

ORDINANCE NO. 4532

AN ORDINANCE OF THE COUNTY OF VENTURA, AMENDING DIVISION 8, CHAPTER 1, ARTICLE 5, SECTIONS 8105-1.1, 8105-4 AND 8105-5, ARTICLE 6, SECTION 8106-5.12, ARTICLE 7, SECTIONS 8107-14.2 AND 8107-14.3, AND ARTICLE 13, SECTION 8113-6.1.1 OF THE VENTURA COUNTY ORDINANCE CODE, NON-COASTAL ZONING ORDINANCE PERTAINING TO THE PERMITTED USES MATRIX, TEMPORARY DWELLING DURING CONSTRUCTION AND RECONSTRUCTION, AND DESTRUCTION OF NON-CONFORMING STRUCTURES AND STRUCTURES CONTAINING NONCONFORMING USES

The Board of Supervisors of the County of Ventura ("County") ordains as follows:

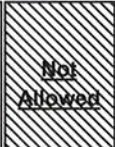
Section 1

**ARTICLE 5:
USES AND STRUCTURES BY ZONE**

Article 5, Sec. 8105-1.1 of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8105-1.1 - Key to Matrices

The matrices of Sec. 8105-4 and 8105-5 contain the following acronyms that indicate the type of permit required for uses allowed in each zone. The matrices also contain the following distinct colors indicating uses that are not allowed in zones, uses that are exempt from permitting requirements, and the decision-making authority for required permits:

E = Exempt ZC = Zoning Clearance unless specifically exempted	ZCW = Zoning Clearance with signed waivers PD = Planned Development Permit CUP = Conditional Use Permit		Exempt	Approved by Planning Director or Designee	Approved by Planning Commission	Approved by Board of Supervisors
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Section 2

**ARTICLE 5:
USES AND STRUCTURES BY ZONE**

Article 5, Secs. 8105-4 and 8105-5 of the Ventura County Ordinance Code are hereby repealed and reenacted in their entirety in the form attached as Exhibit A to Exhibit 10 of the October 30, 2018 Board of Supervisors' letter which is incorporated herein by this reference.

Section 3

**ARTICLE 6:
LOT AREA AND COVERAGE, SETBACKS, HEIGHT AND
RELATED PROVISIONS**

Article 6, Sec. 8106-5.12 of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8106-5.12 - Temporary Housing During Construction

A recreational vehicle (RV) used for temporary housing during construction shall be set back at least five feet from the property lines of the lot on which it is placed.

Section 4

**ARTICLE 7:
STANDARDS FOR SPECIFIC USES**

Article 7, Sec. 8107-14.2 of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8107-14.2 - Temporary Housing During Construction

A Zoning Clearance authorizing the use of a habitable recreational vehicle (RV), or an existing dwelling, as temporary housing during construction or major remodeling of a principal dwelling may be issued, subject to the following criteria and requirements:

- a. One habitable RV may be used for temporary housing by the owner of the subject legal lot, or by a caretaker/watchperson, for up to 12 months during construction of a principal dwelling, or during major remodeling of a principal dwelling which precludes its use as a dwelling, provided that a building permit is in full force and effect authorizing said construction or major remodeling of the principal dwelling on the same lot or on an adjacent lot under common ownership. The continued use of the RV for up to two additional 12-month periods is authorized provided that substantial progress toward completion of the construction or major remodeling of the principal dwelling is being made.

- b. The term "RV" as used in this Sec. 8107-14.2 means a motor home, travel trailer, truck camper, or camping trailer that is self-contained and habitable, and that is either self-propelled, truck-mounted, or permanently towable on California roadways without a permit under the Vehicle Code.
- c. To be deemed "habitable" as the term is used in this Sec. 8107-14.2, an RV must meet all of the following criteria:
 - (1) The RV must contain sleeping, cooking, bathing and sanitary facilities;
 - (2) The RV must be connected to a permanent source of potable water;
 - (3) Wastewater from the RV must be disposed of by either an Environmental Health Division-approved onsite wastewater disposal system or a sewer line connection approved by the Building and Safety Division; and
 - (4) The RV must be connected to an approved electrical source. Acceptable electrical connections include the use of an existing permitted electrical source on the lot or a temporary power pole. Generators are not considered an approved electrical source.
- d. Prior to occupancy of the RV, all electrical and plumbing connections to the RV must be approved and inspected by the Building and Safety Division.
- e. Prior to the issuance of a certificate for occupancy by the Building and Safety Division for the principal dwelling under construction or major remodeling or when the Zoning Clearance authorizing use of the RV for temporary housing has expired, whichever occurs first, any such RV shall: (1) cease being used for temporary housing; (2) be disconnected from the utilities (e.g., water supply, electrical, and sewage disposal system); and (3) either be removed from the lot or properly stored on the lot in conformance with this Chapter.
- f. Where a property owner has obtained a building permit issued by the Building and Safety Division to construct a replacement principal dwelling, an existing permitted dwelling on the same lot may be used for temporary housing during the construction of the replacement dwelling, provided that prior to the issuance of a certificate of occupancy by the Building and Safety Division for the replacement dwelling either: (1) the existing dwelling will be removed or (2) a Zoning Clearance is obtained by the owner of the lot to authorize the conversion of the existing dwelling to another use in conformance with the requirements of this Chapter (e.g., farmworker dwelling unit, accessory dwelling unit, non-habitable structure). Building permits for the demolition of existing dwellings and improvements necessary to convert an existing dwelling to another use must be finalized by the Building and Safety Division prior to occupancy of the replacement dwelling.

Section 5

ARTICLE 7: STANDARDS FOR SPECIFIC USES

Article 7, Sec. 8107-14.3 of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8107-14.3 – Temporary Housing Prior to Reconstruction

A Zoning Clearance authorizing the use of a habitable recreational vehicle (RV) for temporary housing by the former resident(s) of dwellings involuntarily damaged or destroyed by natural disaster, as determined by the Planning Director, may be issued subject to all of the following criteria and requirements:

- a. The RV shall be located on a legal lot and only one RV shall be allowed for temporary housing per lot;
- b. The RV must be located on the same lot on which the dwelling will be reconstructed. Notwithstanding the foregoing, an RV occupied by an individual who lost his or her dwelling in the Thomas Fire may be located on a different lot if authorized in writing by the owner of the lot where the RV is located;
- c. The dwelling(s) to be reconstructed were legally established and inhabited at the time they were damaged or destroyed;
- d. The RV must be a motor home, travel trailer, truck camper, or camping trailer, that is self-contained and habitable, and that is either self-propelled, truck-mounted, or permanently towable on roadways without a permit under the Vehicle Code;
- e. The RV must be "habitable" as the term is used in this Sec. 8107-14.3 by meeting all of the following criteria:
 - (1) The RV must contain sleeping, cooking, bathing and sanitary facilities;
 - (2) The RV must either contain an adequate source of potable water for sanitation purposes through an internal tank, or be connected to a permanent source of potable water;
 - (3) Composting toilets are not allowed. The RV's wastewater must be disposed of by one of the following means:
 - i. Through a connection to an existing septic system;
 - ii. Through a connection to an existing sewer connection; or
 - iii. Through the use of a wastewater tank that is located within or outside the RV, provided that such tank is regularly serviced, for the duration of the RV's use as temporary housing, by a wastewater disposal provider permitted by the Environmental Health Division. The resident of the RV shall provide proof of such regular wastewater disposal service, in the form of a contract or receipts, to the Planning Division or Environmental Health Division upon request; and
 - (4) The RV must be connected to an approved electrical source. Acceptable electrical connections include the use of an existing electrical source on the lot or a temporary power pole. Generators are not considered an approved electrical source;

- f. After the issuance of a Zoning Clearance authorizing use of the RV as temporary housing under this Sec. 8107-14.3, all electrical and plumbing connections to the RV must be approved and inspected by the Building and Safety Division prior to occupancy of the RV;
- g. The RV may be used as temporary housing under this Sec. 8107-14.3 for up to 12 months. Notwithstanding the foregoing, an RV occupied by a resident who lost his or her dwelling in the Thomas Fire may be used for temporary housing under this Sec. 8107-14.3 for an initial term of up to 18 months. A resident who lost his or her dwelling in the Thomas Fire RV may thereafter use the RV for a subsequent term of up to 18 months but until no later than January 1, 2023 if the RV: (1) is connected to a permanent supply of potable water (e.g., well, public water purveyor) and (2) continues to comply with the wastewater disposal requirements of Sec. 8107-14.3(e)(3) above; and
- h. The use of the RV for temporary housing under this Sec. 8107-14.3 shall cease after issuance of the building permit for the subject replacement dwelling, at which time the property owner may obtain a Zoning Clearance authorizing the continued use of the same RV for temporary housing pursuant to Sec. 8107-14.2 above.

If the property owner either does not obtain a Zoning Clearance authorizing continued use of the same RV as temporary housing pursuant to Sec. 8107-14.2 above within 45 days of issuance of a building permit for the subject replacement dwelling, or does not obtain a building permit for the replacement dwelling before the applicable deadline set forth in subsection (g) above, the RV shall: (1) cease being used for temporary housing; (2) be disconnected from the utilities (e.g., water supply, electrical, and sewage disposal system); and (3) either be removed from the lot or properly stored on the lot in conformance with this Chapter.

Section 6

ARTICLE 13:

NONCONFORMITIES AND SUBSTANDARD LOTS

Article 13, Sec. 8113-6.1.1 of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8113-6.1.1

Whenever any such structure is voluntarily removed, damaged or destroyed to the extent of 50 percent or less of its floor or roof area which existed before destruction, or is involuntarily damaged or destroyed in whole or in part, the structure may be restored to its original state existing before such removal, damage or destruction. The occupancy or use of the structure or part thereof which existed at the time of the damage or destruction may be continued if a complete building permit application for a replacement structure has been submitted to the Building and Safety Division within a period of 12 months after the occurrence of the damage or destruction, and said building permit once approved is diligently pursued to completion prior to permit expiration.

Nonconforming structures damaged or destroyed in the Thomas Fire may be rebuilt to their original state if a complete building permit application has been submitted to the Building and Safety Division on or before January 1, 2023, and the building permit once approved is

diligently pursued to completion prior to permit expiration. If a complete building permit application has not been submitted to the Building and Safety Division by the deadlines specified above, all replacement structure(s) must meet all current requirements and standards of this Chapter. The 50 percent standard is a cumulative figure for voluntary removal. Successive alterations to the same structure that exceed a cumulative 50 percent cannot be made.

Section 7

This Ordinance shall become effective 30 days after adoption.

PASSED AND ADOPTED this 30th day of October, 2018 by the following vote:

AYES: Supervisors Parks, Long, Zaragoza, Foy

NOES: Supervisors none

ABSENT: Supervisors Bennett


Chair, Board of Supervisors

ATTEST:

MICHAEL POWERS
Clerk of the Board of Supervisors
County of Ventura, State of California

By: 
Deputy Clerk of the Board

