

Attachment D

Planning Commission Hearing Minutes for August 19, 2021

Phase 2C Amendments to the Local Coastal
Program: Environmentally Sensitive Habitat Areas
(ESHA)



Planning Commission Minutes

County of Ventura • Resource Management Agency

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

August 19, 2021

1. **8:32 A.M. MEETING CALLED TO ORDER BY CHAIR**

2. **ROLL CALL**

Commission:

Scott Boydston	District 1
Nora Aidukas	District 2
Earl McPhail, Vice-Chair	District 3
Jim King, Chair	District 4
Veronica Garcia	District 5

County Staff:

Dave Ward, Planning Director
Jeff Barnes, County Counsel
Meighan Batinica, Recording Secretary

3. **PLEDGE OF ALLEGIANCE TO THE FLAG**

4. **PUBLIC COMMENTS** - None

5. **APPROVAL OF JULY 15, 2021 MINUTES**

Motion: Approved the minutes from July 15, 2021
Moved by Commissioner Aidukas, Seconded by Commission McPhail
Vote: Motion carried 5-0
Yes: Commissioners Boydston, Aidukas, McPhail, King, Garcia

6. **CASE NUMBER PL17-0083** – County of Ventura

PROJECT DESCRIPTION - The project consists of the Phase 2C amendments to the Ventura County Local Coastal Program (LCP). The project includes proposals to amend Chapters 1 and 4 of the Ventura County Coastal Area Plan (CAP) and Articles 2, 3, 4, 5, 7, 8, 11, and Appendices of the Ventura County Coastal Zoning Ordinance (CZO), which comprise the LCP. The amendments include proposed changes to the goals, policies and programs of the CAP and to regulatory standards in the CZO. The Phase 2C amendments address three subject areas: the removal of the Harbor Planned Development Zone from the LCP, the incorporation of updated goals, policies and regulatory standards for

Environmentally Sensitive Habitat Areas (ESHA) and incorporation of “Dark Sky” lighting standards in the Santa Monica Mountains (M) Overlay Zone, as follows:

- a. Harbor Planned Development Zone: The proposed amendments to the CZO would remove the Harbor Planned Development Zone from the LCP.
- b. ESHA: The proposed CAP amendments would establish updated goals, policies and programs for coastal resources classified as ESHA. The proposed CZO amendments would implement the goals/policies of the CAP by updating definitions, identifying submittal requirements and development standards, clarifying fuel modification zone regulations in ESHA, updating ESHA compensatory mitigation requirements, and establishing permit findings for ESHA in the coastal zone.
- c. Outdoor Lighting Standards for the Santa Monica Mountains: The proposed CAP amendments would establish updated policies for coastal resources in the Santa Monica Mountains (M) Overlay zone (<https://maps.ventura.org/countyview/>). The proposed CZO amendments would implement the goals/policies of the CAP by updating definitions and adding “Dark Sky” outdoor lighting development standards for existing and new development.

PROJECT LOCATION: All coastal zone parcels in unincorporated Ventura County
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) DOCUMENT: Exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code section 21080.9 and CEQA Guidelines section 15265.

CASE PLANNER: Abigail Convery
EMAIL: abigail.convery@ventura.org

RMA-Planning Division Case Planner, Abigail Convery, presented the Staff Report. The following recommended actions were presented to the Planning Commission:

Based upon the preceding analysis and information provided, Planning Division Staff recommends that the Planning Commission take the following actions:

1. **CERTIFY** that the Planning Commission reviewed and considered this staff report and all exhibits thereto, and considered all comments received during the public comment process; and
2. **ADOPT** a resolution recommending that the Board of Supervisors take the following actions:
 - a. **FIND** that the County’s approval of the proposed amendments to the Ventura County Local Coastal Program (LCP) are exempt from CEQA pursuant to Public Resources Code section 21080.9 and CEQA Guidelines section 15265 (Exhibits 6 and 7);

- b. **FIND**, based on the substantial evidence in Exhibit 6 of this staff report and the entire record, that the proposed LCP amendments are consistent with the California Coastal Act, including the policies stated in Chapter 3 thereof;
- c. **FIND**, based on the substantial evidence in Exhibit 8 of this staff report and the entire record, that the proposed amendments to the CAP are in the public interest and are consistent with the goals, policies and programs of Ventura County General Plan;
- d. **ADOPT** the proposed Phase 2C amendments to the CAP, which include revised goals, policies and programs related to ESHA, as described in Exhibit 4 of the staff report;
- e. **FIND**, based on the substantial evidence in Exhibit 8 of this staff report and the entire record, that the proposed amendments to the CZO are in the interest of the public health, safety or general welfare, and constitute good zoning practice;
- f. **ADOPT** proposed Phase 2C amendments to the CZO, which include amendments to the "Background and History" section, Articles 1, 2, 3, 4 and 5, related to the Harbor Planned District zone, and Articles 1, 2, 4, 5, 7, 8, 11, and Appendices related to ESHA, as described in Exhibit 5 of the staff report; and
- g. **SPECIFY** that the Clerk of the Board of Supervisors is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location, of the documents and materials that constitute the record of proceedings upon which this decision is based.

Presentation of Public Speakers:

Zoom Speakers:

Joel Schulman
Van Vibber
Sunjana Supekar
Andrew Spyrka

Email Comments

Bambi Corso-Steinmeyer
Hailee Lawrence
Jo Anne Cooper-Tuers
Bruce Dickinson
Robin Martin
Lulu Coffey
Eileen Boudreaux
Suzanne Ferrell

Planning Commission Deliberation and Vote:

Motion: Approve staff's recommendation with the following Planning Commission directives:

- a) Include all changes recommended in the Errata memo (Exhibit 16);
- b) Require that the two required monarch roost site surveys are conducted by independent biologists (Exhibits 4 and 5);
- c) Modify the amendment language associated with toxic substances (CAP Section 4.1.3-2 Policy 8.2 and CZO Section 8178-2.8) to apply to "new development and development that involves the use and application of pesticide" (Exhibits 4 and 5); and
- d) Planning Staff shall coordinate with the City of Malibu to:
 - receive any comments the City has on their recently adopted pesticide ordinance and policy language that the County should consider;
 - discuss the City's current implementation efforts with their community on the pesticide prohibition that the Planning staff should consider for our County implementation; and
 - provide the results of this discussion in the Board Letter to the Board of Supervisors.

Moved by: Commissioner Aidukas, Second by: Commissioner Boydston

Vote: Motion Carried 4-1

Yes: Commissioners Boydston, Aidukas, King, Garcia

No: Commissioner McPhail

7. DISCUSSION

a) **Report by the Planning Director on Board actions and other matters.**

Director Ward discussed upcoming Planning Commission Hearings in September and October.

b) **Items the Planning Commission may wish to introduce.**

No

8. MEETING ADJOURNMENT

Chair adjourned the meeting at 12:56 P.M.



Dave Ward, Recording Secretary
Ventura County Planning Commission