made no changes to) the City's sphere of influence.

#### **Discussion:**

Sphere of Influence Evaluation

Based on the work plan established by the Commission, an evaluation of the City's sphere of influence was to be initiated in 2023. Over the last year, LAFCo staff has consulted with City staff to discuss the City's sphere of influence, and to determine: (1) if the City has experienced any changes to its service needs or areas since LAFCo's most recent evaluation of its sphere of influence, and (2) if City staff anticipates any service changes that would warrant adjustment of the sphere boundaries.

The sphere of influence for the City of Ojai differs from that of other cities in the County in that it is not affected by Commission policies that consider the location of each city's voterapproved City Urban Restriction Boundary (CURB)¹ when determining a sphere of influence, as the City of Ojai does not have a voter-approved CURB. Instead, based on LAFCo records, the location of the City of Ojai's sphere of influence was largely based on a 1984 agreement between the County and the City pertaining to future development that was endorsed by LAFCo (known as the Joint Resolution of the City Council of the City of Ojai and the Board of Supervisors of the County of Ventura Pledging Cooperation and Establishing Policies for the Review of Land Use Matters in the Vicinity of the City (Joint Resolution) (Attachment 2)). The primary purposes of the Joint Resolution were to provide for the mutual review and

<sup>&</sup>lt;sup>1</sup> Save Open Space and Agricultural Resources (SOAR) ordinances establish a CURB as a boundary within which voter approval is generally required prior to the extension of city services or a change in general plan designation.

consultation regarding land use changes in the Ojai Area of Interest<sup>2</sup>, to encourage urban development to be located within the City, and to establish that standards for development within the County should not be less than those required by the City. The sphere of influence was determined at this time to acknowledge the Joint Resolution and to reflect efforts by the City and the County to control how and where development within the area surrounding the City would occur with the intent of annexing these areas to the City. Many of the provisions of the Joint Resolution ultimately were included in the Guidelines for Orderly Development (Guidelines), which were adopted by the City of Ojai for the first time in 1983 and again in 1995 (Attachment 3). The Guidelines, which were also adopted by the County and LAFCo and acknowledged the location of the sphere of influence as determined in 1984, provided additional policies specific to development within an Area of Interest and within the sphere of influence for the cities. However, it appears that the adoption of the Guidelines did not nullify the Joint Resolution.

The City's General Plan Land Use Element does not designate land uses outside current City boundaries. It therefore appears that the City does not anticipate annexation of area within its sphere of influence to accommodate future development under the City's current General Plan. Instead, it appears that the sphere boundary was established largely based on the 1984 agreement to implement the City's, the County's, and LAFCo's desire to provide the City with opportunities to review, and influence, land use decisions in the area surrounding the City of Ojai. This was reaffirmed with the adoption of the Guidelines by the same three agencies.

LAFCo staff has met with City staff and consulted with LAFCo Legal Counsel, and supports the continued applicability of the 1984 agreement. Therefore, although the existing sphere of influence boundary does not appear to reflect the City's current and probable service area, no changes to the sphere of influence for the City are recommended.

The sphere of influence review involving no changes is not subject to the California Environmental Quality Act (CEQA) because it "will not result in a direct or reasonably foreseeable indirect physical change in the environment" (CEQA Guidelines Section 15060(c)(2)).

#### Written Determinations

Government Code Section 56425(e) requires that, in determining the sphere of influence of an agency, the Commission consider and prepare a written statement of its determinations with respect to each of the following:

<sup>&</sup>lt;sup>2</sup> Areas of Interest were planning tools adopted by Ventura LAFCo in the 1960s that predated the requirement to determine spheres of influence for each city. Each city was within its own Area of Interest. They served as planning referral boundaries for the County Planning Division.

(1) The present and planned land uses in the area, including agricultural and open-space lands. (Section 56425(e)(1))

The City's sphere of influence includes residential, commercial, industrial, public, agricultural, and open space uses, as reflected on the land use map of the County's General Plan. The City's General Plan Land Use Element does not designate land uses outside current City boundaries. It therefore appears that the City does not anticipate annexation of area within its sphere of influence to accommodate future development under the City's current General Plan.

(2) The present and probable need for public facilities and services in the area. (Section 56425(e)(2))

The City provides a variety of public facilities and services within its service area, and there are no anticipated changes in the type of public facilities and services that it provides. Based on the County's land use designations and characteristics of the land contained within the City's sphere, no changes to existing and planned land uses are expected.

(3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide. (Section 56425(e)(3))

The City provides a range of public facilities and services, both directly and by contract, in support of its population. Based on a review of City documents and consultation with City staff, it appears that, consistent with the evaluation provided in the MSR accepted by the Commission on February 21, 2018: (1) the City has the ability to continue to provide public facilities and services at existing levels within its service area, and (2) additional demands on the City are not expected to adversely impact the present capacity of public services and adequacy of public services provided by the City.

(4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency. (Section 56425(e)(4))

A disadvantaged unincorporated community is defined as a community with an annual median household income that is less than 80 percent of the statewide annual median household income (Government Code Section 56033.5). No disadvantaged unincorporated communities are located within or contiguous to the City's sphere of influence.

(5) For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection. . . the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence. (Section 56425(e)(5))

The review of the City's sphere of influence is not considered an update (i.e., a modification) to the sphere. Additionally, no disadvantaged unincorporated communities are located within the City's sphere of influence.

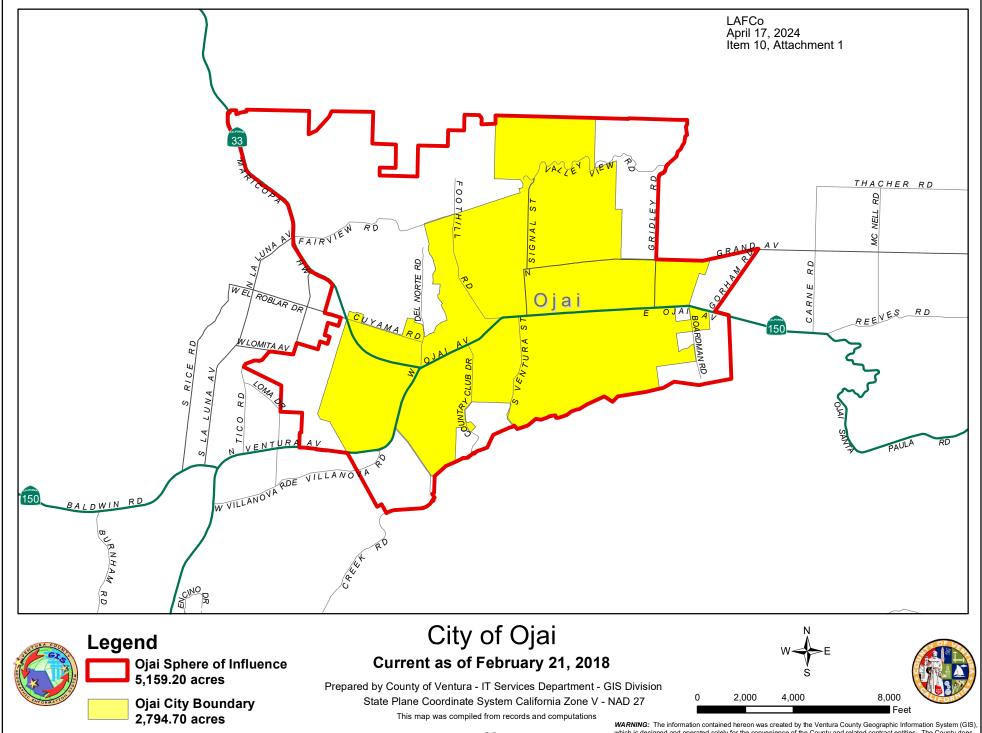
#### Notice of Public Hearing

This matter has been noticed as a public hearing pursuant to Government Code Section 56427. Additionally, all affected agencies have been notified of the public hearing.

#### Attachments:

- 1. Existing Sphere of Influence Map for the City of Ojai
- Joint Resolution of the City Council of the City of Ojai and the Board of Supervisors of the County of Ventura Pledging Cooperation and Establishing Policies for the Review of Land Use Matters in the Vicinity of the City
- 3. Guidelines for Orderly Development
- 4. LAFCo 23-16S Resolution

LAFCo makes every effort to offer legible map files with the online and printed versions of our reports; however, occasionally the need to reduce oversize original maps and/or other technological/software factors can compromise readability. Original maps are available for viewing at the LAFCo office by request.



LAFCo April 17, 2024 Item 10, Attachment 2

JOINT RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF OJAI AND THE BOARD OF SUPERVISORS
OF THE COUNTY OF VENTURA PLEDGING COOPERATION
AND ESTABLISHING POLICIES FOR THE REVIEW
OF LAND USE MATTERS IN THE VICINITY OF THE CITY

WHEREAS, the City of Ojai and County of Ventura wish to continue cooperative relations regarding questions of land use within the Ojai Valley and the intent of this resolution to promote harmony and consistency in planning programs; and

WHEREAS, the City and County wish to ensure, for their mutual advantage and for the benefit of landowners and residents of the Ojai Valley, that there are adequate opportunities for discussion and consideration of proposed land use changes; and

WHEREAS, an Area of Interest, as used in this resolution, means:

A planning boundary established by the Local Agency Formation Commission (LAFCO) which defines the geographical area within which there shall be no more than one city and, further, identifies the area of detailed consultation and mutual cooperation regarding land use matters as specified in this joint resolution; and

WHEREAS, a city sphere of influence, as used in this resolution, means:

A planning boundary established by LAFCO which defines the area proposed for inclusion within the city's "probable ultimate" boundaries and which is used for evaluating future boundary change requests; and

WHEREAS, it is the intent of the City and County to (a) provide for mutual review and consultation regarding land use changes within the <u>Ojai Area of Interest</u>, and (b) ensure that urban development within this area occurs only within the City; and

WHEREAS, this resolution is a means of implementing the County's policies that whenever and wherever practical urban development should be located within incorporated cities which exist to provide a full range of municipal services and that the development standards and costs imposed by the County within a City's Area of Interest should be not less than those required by the City; and

#### NOW, THEREFORE, BE IT JOINTLY RESOLVED AND DETERMINED as follows:

- 1. Within the Ojai Area of Interest the County agrees and pledges to notify the City of all proposed discretionary land use changes and related matters and not to reach binding decisions regarding such issues until the City has had the reasonable opportunity to review and comment on such matters.
- 2. Within the <u>Ventura River Valley Area of Interest</u>, the County agrees and pledges to notify the City of all proposed General Plan Amendments and not to reach binding decisions until the City has had the reasonable opportunity to review and comment on such matters.
- 3. The County agrees and pledges to keep the City advised of any State plans of which it becomes aware which would lead to construction of additional through traffic lanes on State Route 33 northerly of its present termination as a freeway near Foster Park.
- 4. The City agrees and pledges to notify the County of all applications for discretionary land use changes and related matters filed with the City, and to provide the reasonable opportunity for the County to review and comment on such matters.
- 5. If the City amends its General Plan, the County shall consider, in good faith, making parallel changes in the Area Plan for the Ojai Valley.
- 6. If the City amends or expands its General Plan to include land uses other than "Agriculture" or "Open Space," LAFCO shall automatically reconsider the Ojai Sphere of Influence.

7 .	Ву	its	adoption,	the	City	and	County	jointly	request	the	Local	Agency
	For	matio	on Commissi	on to	o offi	cial:	ly endor	se this	resolutio	on; t	he pro	visions
	of	the	resolution	shall	beco	me e	ffective	when su	ch endors	ement	is pr	ovided.

PASSED AND ADOPTED this 261 day of June, 1984, by the City Council of the City of Ojai.

ATTEST: Lynde Lynde City of Ojai

Mayor of the City of Ojai

PASSED AND ADOPTED this 3rd day of July, 1984, by the Board of Supervisors of the County of Ventura.

COUNTY OF VENTURA

Chair, Board of Supervisors

ATTEST:

RICHARD D. DEAN, County Clerk County of Ventura, State of California and ex officio Clerk of the Board of Supervisors thereof

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Deputy Clerk



ENDORSED by the Local Agency Formation Commission this \_\_\_\_\_\_\_ day of

arman

Local Agency Formation Commission

W. W. Wherton

j/K360



### **Public Information**

County of Ventura • Resource Management Agency • Planning Division
800 South Victoria Avenue, Ventura, CA 93009 • 805 654-2488 • www.vcrma.org/divisions/planning

## **Guidelines for Orderly Development**

he "Guidelines for Orderly Development" have been adopted by the Board of Supervisors, all City Councils within Ventura County and the Local Agency Formation Commission (LAFCO). They refine the guidelines originally adopted in 1969 and maintain the consistent theme that urban development should be located within incorporated cities whenever or wherever practical.

The revision of these Guidelines in December 1996 culminated an effort during the year by the County, Cities and LAFCO to improve the clarity of relationships between local agencies with respect to urban development projects.

#### **Intent of Guidelines**

- Clarify the relationship between the Cities and the County with respect to urban planning
- Facilitate a better understanding regarding development standards and fees
- Identify the appropriate governmental agency responsible for making determinations on land use requests

#### Jurisdictional Framework

The Guidelines are a unique effort to encourage urban development to occur within Cities; enhance the regional responsibility of County government; and facilitate the orderly planning and development of Ventura County by:

- Providing a framework for cooperative intergovernmental relations.
- Allowing for urbanization in a manner that will accommodate the development goals of the individual communities while conserving the resources of Ventura County.
- Promoting efficient and effective delivery of community services for existing and future residents.
- Identifying in a manner understandable to the general public the planning and service responsibilities of local governments providing urban services within Ventura County.

#### **General Policies**

- Urban development should occur, whenever and wherever practical, within incorporated cities which exist to provide a full range of municipal services and are responsible for urban land use planning.
- The Cities and the County should strive to produce general plans, ordinances and policies which will fulfill these Guidelines.

## Policies Within Spheres of Influence

- Applicants for land use permits or entitlements for urban uses shall be encouraged to apply to the City to achieve their development goals and discouraged from applying to the County.
- The City is primarily responsible for local land use planning and providing municipal services.
- Prior to being developed for urban purposes or to receiving municipal services, land should be annexed to the City.
- Annexation to the City is preferable to the formation of new or expansion of existing County service areas.
- Land uses allowed by the County without annexation should be equal to or more restrictive than land uses allowed by the City.
- Development standards and capital improvement requirements imposed by the County for new or expanding developments should not be less than those that would be imposed by the City.

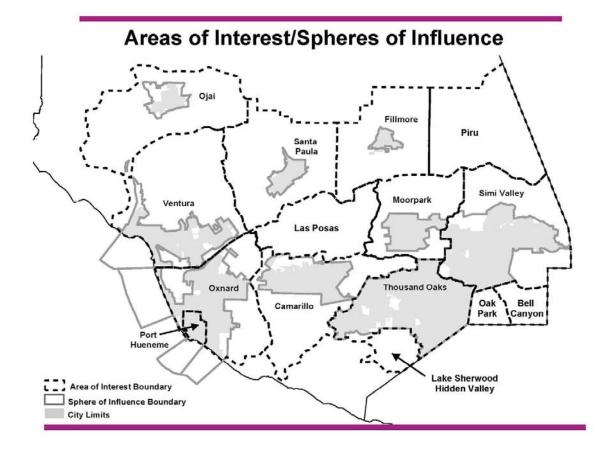
# Policies Within Areas of Interest Where a City Exists

(outside that City's Sphere of Influence)

- Applications for discretionary land use permits or entitlements shall be referred to the City for review and comment. The County shall respond to all comments received from the City.
- The County is primarily responsible for local land use planning, consistent with the general land use goals and objectives of the City.
- Urban development should be allowed only within Existing Communities as designated on the County General Plan.
- Existing Communities as designated on the County General Plan should financially support County-administered urban services which are comparable to those urban services provided by the Cities.

#### Policies Within Areas of Interest Where No City Exists

- The County is responsible for land use planning and for providing municipal services.
- Urban development should only be allowed in Unincorporated Urban Centers or Existing Communities as designated in the County General Plan.
- Urban development in Unincorporated Urban Centers should only be allowed when an Area Plan has been adopted by the County, to ensure the proposed development is consistent with the intent of the Guidelines.



### **Definitions**

**AREAS OF INTEREST**- A plan adopted by LAFCO which divides the County into major geographic areas reflective of community and planning identity. Within each Area of Interest, there is to be no more than one city (but there will not necessarily be a city in each Area). Areas of Interest also serve as planning referral boundaries of the County Planning Division.

**DEVELOPMENT STANDARDS**- Local regulations which determine the provision of essential services and infrastructure within designated land use districts or jurisdictions and which control the architectural and engineering design of buildings, structures and roadways.

**EXISTING COMMUNITY**- A land use designation of the County General Plan which identifies existing urban residential, commercial or industrial enclaves located outside Urban designated areas (i.e., cities or Unincorporated Urban Centers).

An Existing Community may include uses, densities, building intensities and zoning designations which are normally limited to Urban designated areas but do not qualify as Unincorporated Urban Centers.

This designation has been established to recognize existing land uses in unincorporated areas which have been developed with urban building intensities and urban land uses; to contain these enclaves within specific areas so as to prevent further expansion; and to limit the building intensity and land use to previously established levels.

LOCAL AGENCY FORMATION COMMISSION (LAFCO)- A regulatory commission empowered by State law to coordinate logical and timely changes in local government boundaries; conduct special studies which review way to reorganize, simplify and streamline

government structure; and prepare Spheres of Influence for each city and special district.

**SPHERES OF INFLUENCE**- Plans adopted by LAFCO which designate the probable boundaries of each city and special district. The adoption of Spheres of Influence is required by Section 56425 of the Government Code.

UNINCORPORATED URBAN CENTER- A term of the County General Plan which refers to an existing or planned urban community which is located in an Area of Interest where no city exists. The Unincorporated Urban Center represents the focal center for community and planning activities within the Area of Interest, and may be a candidate for future incorporation.

**URBAN DEVELOPMENT**- Development shall be considered urban if it meets any of the following criteria:

- It would require the establishment of new community sewer systems or the significant expansion of existing community sewer systems
- 2. It would result in the creation of residential lots less than two (2) acres in area; or
- It would result in the establishment of commercial or industrial uses which are neither agriculturally-related nor related to the production of mineral resources.

#### **LAFCO 23-16S**

## RESOLUTION OF THE VENTURA LOCAL AGENCY FORMATION COMMISSION MAKING DETERMINATIONS AND REVIEWING THE SPHERE OF INFLUENCE FOR THE CITY OF OJAI

WHEREAS, Government Code § 56425 et seq. requires the Local Agency Formation Commission (LAFCo or Commission) to develop and determine the sphere of influence of each local governmental agency within the County; and

WHEREAS, Government Code § 56425(g) requires that on or before January 1, 2008, and every five years thereafter, the Commission shall, as necessary, review and update the sphere of influence of each city and special district; and

WHEREAS, the Commission updated the sphere of influence for the City of Ojai (City) in 2007, and reviewed the sphere in 2012 and 2018; and

WHEREAS, the Commission accepted a municipal service review report for the City on February 21, 2018; and

WHEREAS, the Commission desires to review the sphere of influence for the City; and WHEREAS, no change in regulation, land use, or development will occur as a result of reviewing the sphere of influence for the City; and

WHEREAS, at the times and in the manner required by law, the LAFCo Executive Officer gave notice of the consideration of this item by the Commission; and

WHEREAS, the sphere of influence review item was duly considered at a public hearing on April 17, 2024, continued from March 20, 2024 (as specified in the notice of hearing); and

WHEREAS, the Commission heard, discussed, and considered all oral and written testimony for and against the sphere of influence review including, but not limited to, the LAFCo Staff Report dated April 17, 2024, and recommendations.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED by the Commission as follows:

(1) The LAFCo Staff Report dated April 17, 2024, and recommended review of the sphere of influence for the City are adopted; and

(2) The subject sphere of influence review is assigned the following distinctive short form designation:

#### LAFCO 23-16S CITY OF OJAI SPHERE OF INFLUENCE REVIEW; and

- (3) An update (modification) to the sphere of influence for the City is not necessary; and
- (4) The Commission has considered the criteria set forth in Government Code § 56425(e) and determines as follows:
  - a. The present and planned land uses in the area, including agricultural and openspace lands. (§ 56425(e)(1))

The City's sphere of influence includes residential, commercial, industrial, public, agricultural, and open space uses, as reflected on the land use map of the County's General Plan. The City's General Plan Land Use Element does not designate land uses outside current City boundaries. It therefore appears that the City does not anticipate annexation of area within its sphere of influence to accommodate future development under the City's current General Plan.

b. The present and probable need for public facilities and services in the area.(§ 56425(e)(2))

The City provides a variety of public facilities and services within its service area, and there are no anticipated changes in the type of public facilities and services that it provides. Based on the County's land use designations and characteristics of the land contained within the City's sphere, no changes to existing and planned land uses are expected.

c. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide. (§ 56425(e)(3))

The City provides a range of public facilities and services, both directly and by contract, in support of its population. Based on a review of City documents and consultation with City staff, it appears that, consistent with the evaluation provided in the MSR accepted by the Commission on February 21, 2018: (1) the City has the ability to continue to provide public facilities and services at existing levels within its service area, and (2) additional demands on the City are not

- expected to adversely impact the present capacity of public services and adequacy of public services provided by the City.
- d. The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency. (§ 56425(e)(4))
  A disadvantaged unincorporated community is defined as a community with an annual median household income that is less than 80 percent of the statewide annual median household income (Government Code Section 56033.5). No disadvantaged unincorporated communities are located within or contiguous to the City's sphere of influence.
- e. For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection. . . the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence. (§ 56425(e)(5))
  - The review of the City's sphere of influence is not considered an update (i.e., a modification) to the sphere. Additionally, no disadvantaged unincorporated communities are located within the City's sphere of influence.
- (5) The sphere of influence for the City is hereby reviewed and is generally depicted in Exhibit A, "City of Ojai," attached hereto; and
- (6) LAFCo staff is directed to have the official Geographic Information System (GIS) sphere of influence data maintained for the Ventura LAFCo by the Ventura County Information Technology Services Department as the official sphere of influence record for the City updated consistent with this action.

This resolution was adopted on April 17, 2024.

	AYE	NO	ABSTAIN	ABSENT
Commissioner Avila				
Commissioner Crosswhite				
Commissioner Gorell				
Commissioner Parvin				
Commissioner Richards				
Commissioner Rooney				
Commissioner Zaragoza				
Alt. Commissioner Hasan				
Alt. Commissioner LaVere				
Alt. Commissioner Ross				
Alt. Commissioner Santangelo				
10.				
4/17/2024	Denus	M	Crossuts	
Date	Chair, Ventura Local Agency Formation Commission			

Attachment: Exhibit A

c: City of Ojai

Ventura County Information Technology Services Department

