



Section I – Introduction, General Instructions and Advisories

Streamlined Multifamily Zoning Clearance Application

County of Ventura • Resource Management Agency • Planning Division

800 South Victoria Avenue, Ventura, CA 93009 • 805 654-2478 • www.vcrma.org/divisions/planning

I.A. Introduction/General Instructions

These instructions are intended for applicants for multifamily residential projects that normally require a discretionary permit, but which are eligible for ministerial “streamlining” under state law. The state laws which allow for ministerial streamlining are SB 35 (as amended by AB 1485) and AB 2162 (as amended by SB 744), and, in the case of farmworker housing, AB 1783. Projects eligible for streamlining are exempt from CEQA review and must be reviewed according to objective development standards of the County’s Non-Coastal Zoning Ordinance. It’s worth noting that many of the sites where projects may be eligible for streamlining are located within Residential Planned Development (RPD) zoning, especially for projects eligible for SB 35 or AB 2162 streamlining. The multifamily streamlining application is intended to help applicants identify whether a project may be eligible for streamlining, to ensure compliance with the County’s standards and requirements, and in instances where some Planning Division requirements do not apply to projects undergoing streamlined review, to advise applicants that those requirements may still be in effect for other departments or agencies.

In addition to the Streamlined Multifamily Zoning Clearance, project applicants may choose to request additional entitlements. Any minor amendments to projects approved under SB 35 are subject to the standards set forth in AB 1174. Additional entitlements may be either “discretionary” or “ministerial” and include, but are not limited to, permits such as:

- Density Bonus or Incentives through the *Density Bonus and Affordable Housing Incentives Program* (NCZO, “Article 16) (ministerial);
- Subdivision Approval (discretionary); or
- Temporary Offices During Construction (after a building permit is issued) (ministerial)

It is important to note that the Streamlined Multifamily Zoning Clearance is a “ministerial” permit process, which means that if the proposed project meets all of the ordinance and other regulatory requirements, it will be approved. On the other hand, if a discretionary entitlement, such as a subdivision or variance, is requested with the Zoning Clearance, the project then becomes “discretionary,” which means it is subject to a discretionary review and approval process and may be denied. Requests for discretionary approvals must be made on a separate application. Denial of a discretionary permit does not preclude a project from modifying the project to remove the necessary discretionary review and resubmitting for a ministerial permit.

The information and materials requested in this application packet will be required by County staff in order to: (a) deem an application complete; (b) assess a project’s consistency with the rules and regulations that apply to the Streamlined Multifamily Zoning Clearance(s); and, (c) process the application as quickly as possible.

This Streamlined Multifamily Zoning Clearance application packet includes:

- “Eligibility Checklist” for streamlined review under SB 35, AB 2162 or AB 1783 (Section II)

- “Checklist of Requirements” for Streamlined Multifamily Zoning Clearance (Section III);
- “Streamlined Multifamily Zoning Clearance Questionnaire,” (Section IV) which identifies supplemental technical reports, studies, and information that must be submitted as part of an application. Please be aware that *any missing information* will result in a determination that an application is incomplete and all materials will be returned;
- “Fee Reimbursement Agreement” form; and,
- “Certification Statement of Hazardous Waste/Substance Site” form (if applicable).

Although some of the questions and informational requests in this application packet may not apply to a given project, applicants must carefully review these documents in their entirety to ensure that a complete application package is submitted. In addition, please be advised that:

- **All permit processing and outstanding fees must be paid in full** at the time at which an application is submitted;¹
- **One original and one copy of a “Fee Reimbursement Agreement”** must be completed, signed by the property owner(s), and submitted with all applications; and,
- All required information must be submitted as part of a single submission; incomplete submissions will not be processed by County staff.
- A preliminary application may be submitted under SB 330, as amended by SB 8, which may assist in determining whether a project will be eligible for streamlining and whether certain information may be incomplete, prior to submitting a full application. In addition, submission of a SB 330 preliminary application will “freeze” any development standards in place at the time of submittal.²

Please be advised that submitting these materials does not guarantee that an application will be deemed technically adequate and it has satisfied all applicable Federal, State, and local development standards and codes. County agencies must still conduct technical reviews of reports, plans, and application materials and will inform the applicant if their agency concludes that any required information is missing. If technical information about the project is inadequate, it can add additional time to the overall approval process or make it impossible for a finding to be made that allows project approval.

If a land use project is appealed, please be aware that the applicant may be responsible for all or a portion of the costs required to process the appeal. For appeals of projects unrelated to a violation and located within the non-coastal zone, the following applies:

- If the appeal is filed by the applicant or applicant’s representative, the applicant will be required to file a \$1,000 deposit and pay actual staff time.

¹ For information on the Planning fees that are required to process your application, please see the Planning Division website: www.vcrma.org/planning-division-fees.

² The SB 330 Preliminary Application is available at: www.hcd.ca.gov/community-development/accountability-enforcement/docs/sb%20330%20preliminary%20application%20%20form_final.pdf

- If the appeal fee is filed by another party, the applicant will be required to pay actual staff time and costs in excess of the appeal fee up to a maximum of \$1,000. A deposit of \$1,000 will be filed by the appellant at the time the appeal is submitted.
- If the appeal is fully upheld, all fees paid by the appellant shall be refunded. If the appeal is upheld in part, the decision-making body hearing the appeal shall determine at the time the decision is rendered what portion of the appeal charges should be refunded to the appellant.

Prior to submitting an application, it is imperative that an applicant be fully familiar with the laws, ordinances, regulations, policies, and procedures that apply to the application, and consult with appropriate experts (e.g., land use consultant, architect, civil engineer, licensed surveyor, geologist, or biologist) that can assist in preparing the necessary reports, plans, studies, and other documentation normally required to process the application. *Although County staff is available to provide assistance, ultimately it is the applicant's (and applicant's consultant), responsibility to ensure that the requisite information and materials are complete and included in the application packet.* As mentioned above, an SB 330 Preliminary Application may help to determine whether some, but not all, of this information is complete. County staff who are responsible for reviewing your application are listed in Subsection I.C (pg. 5).

I.B. Advisory Information

Depending on the proposed project's location and circumstances, additional policies and regulations may apply. The following list includes some of the policies and regulations to be aware of prior to preparing an application:

- **Active Violations:** An application for a Streamlined Multifamily Zoning Clearance shall not be accepted for processing if a Notice of Violation is in effect on the subject property—unless the Streamlined Multifamily Zoning Clearance is required to abate the violation that is the subject of the Notice of Violation.
- **Illegal Lots:** Pursuant to State law (Government Code, §66499.30(a) and §66499.30(b)), and the Ventura County Non-Coastal Zoning Ordinance (§8101-3.4 and §8111-1.1.1.b (7)) a zoning clearance can be approved only for projects that are located on a legal lot. For more information on how to determine if a project site would be located on a legal lot, please see www.vcrma.org/legal-lot-program.
- **Abandoned Water Wells:** Pursuant to the County of Ventura's Groundwater Conservation Ordinance No. 4184 (§4819.A), if an abandoned water well exists within the proposed project area, a well destruction permit from the Ventura County Watershed Protection District must be obtained and the well must be destroyed prior to submission of an application.
- **El Rio/Saticoy Areas - Oxnard Forebay Septic System Prohibition:** The Los Angeles Regional Water Quality Control Board adopted an Order which prohibits the discharge of septic systems in the Oxnard Forebay (i.e., El Rio and areas of Saticoy). The Environmental Health Division is precluded from approving new septic systems and expansions of existing systems. For more

information, please contact the Environmental Health Division using the contact information provided below.

- National Pollutant Discharge Elimination System Construction Activities Stormwater General Permit: Construction activity resulting in a land disturbance of one acre or more, or less than one acre but part of a larger common plan of development or sale, must obtain the Construction Activities Stormwater General Permit (2009-0009-DWQ Permit). Construction activity includes clearing, grading, excavation, stockpiling, and reconstruction of existing facilities involving removal and replacement. Construction activity does not include routine maintenance, such as maintenance of original line and grade, hydraulic capacity, or original purpose of the facility.³
- Ventura County National Pollutant Discharge Elimination System Stormwater Permit: Any applicable construction activity shall comply with requirements for construction projects including Best Management Practices listed under the Part IV.F “Development Construction Program” of the Ventura County NPDES Stormwater Permit⁴.
- Water and Sewer Service: In contrast to a discretionary application, applicants are not required to demonstrate the availability of water or sewer service at the time of submittal, but are highly encouraged to ensure that these services are available as early as possible in the application process (See Section IV, Application Questionnaire: Items E.5 and E.6).

³ For more information regarding the NPDES Construction Activities Stormwater General Permit contact State Water Resources Board at stormwater@waterboards.ca.gov or phone 916 341-5537 or refer to website at the following address: www.waterboards.ca.gov/water_issues/programs/stormwater/construction.html.

⁴ For more information regarding the NPDES Stormwater Permit refer to www.vcstormwater.org or call (805) 650-4064

I.C. County Staff Who Review Entitlement Applications⁵

AGENCY	CONTACT INFORMATION
Agricultural Commissioner's Office	<p>Alec Thille, Agricultural Land Use Planner (805) 933-2926 ext. 1112 Alec.Thille@ventura.org</p> <p><i>Korinne Bell, Chief Deputy Agricultural Commissioner</i> (805) 933-2415 Korinne.bell@ventura.org</p>
Air Pollution Control District (APCD)	<p>Nicole Collazo, Air Quality Specialist (805) 303-3674 nicole@vapcd.org</p>
Resource Management Agency (RMA), Environmental Health Division (EHD)	<p>Ashley Kennedy, Environmental Health Specialist (805) 654-2830 Ashley.Kennedy@ventura.org</p>
RMA, Planning Division, Planning Biologist Review	<p>Jennifer Welch (805) 654-2465 Jennifer.Welch@ventura.org</p>
RMA, Planning Division, County Arborist	<p>Justin Bertoline, Senior Planner (805) 654-2466 Justin.Bertoline@ventura.org</p>
Parks Department	<p>Colter Chisum, Deputy Director (805) 654-3945 Colter.Chisum@ventura.org</p> <p><i>Jeri Cooper, Parks Manager</i> (805) 654-3968 Jeri.Cooper@ventura.org</p>
Public Works Agency (PWA), Engineering Services, Geology	<p>Jim O'Tousa Engineering Manager/County Geologist (805) 654-2034 Jim.OTousa@ventura.org</p>
PWA, Engineering Services, Grading and Water Availability Review	<p>Ben Fischetti, Engineering Manager (805) 654-2042 Ben.Fischetti@ventura.org</p>
PWA, Engineering Services, Floodplain	<p>Alex Hill, Engineer (805) 654-3795 Aexander.Hill@ventura.org CEQA@ventura.org</p>
PWA, Integrated Waste Management (IWMD)	<p>Tobie Mitchell, Environmental Resources Analyst (805) 658-4315 Tobie.Mitchell@ventura.org</p>

⁵ All agencies and districts may not be required to review a particular application.

<p>PWA, Transportation Department, Advanced Planning</p>	<p>Darren Arrieta, Engineer (805) 477-7157 Darren.Arrieta@ventura.org</p> <p><i>Glenn Derossett, Engineering Manager</i> (805) 654-2087 Glenn.Derossett@ventura.org</p>
<p>PWA, Watershed Protection District (WPD), County Stormwater Program, Surface Water Quality</p>	<p>Ewelina Mutkowska, County Stormwater Program Manager (805) 645-1382 Ewelina.Mutkowska@ventura.org</p>
<p>PWA, WPD, Water Resources Division, Groundwater</p>	<p>James Maxwell, Groundwater Specialist (805) 654-5164 James.Maxwell@ventura.org</p> <p><i>Kim Loeb, Groundwater Manager</i> (805) 650-4083 Kim.Loeb@ventura.org</p>
<p>PWA, WPD, Watershed Planning and Permits Division, Advanced Planning, Flood Control and Drainage</p>	<p>Dawn Husted, Management Assistant II (805) 662-6882 Dawn.Husted@ventura.org</p> <p><i>Watershed Planning Division (CEQA Group)</i> CEQA@countyofventuraca.onmicrosoft.com</p>
<p>Ventura County Fire Protection District (VCFPD)</p>	<p>Marnel VandenBossche, Senior Fire Inspector (805) 389-9738 Marnel.VandenBossche@ventura.org</p>