

ORDINANCE NO. 2017-019

**AN EMERGENCY ORDINANCE OF THE
CITY COUNCIL OF THE CITY OF SAN
BUENAVENTURA, CALIFORNIA,
SUSPENDING AUTOMATIC APPROVAL
DEADLINES FOR ALL LAND USE,
SUBDIVISION, AND ZONING
APPLICATIONS**

WHEREAS, On December 4, 2017, the City of San Buenaventura experienced and continues to suffer as a result of the Thomas fire, a major wildfire, and the City, County, and State declared a state of emergency; and,

WHEREAS, City Hall has been within the mandatory evacuation zone with smoke making day to day operations of City Hall challenging and hazardous therefrom; and,

WHEREAS, The operations of numerous City offices and departments, including offices and departments responsible for processing land use, subdivision, and zoning applications have been disrupted and employees have been displaced or assigned to tasks related to mitigation or recovery from the emergency as disaster services workers under the State Emergency Services Act; and,

WHEREAS, It is necessary to suspend automatic approval deadlines, including appeal deadlines, for all land use, subdivision, and zoning applications.

The Council of the City of San Buenaventura does ordain as follows:

Section 1. All provisions of laws, ordinances, regulations, resolutions, rules, and statutes, including, but not limited to, provisions contained in the California Permit Streamlining Act, the California Environmental Quality Act, the California Subdivision Map Act, City of San Buenaventura Subdivision Regulations, and City of

San Buenaventura Zoning Regulations, establishing review deadlines and authorizing automatic approvals, are suspended for the duration of the existing emergency or until this Ordinance is repealed, whichever occurs first.

Section 2. This Ordinance shall be effective immediately upon adoption and shall apply retroactively to all applications that were on file with the City as of December 4, 2017, and to all applications filed during the emergency.

Section 3. This Ordinance shall remain in effect until and through the last day of the existing emergency unless sooner terminated by action of the City Council.

Section 4. For application review and automatic approval deadline purposes, all land use, subdivision, and zoning applications that were either on file with the City on December 4, 2017, or that were filed with the City after December 4, 2017, but during the period of the emergency, shall be considered filed on the first working day following expiration of the emergency.

Section 5. That the term “emergency” as used in this Ordinance shall mean the emergency declared by the Director of Disaster Services on December 4, 2017.

Section 6. Within three (3) days of this Ordinance’s adoption, the City Clerk is directed to cause a copy of this Ordinance to be published twice weekly for the duration of the emergency in a newspaper of general circulation within the City.

Section 7. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be

declared invalid or unconstitutional.

PASSED and ADOPTED this 11th day of December 2017.


NEAL ANDREWS, Mayor

ATTEST:


ANTOINETTE M. MANN, MMC, CRM
CITY CLERK

APPROVED AS TO FORM
Gregory G. Diaz, City Attorney

By:  12/7/2017
GREGORY G. DIAZ Date
City Attorney

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF VENTURA) SS.
CITY OF SAN BUENAVENTURA)

I, ANTOINETTE M. MANN, City Clerk of the City of San Buenaventura, DO HEREBY CERTIFY that the foregoing is a full, true, and correct copy of Ordinance No. 2017-019 that was introduced and adopted by said City Council at a regular meeting held December 11, 2017, by the following vote:

AYES: Councilmembers Nasarenko, Weir, Tracy, Heitmann, Monahan
 Deputy Mayor LaVere and Mayor Andrews

NOES: None.

ABSENT: None.

I further certify that said Ordinance No. 2017-019 was published as required by law in the VENTURA COUNTY STAR, a newspaper of general circulation printed and published in said City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Buenaventura, California.



Antoinette M. Mann, MMC, CRM
City Clerk
City of San Buenaventura, California

December 13, 2017

Date Attested

