



# **Planning Commission Staff Report Hearing of November 14, 2024**

## **County of Ventura • Resource Management Agency**

800 S. Victoria Avenue, Ventura, CA 93009-1740 • (805) 654-2478 • [www.vcrma.org/divisions/planning](http://www.vcrma.org/divisions/planning)

**Subject: Public Hearing to Consider County-Initiated Amendments to Articles 1, 2, 3, 4, 6, 7, 8, 9, and 11 of the Ventura County Non-Coastal Zoning Ordinance to Make Minor Changes Pertaining to Accessory Bathrooms, Landscape Screening Methods for Parking Areas, Setbacks for Sea Cargo Containers, Temporary Housing Prior to Reconstruction, Wholesale Nurseries for Propagation, Public Noticing Requirements for Zoning Ordinance Amendments, and Advertisements for Outdoor Events Requiring a Conditional Use Permit; to Implement Several Planning Director Policy Interpretations and Equivalency Determinations; to Correct Grammatical, Typographical and Punctuation Errors; to Make Holistic Formatting and Style Changes; and to Update Regulations for Clarity and Consistency with Current Standards (collectively, “Amendments”); and Consider a Finding that Adoption of the Amendments is Exempt from the California Environmental Quality Act (CEQA) Pursuant to Section 15061(b)(3); All Supervisorial Districts (Case No. PL19-0021)**

### **A. PROJECT INFORMATION**

- 1. Applicant:** County of Ventura, Resource Management Agency (RMA), Planning Division, 800 S. Victoria Avenue, L#1740, Ventura, CA 93009
- 2. Location:** The proposed amendments to the Non-Coastal Zoning Ordinance (NCZO) would be applicable to the non-coastal parcels in the unincorporated areas of the county (All Supervisorial Districts).
- 3. Request:** Planning staff requests that your Commission review this staff report and its attachments and adopt a resolution (Exhibit 2) recommending that the Board of Supervisors (Board) adopt the recommended actions stated in Section I of this staff report, including approval of the amendments. The amendments include making minor changes pertaining to accessory bathrooms, landscape screening methods for parking areas, setbacks for sea cargo containers, temporary housing prior to reconstruction, wholesale nurseries for propagation, public noticing requirements for zoning ordinance amendments, and advertisements for outdoor events requiring a conditional use permit, implementing several Planning Director equivalency determinations and policy interpretations, and correcting grammatical, typographical, and punctuation errors, making holistic formatting and style changes, updating regulations for clarity and consistency with current regulations (Articles 1, 2, 3, 4, 6, 7, 8, 9, and 11), and consider a finding that adoption of the proposed amendments is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3). The legislative version of the amendments is included as Exhibit 4 and the clean version is included as Exhibit 5 of this report.
- 4. Decision-Making Authority:** Pursuant to the NCZO section 8115-3.1 and Government Code section 65853, the Planning Commission is required to review,

conduct a public hearing on, consider, and make recommendations to the Board regarding the proposed amendments. The Board, at a subsequent public hearing, will consider your Commission's recommendations and decide whether to adopt, not adopt, or adopt the proposed amendments with modifications.

**5. Background:** The County's first Zoning Ordinance was enacted on March 18, 1947, at the same time as the first Uniform Building Code and collectively established the initial regulatory scheme for structures and land uses in unincorporated Ventura County. The first Zoning Ordinance provided little regulation, but it did establish the initial zoning of land. This initial Zoning Ordinance bears little resemblance to modern-day zoning ordinances and has undergone numerous amendments since 1947. The most substantial and notable amendments to the County's zoning ordinance occurred in:

- **1968** – amendments consisted of major reformatting and reorganization of the ordinance and the addition of new zoning districts.
- **1983** – amendments consisted of the introduction of the “use matrix,” centralized development standards, and the complete division of the Coastal and Non-Coastal Zoning Ordinances.
- **1995** – amendments consisted of a comprehensive update to the NCZO to clarify or correct existing language and simplify the permitting process.

The Planning Division is currently undertaking a comprehensive update to the NCZO in several phases, with Phase I before your Commission today.

## **B. GOALS AND OBJECTIVES OF PROPOSED AMENDMENTS**

The goals and objectives of the comprehensive NCZO update, including the amendments before your Commission today, are to:

1. Ensure the regulations are consistent with federal, state, and local laws.
2. Resolve internal conflicts that are a result of incremental updates to the NCZO.
3. Codify Planning Director equivalency determinations in accordance with NCZO section 8105-2.2 and policy interpretations in accordance with NCZO section 8101-4.10.
4. Provide an ordinance that is easier to understand (“user friendly”) by correcting grammatical, typographical and punctuation errors, creating an organized, uniformed style and format throughout, reorganizing sections so that similar topics are located relatively in the same location in the ordinance (part of the comprehensive NCZO update under Phase II), eliminating ambiguous language, and providing a clearly articulated set of regulations for County residents, businesses, staff and decision-makers.

### **C. PHASES OF PROPOSED AMENDMENTS**

The comprehensive update to the NCZO is anticipated to occur in three phases:

1. Phase I focuses on minor policy and clerical amendments to Articles 1, 2, 3, 4, 6, 7, 8, 9, and 11 of the NCZO (today's item);
2. Phase II will focus on additional minor policy and clerical amendments to Articles 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 17, 18, and 19 of the NCZO, including the Old Town Saticoy Development Code. Phase II is anticipated to be heard by your Commission in early 2025; and,
3. Phase III will focus on more substantive policy amendments to the NCZO and is anticipated to be heard by your Commission in late 2025 or early 2026.

Only Phase I is before your Commission today. Phases II and III are separate and independent actions that will be presented to the Commission for hearing in the future.

### **D. KEY CATEGORIES OF PROPOSED AMENDMENTS**

The proposed amendments fall into two key categories: (1) minor policy and regulatory changes; and (2) clerical edits.

#### **1. Minor Changes**

There are several minor changes proposed to the NCZO that address concerns raised by the public, County decision-makers, and County staff as discussed below. Policy changes in legislative format are shown in Exhibit 4 under specific section numbers.

##### **a. Planning Director Equivalency Determinations and Policy Interpretations:**

The NCZO provides the Planning Director the authority to interpret the regulations and standards in the ordinance when such interpretation is necessitated by a lack of specificity in such regulations and standards (NCZO § 8101-4.10). The Planning Director also has the authority to review and determine the equivalent use, as listed in the matrices of Sections 8105-4 and 8105-5, of an unlisted use based upon the unlisted use's nature and intensity to a listed use, and where it is allowed, what permits are required, and what standards affect its establishment (NCZO § 8105-2). Some of these amendments incorporate past Planning Director policy interpretations and equivalency determinations into the ordinance.

- i. The Planning Director has determined that onsite veterinary services are an integral operational component of an animal rescue kennel or cattery where such services are not available to the public. Based on this determination, a Conditional Use Permit for a kennel or cattery may include onsite veterinary services not available to the public in the Open Space (OS), Agricultural Exclusive (AE), Rural Agricultural (RA), Rural Exclusive (RE), and General Industrial (M3) Zones. The definition of "Kennel/Cattery" has been revised to reflect this determination. See Exhibit 4, page 20, to review the proposed changes in legislative format.

- ii. “Wholesale nurseries for propagation” are defined in Article 2 of the NCZO, which states, in summary, that it is an operation where horticultural materials are sold to a wholesale distributor or to a retail outlet for resale to the public. The Planning Director made a policy interpretation that landscape contracting operations and businesses are not classified as a wholesale nursery but rather as a contractor’s service and storage yard. The definition of “wholesale nurseries for propagation” has been revised to reflect this determination. Also proposed changes to the specific use standards and the definition of “wholesale nurseries for propagation” were directed by the Board of Supervisors on October 29, 2024, to include mulch, bark, soil amendments, and inorganic mineral materials such as rocks, gravel and decomposed granite as agricultural materials so that these materials are not subject to the 20 percent non-agricultural materials limitation. These proposed changes are shown below, under Section D(1)(f) of this staff report. See Exhibit 4, pages 31 and 57, to review the proposed changes in legislative format.
- iii. The Planning Director has determined through an equivalency determination that upholstery shops are equivalent to “personal services,” as defined in Article 2, because these types of shops serve an individual’s necessities, similar to barber shops, laundromats, and drycleaning shops. The definition of “personal services” is proposed to be revised to add upholstery shops as an example of a personal service. See Exhibit 4, page 26, to review the proposed changes in legislative format.
- iv. Table 2 (Animal Husbandry/Keeping Animal Types) of Section 8107-2.5.1 provides a range of animals allowed for keeping or for husbandry purposes. Each listed animal in Table 2 has an attendant animal unit factor, between 0.10 unit (e.g., smaller animals, like chickens) and 1.00 unit (e.g., larger animals like llamas and cows). Camels are not currently listed in Table 2. The Planning Director determined through an equivalency determination that a camel is an animal for keeping or for husbandry purposes and is not considered a wild animal, as defined in Article 2, and may be kept on a property in accordance with the animal husbandry/keeping requirements of Section 8107-2 et seq. The Planning Director also determined that camels have an animal unit factor of 2.00 due to its size. Table 2 is proposed to be revised to include camels and their equivalent animal unit factor of 2.00. See Exhibit 4, page 56, to review the proposed changes in legislative format.
- v. “Lot, Reverse Corner” is defined in Article 2 as a corner lot, the rear of which abuts the side of another lot. The Planning Director has determined that interior lots adjacent to flag lots are not considered reverse corner lots. The definition of “lot, reverse corner” is proposed to be revised to reflect this determination. This change clarifies how to

categorize these types of lots as it relates to determining the front, side (interior), and rear lot line setback requirements in accordance with the development standards of Section 8106-1.1. See Exhibit 4, page 22, to review the proposed changes in legislative format.

- b. Update Regulations for Consistency with Ventura County Building Code (Article 2):** In 2019, the Ventura County Building Code was amended to exempt fences that are 7 feet or less in height from a building permit. Several sections of the NCZO were amended in 2022 to exempt fences 7 feet tall or less from Planning Division permits to be consistent with the Ventura County Building Code thereby reducing permit costs and time to property owners. The definition of “Structure,” as set forth in Article 2, which specifies that “*Structure’ does not include fences, or walls used as fences, less than six feet in height [...]*.” Revising the definition of “Structure” to increase the height of a fence to 7 feet tall or less makes the definition of structure consistent with the Ventura County Building Code and the rest of the NCZO. See Exhibit 4, page 30, to review the proposed changes in legislative format.
- c. Setbacks for Sea Cargo Containers (Section 8106-6.1):** Sea cargo/metal storage containers are considered “structures” in the NCZO and therefore, must be separated from each other by at least six feet in accordance with Section 8106-6.1. This amendment modifies this regulation so that these types of containers may be located closer than 6 feet from each other provided that the containers are not structurally modified by any means, do not include electrical, mechanical or plumbing fixtures, do not include any hazardous materials, and are not used for or converted to mechanical rooms. This change makes the NCZO consistent with the Ventura County Building and Safety Policy No. 1996-B001 and the Ventura County Fire Prevention District’s Administrative Ruling No. 23-800, as it pertains to the storage of these containers. This change would resolve a request from the business sector to make the policies concerning sea cargo/metal storage containers consistent across the various regulatory agencies. See Exhibit 4, page 47, to review the proposed changes in legislative format.
- d. Accessory Bathrooms (Section 8107-1.9):** Accessory bathrooms are bathrooms that are not within a dwelling, but are either freestanding, attached to, or within an agricultural or residential accessory structure and are regulated under Section 8107-1.9 of the NCZO. Several policy changes are proposed to this section. The proposed amendments include removing the current prohibition on half bathrooms being located next to a closet, removing the requirement that each individual (his/her) bathroom is limited to 70 square feet and replacing it with the more permissive requirement of 100 square feet each (including with a changing room), and removing the 36 square feet size limitation of non-ADA half bathrooms and replacing it with the more permissive 64 square feet size limitation that is currently allowed for ADA half bathrooms. This section is also being revised to clarify that full bathrooms are allowed to be attached to an unenclosed accessory structure to allow outdoor amenities.

These policy changes would allow more design flexibility for property owners. See Exhibit 4, page 50, to review the proposed changes in legislative format.

- e. **Temporary Housing Prior to Reconstruction (Section 8107-14.3, subsection (g))**: Section 8107-14.3 of the NCZO provides regulations for the use of habitable recreational vehicles (RV) for a limited period when the principal dwelling has been involuntarily damaged or destroyed by a natural disaster to provide housing flexibility to support residents during recovery. Subsection (g) of Section 8107-14.3 indicates the amount of time allowed to occupy an RV under these situations up to 12 months, and specifically identifies a longer period for victims of the Thomas Fire that allows up to five years. The amendments include removing the lapsed expiration date of January 1, 2023, removing references to the Thomas Fire or a sunset date limitation, and allows anyone impacted by local, state, or federal-declared disaster to reside in an RV for up to five years after such disaster. See Exhibit 4, page 60, to review the proposed changes in legislative format.
- f. **Wholesale Nurseries for Propagation (Sections 8102-0 and 8107-6.4)**: The current definition of “wholesale nurseries for propagation” provides the meaning and lists examples of the agricultural products and horticultural materials that are raised and sold at this type of nursery. This definition relates to the use standards of wholesale nurseries for propagation in Section 8107-6.4. These standards include a limitation on the amount of non-agricultural related items that are sold at the wholesale nursery. Section 8107-6.4.2 states that non-agricultural items, or items used to help propagate and grow plants such as seeds, mulch, compost, manure and soil amendments, sold at the site may not exceed 20 percent of the inventory.

At the Board’s direction, introduced by Supervisor Parvin, on October 29, 2024, seeds, mulch (which includes compost and manure, as defined in Article 2), soil amendments, bark, and inorganic mineral materials such as rocks, gravel and decomposed granite are proposed to be allowed as agricultural materials and not subject to the 20 percent non-agricultural materials limitation. With the statewide drought that California experienced recently, the County has added regulations to help conserve water by promoting drought tolerant landscaping, such as County Ordinance No. 4577 amending various Articles of the NCZO, which was adopted in 2021 and brought the County into compliance with the California Model Water Efficient Landscape Ordinance (MWELO). Ordinance No. 4577 includes a definition of mulch and how it should be incorporated into water efficient landscaping. Promoting the availability of mulch and inorganic mineral materials at nurseries supports the water conservation goals we are trying to achieve countywide, such as General Plan Water Resources Element Goal: *WR-3, to promote efficient use of water resources through water conservation, protection, and restoration*. Because seeds are an agricultural product and mulch is a fundamental horticultural material at a wholesale nursery that supports water efficient landscaping, these commodities should not be included in the 20 percent inventory limitation. To implement the Board’s

direction, the definition of “wholesale nurseries for propagation” under Article 2 is also proposed to be revised to add these materials as examples of allowable agricultural products and horticultural materials that can be sold at a wholesale nursery operation pursuant to Section 8107-6.4. To be consistent with the revised definition of “wholesale nurseries for propagation,” Section 8107-6.4.2 is proposed to be revised to remove subsections (a) and (b). With these changes, seeds and mulch would no longer be subject to the 20 percent inventory limitation for wholesale nurseries. See Exhibit 4, page 57, to review the proposed changes in legislative format.

- g. Advertisements for Outdoor Events Requiring a Conditional Use Permit (Section 8107-46.4):** The outdoor events regulations under Section 8107-46 (Outdoor Events) are proposed to be revised to state that a Conditional Use Permit is required to advertise any event venue hosting events that require a Conditional Use Permit so that unpermitted venues that advertise would be in violation of County code. This change would increase compliance with, and the County’s ability to enforce, the County’s existing outdoor event regulations. See Exhibit 4, page 75, to review the proposed changes in legislative format.
- h. Parking Area Perimeter Landscaping and Screening (Section 8108-5.14.3, subsection (b)):** Perimeter landscaping and screening of required parking areas in Section 8108-5.14 may be waived by the decision-making body in accordance with Section 8108-5.14.2(b) with certain findings. However, the decision-making authority may not waive these requirements for a project that is located across the street from residential land uses or zones. In addition to perimeter landscaping requirements under Section 8108-5.14.3, projects that have parking areas and associated driveways adjoining residentially zoned property or ground-floor residential land uses are required to install a solid masonry wall at least six feet in height along the property line and such wall shall not be more than 3 feet in height within the front setback of the abutting residentially zoned property. Since the ordinance does not allow waivers for required parking areas adjacent to residential land uses or zones, the masonry wall screening method is the only option available to applicants. Revisions to Section 8108-5.14.3(b) allow applicant and decision-making authority to consider alternative barriers/screening options other than a masonry wall. This change provides more flexibility on screening options for applicants while providing the decision-making authority alternatives that can be just as effective but cost less to business owners. See Exhibit 4, pages 78-80, to review the proposed changes in legislative format.
- i. Public Noticing Requirements for Zoning Ordinance Amendments (Section 8111-3.1):** These sections contain the public noticing procedures and requirements for discretionary entitlements and proposed NCZO amendments that require a public hearing before a decision-making authority. Currently, the NCZO requires a public hearing to be noticed by mail or delivered, among other things, at least 10 days prior to a public hearing involving a discretionary decision. Effective January 1, 2025, amended Government Code section

65854 requires increased noticing requirements for proposed zoning ordinances or amendments to zoning ordinances from at least 10 days prior to the hearing to at least 20 days prior to the hearing. The proposed changes to the NCZO reflect this amended state law. See Exhibit 4, pages 124-125, to review the proposed changes in legislative format.

## 2. Clerical Edits

Many of the amendments are clerical in nature and have no effect on current planning processes or existing regulations. These types of amendments are intended to develop a better working document and assist in correcting grammatical and typographical errors and clarifying regulations often identified by staff and applicants together while processing permits. A summary of the clerical amendments include:

- a. **Clerical, Typographical and Grammatical Errors**: These amendments include correcting parts of text that do not follow standard grammar rules, misspelled words, and citation and punctuation errors.
- b. **Abbreviations and Italicized Words**: Some terms that are used frequently throughout the NCZO are proposed to be replaced with abbreviations. All words in the main body of the NCZO that are defined in Article 2 will be italicized throughout the ordinance, which makes the NCZO consistent with the format of the Coastal Zoning Ordinance (CZO) and the Subdivision Ordinance (SO) and helps staff, applicants and the public easily identify and understand important terms.
- c. **Obsolete Terms or References**: Outdated and incorrect organizational names, titles, terms, and references will be replaced with current local, state and federal laws and references are removed from the ordinance if no longer applicable.
- d. **Style and Reorganization**: Stylistic changes create uniformity throughout the ordinance (e.g., changing the term “Sec.” to the term “Section” when used in the main body of the ordinance, replacing the term “must” with the term “shall.”). The organization of the NCZO is modified to make regulations easier to find and follow, thereby creating a more user friendly document to business owners, property owners, and the public.
- e. **Standard Citation Format**: Various references to internal NCZO sections and to state and federal regulations will be updated to be consistent with standard citation formatting.
- f. **Regulatory Clarification**: These amendments include eliminating redundancies, simplifying wording, reducing misinterpretations, and removing ambiguous, confusing or unclear ordinance language. This includes revising regulations to clarify County land use procedures that are consistently used in the non-coastal zones today but are not adequately described in the text of the



NCZO, such as the regulations pertaining to outdoor freestanding light fixtures, under Section 8106-8.6, which now provide clarification on the permit approval procedures for both ministerial and discretionary projects. Additionally, section references, titles, and introductory language are proposed to be revised or added to help users find, follow, and understand the ordinance regulations. While in some cases these clarifying amendments include extensive text revisions, they are not policy changes and are meant to clarify and codify regulatory procedures so they can be easily understood by business owners, residents, public, decision-makers, and County staff.

#### **E. SUMMARY OF PROPOSED AMENDMENTS**

Exhibit 3 provides a summary of the proposed amendments listed by article and section number. To review all proposed amendments in legislative format, see Exhibit 4.

#### **F. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE**

Pursuant to CEQA (Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (Title 14, California Code of Regulations, Division 6, Chapter 3, Section 15000 et seq.), the amendments are a “project” subject to environmental review. As described above, the amendments include minor changes and clarifications that do not substantively change the way the existing NCZO is applied or implemented. These changes do not lessen environmental protections. The amendments include corrections that are clerical in nature and have no impact on how the ordinance is applied, but rather make the ordinance regulations easier to follow, understand and implement correctly. Therefore, these amendments will not impact the environment.

The amendments include clarifying procedural requirements, codifying standards and practices involved in processing permits, and updating the NCZO to be consistent with local, state, and federal laws. The project does not authorize the approval of structures or uses that would result in additional development that could have a significant impact on the environment. No new provisions have been added that would result in an impact on the environment compared to the existing NCZO. All existing and proposed uses requiring discretionary review continue to require environmental review pursuant to CEQA at the individual project level.

Therefore, the proposed amendments are exempt from CEQA pursuant to the CEQA Guidelines section 15061(b)(3), which states that a project is exempt from CEQA when, “the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.”

#### **G. NCZO AMENDMENT FINDINGS AND SUPPORTING EVIDENCE**

The Board of Supervisors must make certain findings to amend the NCZO pursuant to NCZO section 8115-0, which states at relevant part:

##### ***Sec. 8115-0 - Purpose***

*The purpose of this Article is to establish procedures for amending this Chapter. These procedures shall apply to all proposals to change any property from one zone to another or to amend the text of this Chapter. This Chapter may be amended by the Board of Supervisors whenever the public health, safety, or general welfare, good zoning practice, and consistency with the General Plan justify such action...*

The Board's ability to make these required findings to adopt the proposed amendments is evaluated below for your Commission's consideration in making its recommendation to the Board.

**1. The proposed amendments would not be detrimental to the public health, safety or general welfare.**

A significant portion of the amendments include typographical corrections or stylistic changes, which are clerical in nature and have no effect on the meaning of the ordinance. Because these amendments do not change policy or impact the environment, they would not be detrimental to the public health, safety or general welfare. These amendments make the ordinance regulations easier to read, follow and implement for business owners and residents applying for permits and for staff to process these permits efficiently.

Some minor changes to existing regulations are also proposed. These amendments include, but are not limited to, revisions to existing setback provisions for cargo containers so they are consistent with the standards of the Ventura County Building Code and the Ventura County Fire Code, revisions to existing provisions for accessory bathrooms to allow more flexibility in size and location of these structures, updates to existing regulations for "temporary housing prior to reconstruction" after a disaster to eliminate reference to the Thomas Fire and any related sunset dates, and updates to the public noticing requirements for proposed zoning ordinances or amendments to zoning ordinances to reflect state law effective in January 2025. In general, the amendments include clarifying procedural requirements, codifying standards and practices involved in processing permits, and updating the NCZO to be consistent with local, state, and federal laws. The project does not authorize the approval of new structures or uses that would result in additional development and no new provisions are proposed that would be detrimental to the public health, safety or general welfare.

Based on the above discussion, this finding can be made.

**2. The proposed amendments represent good zoning practice.**

Good zoning practice requires zoning ordinances be periodically updated to maintain consistency with current zoning standards, other County ordinances, and state and federal laws affecting planning and land use. It also requires updating a zoning ordinance to eliminate errors or redundancies that were inadvertently introduced into the regulations and creating style and design changes that make it easier for business and residential permit applicants, the public, the decision-makers and staff to read and understand. The proposed amendments achieve these goals by including updated provisions that are consistent with state and local law, removing redundancies and

ambiguous language, removing obsolete names and terms, and reformatting, replacing and adding sections of the ordinance to make it easier to read.

Based on the above discussion, this finding can be made.

**3. The proposed amendments are consistent with the Ventura County General Plan.**

The proposed amendments consist of typographical corrections, clarifications, and minor policy changes to improve the implementation of the NCZO. As described above, most of the amendments are clerical in nature and clarifications that do not change the intent or application of the ordinance. If these changes are adopted, the NCZO would continue to protect its resources as it does currently.

Similarly, many of the proposed regulatory changes in the ordinance clarify the County's internal procedures, provide for changes in technology, or update standards to meet current local, state, or federal code standards. These changes have no effect on current General Plan policies or any of the County's area plan policies, and do not decrease protection of, or limit access to, existing environmental resources. The changes made to the NCZO are consistent with the goals, programs, and policies of the General Plan. There are no proposed changes that would make the NCZO inconsistent or be in conflict with the General Plan policies.

Based on the above discussion, this finding can be made.

**H. PLANNING COMMISSION HEARING NOTICE AND PUBLIC COMMENTS**

The Planning Division provided public notice regarding the Planning Commission hearing in accordance with the Government Code (Section 65091) and NCZO section 8111-3.1. On November 1, 2024, the Planning Division placed a legal advertisement providing notice of this public hearing in the *Ventura County Star*. The public notice was mailed to several interested persons who requested to be notified of this public hearing on this item and to all 10 cities in Ventura County. To date, no public comments have been received by the Planning Division.

**I. RECOMMENDED ACTIONS**

Based upon the analysis and information provided above, Planning staff recommends that the Planning Commission take the following actions:

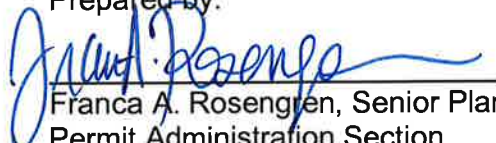
1. **CERTIFY** that the Planning Commission has reviewed and considered this staff report and all exhibits thereto, and has considered all comments received during the public comment process;
2. **ADOPT** a resolution (Exhibit 2) recommending that the Board of Supervisors take the following actions:
  - a. **CERTIFY** that the Board of Supervisors has reviewed and considered the Board letter, the November 14, 2024, Planning Commission staff report and all exhibits thereto and has considered all comments received during the public comment process and hearing processes;

- b. **FIND**, on the basis of the entire record and as set forth in Section F of the November 14, 2024, Planning Commission staff report that the adoption of the proposed amendments (Exhibit 5) to the Non-Coastal Zoning Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3) because there is no possibility the amendments may have a significant effect on the environment;
- c. **FIND**, on the basis of the entire record and as set forth in Sections A, D, E, F, G and H of the November 14, 2024, Planning Commission staff report, that the proposed amendments to the NCZO (Exhibit 5) are consistent with the goals, policies, and programs of the General Plan and good planning practices, and are in the interest of public health, safety and general welfare;
- d. **ADOPT** the proposed ordinance amending Articles 1, 2, 3, 4, 6, 7, 8, 9, and 11 of the Non-Coastal Zoning Ordinance (Exhibit 5) (Case No. PL19-0021); and
- e. **SPECIFY** 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 these decisions are based.


This staff report was reviewed by County Counsel. The Board of Supervisors hearing to consider the proposed amendments is tentatively scheduled for December 17, 2024.

If you have any questions concerning the information presented above, please contact the case planner, Ms. Franca A. Rosengren, Senior Planner, at (805) 654-2045 or by email at [Franca.Rosengren@ventura.org](mailto:Franca.Rosengren@ventura.org). You may also contact Mr. Winston Wright, Planning Manager, at (805) 654-2468 or by email at [Winston.Wright@ventura.org](mailto:Winston.Wright@ventura.org).

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#### EXHIBITS

- Exhibit 1 – Reserved<sup>1</sup>
- Exhibit 2 – Draft Planning Commission Resolution
- Exhibit 3 – Summary of Proposed NCZO Phase I Amendments
- Exhibit 4 – Proposed NCZO Phase I Amendments, Legislative Version
- Exhibit 5 – Proposed NCZO Phase I Amendments, Clean Version

<sup>1</sup> This Planning Commission staff report will be included as Exhibit 1 of the Board of Supervisors Letter.